

Public Document Pack

COUNCIL

A meeting of Council will be held at Council Chamber, Fenland Hall, County Road, March on MONDAY, 4 NOVEMBER 2019 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 10)

To confirm and sign the minutes of 18 September 2019.
- 3 Civic Engagements Update (Pages 11 - 12)

For information only.
- 4 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 5 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 6 To receive questions from, and provide answers to, councillors in relation to matters which, in the opinion of the Chairman, accord with the provisions of Procedure Rules 8.4 and 8.6.
- 7 To receive reports from and ask questions of Cabinet members with portfolio holder responsibilities, in accordance with Procedure Rules 8.1 and 8.2. (Pages 13 - 106)
- 8 Motion submitted by Councillor Hoy regarding Discrimination including Racism and Antisemitism (Pages 107 - 108)
- 9 Commercial and Investment Strategy (Pages 109 - 134)

To provide Council with an update on the progress of the Commercial & Investment Strategy including formal approval of the Strategy, and to agree next steps in formulating a plan for implementation to include: governance, funding, investment criteria and prospective projects.
- 10 Discretionary Rate Relief Policy (Pages 135 - 150)

For Members to consider and agree to adopt a Local Discretionary Business Rate Relief Policy (LDBRR).
- 11 Independent Remuneration Review (Pages 151 - 164)

To present to Council the conclusions and recommendations of the Independent Remuneration Panel (IRP) in respect of its review of the current Members' Allowances Scheme.

12 Gambling Policy (Pages 165 - 216)

To adopt the proposed Gambling Statement of Principles Policy.

13 Cumulative Impact Zone (Pages 217 - 238)

To adopt the proposed Cumulative Impact Assessment Policy.

Fenland Hall
March



Chief Executive

Thursday, 24 October 2019

NOTE The Council may, by resolution, as exemplified below, exclude the public from a meeting during the consideration of any item of business whenever 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, there would be disclosure to them of exempt information as defined in Section 100 I of the Local Government Act, 1972

"Resolved that under Section 100(A)(4) of the Local Government Act, 1972 the public be excluded from the meeting for Item No./Minute No. on the grounds that the item involves the disclosure of exempt information as defined in Paragraph of Part I of Schedule 12A of the Act"

COUNCIL



**WEDNESDAY, 18 SEPTEMBER 2019 -
4.00 PM**

PRESENT: Councillor Mrs K Mayor (Chairman), Councillor A Miscandlon (Vice-Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor C Boden, Councillor G Booth, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor M Cornwell, Councillor D Divine, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor M Humphrey, Councillor Mrs D Laws, Councillor A Lynn, Councillor D Mason, Councillor C Marks, Councillor A Maul, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor W Rackley, Councillor C Seaton, Councillor R Skoulding, Councillor M Tanfield, Councillor S Tierney, Councillor D Topgood, Councillor S Wallwork, Councillor Wilkes and Councillor F Yeulett

APOLOGIES: Councillor A Bristow, Councillor S Count, Councillor Mrs M Davis, Councillor W Sutton and Councillor Wicks

C31/19 PREVIOUS MINUTES

The minutes of the meeting of 18 July 2019 were confirmed and signed subject to the following comments;

1. Councillor Boden queried the 'Cambridgeshire City Council' in minute number C21/19 and asked if this should read Cambridgeshire County Council. Councillor Cornwell disagreed and Councillor Tanfield clarified that it should read 'Cambridge City Council'.
2. Councillor Booth highlighted that Councillor Mrs Mayor had welcomed Councillor Wilkes during minute number C28/19.

C32/19 CIVIC ENGAGEMENTS UPDATE.

Councillor Mrs Mayor drew member's attention to the civic activities undertaken by herself and the Vice-Chairman in the weeks preceding Full Council.

C33/19 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Mrs Mayor thanked those members that attended the recent Chairman's Civic Reception which took place on Friday 6 September at the Eastrea Centre. She said the event was well-attended and a great success.

Councillor Mrs Kay Mayor reminded members that she will be hosting a coffee morning on Thursday 26 September as part of Macmillan Cancer Support's World's Biggest Coffee Morning event. All members are welcome to attend and donations of raffle prizes will be gratefully received.

Councillor Murphy made the following statement in relation to this year's In Bloom awards;

'At the Anglia In Bloom 2019 awards over 300 people attended the presentation in St Ives. The following awards were received within the district;

- Gold for Wisbech in the Large Town category;
- Gold for Chatters in the Medium Town category;
- Gold for Benwick in the Small Village category;
- Gold for Waterlees, Wisbech in the Urban category and;
- Gold for St Peter's Church Gardens, Wisbech in the Small Parks category

I would also like to congratulate all of our volunteers across the district who have worked hard throughout the year to make Fenland look as good as it does. I would like to ask anybody in the community who would like to get involved, to get in touch with the local In Bloom or Street Pride group and see how they can help.

I would also like to thank the Fenland team who have adopted a sustainable approach which was reflected by the Chair of Judges. I would once again like to say thank you very much to the volunteers, we could not do this without you.'

C34/19 **TO RECEIVE QUESTIONS FROM, AND PROVIDE ANSWERS TO, COUNCILLORS IN RELATION TO MATTERS WHICH, IN THE OPINION OF THE CHAIRMAN, ACCORD WITH THE PROVISIONS OF PROCEDURE RULES 8.4 AND 8.6.**

Councillor Mrs Mayor stated that no questions had been submitted under Procedure Rules 8.6 and asked if there were any questions under Procedure Rule 8.4 from Councillor Tanfield as Leader of the Opposition Group.

Councillor Tanfield asked if more help could be given to individuals facing eviction from housing association properties, as she has recently been involved in a case relating to an individual facing this issue. She asked if more could be done to signpost these individuals to the help available to them. Councillor Boden thanked Councillor Tanfield for the question. He highlighted that Councillor Miss Hoy is undertaking a lot of work in this area as part of her portfolio. He stated that as each case has to be assessed on an individual basis, there is not one single solution. He suggested that if any members are dealing with similar enquiries, Councillor Miss Hoy will be able to assist.

Councillor Tanfield asked Councillor Boden if the Council has any involvement financially or liability in relation to Kings Dyke Crossing. Councillor Boden explained that he does not believe the Council have made a direct financial commitment to Kings Dyke Crossing as the project was the responsibility of the Highways Authority and subsequently the Cambridgeshire and Peterborough Combined Authority (CPCA) and Cambridgeshire County Council. He explained that the Council have a function to ensure this project proceeds however no financial obligation.

C35/19 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Members asked questions of Portfolio Holders in accordance with Procedure Rules 8.1 and 8.2 as follows;

1. Councillor Booth asked, on behalf of Councillor Sutton, for an update on 11-12 High Street, Wisbech. Councillor Boden confirmed that an update had been circulated to members earlier today. He confirmed that as the Council are now the owners of the site, they have financial responsibility for the works being undertaken.
2. Councillor Booth asked Councillor S Clark for an update on the audit of the Freedom Leisure contract. Councillor S Clark agreed to provide Councillor Booth with this information after the meeting.
3. Councillor Mrs Bligh stated that following her suggestion at the last meeting of Council regarding the dog fouling prevention stencils, she had engaged with Councillor Murphy and

thanked him for his support on this project. She explained that hopefully with the support of the Highways Authority the project can move forward.

4. Councillor Tanfield asked Councillor Mrs French for an update on the civil parking enforcement motion considered at the last meeting of Council. Councillor Mrs French explained that the report is imminent and will be presented to members in the coming months.
5. Councillor Tanfield asked Councillor S Clark for further information on the leisure statistics provided in relation to Freedom Leisure (page 39 of the Agenda Pack). Councillor S Clark agreed to provide Councillor Tanfield with this information after the meeting.
6. Councillor Tanfield asked Councillor S Clark for clarification on the Freedom Leisure 'family' average score reported on page 41 of the Agenda Pack and further information on the performance measures in place for Freedom Leisure. Councillor S Clark agreed to provide Councillor Tanfield with this information after the meeting.
7. Councillor Booth asked Councillor Mrs French how the Council can be assured that they are receiving the best deal in relation to the new street light energy provider (page 59 of the Agenda Pack). Councillor Mrs French agreed to provide Councillor Booth with this information after the meeting.
8. Councillor Booth asked Councillor Benney if statistics could be provided in relation to how many new businesses are starting up in Fenland as oppose to just the number of enquiries the Council have dealt with. Whilst he knows the result of enquiries can take a long time to deliver, these figures would be useful. Councillor Benney agreed to provide Councillor Booth with this information after the meeting.
9. Councillor Booth explained that at the recent Overview & Scrutiny Panel meeting, members had requested that certain performance metrics were removed from Portfolio Holder Update reports and said he was disappointed that these figures are still being reported. Councillor Boden confirmed that future reports would not include these performance metrics.
10. Councillor Tanfield said she was pleased to see the work undertaken as part of the Youth Advisory Groups project (page 35 of the Agenda Pack). She asked if any of the funding allocated to the previous Youth District Council were still available. Councillor Seaton thanked Councillor Tanfield and said these funds had been allocated to other areas however the project has multiple funding streams available.

(Councillor Booth declared a personal interest by virtue of the fact that he is a committee member of the Parson Drove Car Show- page 67 of the agenda pack)

C36/19 REGULATION OF INVESTIGATORY POWERS ACT (RIPA) - POLICY UPDATE

Councillor J Clark presented the Regulation of Investigatory Powers (RIPA) – Policy Update report.

Councillor J Clark explained that the Home Office had updated the codes of practice concerning RIPA in August 2018. He explained that whilst normally the Corporate Governance Committee asks that any amendments to policies are clearly marked as track-changes, in this instance, the policy has had a total revision. The new policy not only reflects new changes but also uses a more friendly approach and greater transparency involved in undertaking investigations under RIPA as well as non-RIPA investigations.

He stated that the code of practice has introduced significant changes in relation to covert human intelligence sources (CHIS) including; clarity regarding when a human source becomes a CHIS, how CHIS's are authorised and supported and how applications are processed, reviewed, renewed and cancelled. It also includes clarity on how information is stored and associated timescales.

He informed members that the revised policy has been endorsed by a recognised surveillance industry expert and they have confirmed that it reflects best practise.

He asked Council to approve the revised RIPA policy as outlined in the report.

Councillor Boden thanked Councillor J Clark. Whilst he understands that it is not possible to show track-changes in this instance, he asked that in future members are provided with a summary of major changes made to policies.

Proposed by Councillor J Clark, seconded by Councillor Mrs Laws and decided that Council APPROVE the revised RIPA policy as per the recommendation of the Corporate Governance Committee.

**C37/19 MOTION SUBMITTED BY COUNCILLOR CHRIS BODEN REGARDING
SKY/CHINESE LANTERNS.**

Councillor Mrs Mayor drew member's attention to the altered Motion, which had been tabled. Members agreed to the alterations.

Councillor Boden presented his motion regarding Sky/Chinese Lanterns and stated that;

'First of all I must emphasise that I am proposing this Motion as a member and not as Leader of the Council. As well as many others in this chamber, I both live and represent one of the district's towns but there is a significant number of our population that reside in rural areas within the district, including our agricultural industry.

The first time I heard about the dangers of releasing Chinese Lanterns, I admit, I thought it was a joke. I asked why you would want to stop people's innocent pleasure and fun but it was only on further research, that I realised the danger and damage caused by both Chinese Lanterns and Helium Balloon releases.

There are now 66 local authorities across the Country who has banned the release of Helium Balloons and Chinese Lanterns on their land and Fenland District Council became one of these 10 months ago. There are approximately 200,000 Sky Lanterns sold in the UK every year. Sky Lanterns can cause significant damage to farm land if they come down still alight and Helium Balloons can be deadly if ingested by Livestock. Whilst this is damaging to the agricultural industry it is also an appallingly cruel way for these animals to die.

Helium Balloons can also cause damage to the oceans and sea with recent research showing that balloons are the highest risk item of debris to sea birds and are 32 more likely to result in a sea bird's death than ingesting hard plastic. One of these issues is the scale of the release of these balloons. The banning of this has been endorsed by the RSPCA, The Marine Conservation Society, The British Veterinary Association and the National Farmers Union.

Can I ask that when members interact with both the general public and schools in the district, they educate them on the dangers involved with the release of Sky Lanterns and Helium Balloons. This Motion will allow an opportunity for increased publicity and discussion and the Council need to play a part in raising awareness of this.'

Councillor Humphrey seconded the motion and Councillor Mrs Mayor opened the motion up for debate.

1. Councillor Mrs French asked for confirmation that the Council has banned the release of Sky/Chinese Lanterns and Helium Balloons on land owned and occupied by the Council. Councillor Boden confirmed this was agreed as part of an executive decision made by Councillor Murphy 10 months ago.
2. Councillor Mrs Bligh explained that in 2006 she had attended a training session held by NABAS (The National Association of Balloon Artists and Suppliers). At that time, she was

advised against doing major balloon releases unless these balloons were biodegradable. She said that unfortunately, many major balloon releases are carried out by individuals who have not had the necessary training. She stated that there is not only a risk to crops and animals but also the interaction of balloons within airspace. She offered her full support to the Motion.

Councillor Yeulett proposed an Amendment to the Motion to include the following wording as point 5;

5. To ensure that this Motion is not too narrow or restrictive, the Council should revisit the issue taking into account other similar pollution risks.

Councillor Patrick seconded the amendment to the Motion and Councillor Mrs Mayor opened the Amended Motion up for debate.

1. Councillor Mrs French asked Councillor Yeulett for clarification on his amendment. Councillor Yeulett clarified that the amendment to the Motion asks that consideration is given to other pollutants including plastics etc.
2. Councillor Boden stated that whilst he would have preferred advance notice of this amendment, in principle he supports the review of other similar pollutants.
3. Councillor Cornwell reminded members that the Council is the only marine authority in Cambridgeshire and therefore there may be other elements of pollution that are applicable to this Council but not necessarily neighbouring authorities. He stated that the amended Motion is broad enough to enable further research in to this important issue.
4. Councillor Tierney disagreed as he does not support the Motion. He said everything in life is a balance of risk and reward and benefit versus cost and we cannot just ban everything that may have a negative reward in certain instances. He stated that people have freedom of choice and whilst there are ways to manage these issues, it is not through banning certain activities. He said it was irrelevant what other local authorities had instigated as this Council makes decisions on its own position. He explained that only one major study has been carried out on Chinese Lanterns and this was undertaken by DEFRA in 2013. The study concluded that there no significant harm is caused by Chinese Lanterns and whilst Helium Balloons can be a risk to animals, we cannot ban everything animals and birds consume in error. He said whilst it is difficult to assess the value of balloon releases, it does have a value to those participating and this is ultimately higher than the potential cost. He supports raising the public awareness of this issue but ultimately does not support the Motion.
5. Councillor Meekins agreed with Councillor Tierney. He explained that he had undertaken research in relation to this and could not find definitive statistics showing the amount of animals injured by Chinese Lanterns. He stated that most Chinese Lanterns are both fire retardant and biodegradable and highlighted that DEFRA had been asked to support a ban of these and they had declined. He reiterated that there are many other things that can cause damage to animals and crops, such as fireworks, and the Council cannot support the banning of one activity and not another.
6. Councillor Benney agreed and stated that there are very few statistics available to support the banning of these activities.
7. Councillor Miss Hoy confirmed that she too did not support the amendment to the Motion. She stated that whilst she supports raising awareness of this issue, there are more important things to consider and the inclusion of researching additional pollutants is too wide a remit.
8. Councillor J Clark agreed and stated that the Council needs to concentrate on addressing its budgetary deficit as opposed to restricting the release of balloons.
9. Councillor Mrs Laws highlighted a recent story in the press in which a Chinese Lantern had entered an open window and had caused serious injury to a child.
10. Councillor Hay stated that she did not support the Motion.
11. Councillor Tanfield said that she understands the risks involved however she has not

experienced any such issues within her rural ward. She stated that whilst she agrees with raising the public awareness of this, she does not support the banning of Chinese Lanterns and Helium Balloons.

12. Councillor Booth supported the Motion and argued that the 'risk' is higher than the 'reward' in this instance. He highlighted the injuries to animals caused by both Chinese Lanterns and Helium Balloons and added that many injuries go unreported.
13. Councillor Boden stated that he had no issue with the amendment and agreed to give consideration to other pollutants.

A vote was taken on the amendment to the Motion. The amendment to the Motion failed.

Councillor Mrs Mayor opened the substantive Motion up for further debate.

1. Councillor Humphrey explained that he works in the agricultural industry and highlighted the impact it has on this sector. He stated that both the RSPCA and the NFU are asking Councils to discourage members of the public from releasing both Chinese Lanterns and Helium Balloons.
2. Councillor Boden said he was delighted that this Motion had been discussed today. He confirmed that if used correctly, Chinese Lanterns are not deemed a fire-risk however used improperly they can have a devastating effect on both farm land and animals. Whilst he agrees that the Council have other areas to focus on, he reminded members that the district has a population of 20% living in rural areas and he hopes today's discussion has educated members on the risks associated with these activities.

A vote was taken on the Motion. The Motion was dismissed.

C38/19 COMBINED AUTHORITY EXECUTIVE COMMITTEE NOMINATIONS.

Councillor Boden presented the Combined Authority Executive Committee Nominations report.

Councillor Boden explained that following recent changes, it is necessary for the Council to make appointments to three Executive Committees within the CPCA.

He asked members to support the recommendation within the report.

Proposed by Councillor Boden, seconded by Councillor Mrs French and decided that the Council AGREE;

3.1. To the nominated representatives and nominated substitute representatives to the Cambridgeshire and Peterborough Combined Authority Executive Committees for the municipal year 2019/20

3.2. That the nominated representative for the Transport Committee is Cllr Chris Seaton with Cllr Chris Boden as the substitute representative

3.3. That the nominated representative for the Housing and Communities Committee is Cllr Dee Laws with Cllr Sam Hoy as the substitute representative

3.4. That the nominated representative for the Skills Committee is Cllr Chris Seaton with Cllr David Mason as the substitute representative

3.5. That the Chief Executive be authorised to make any amendments to the appointments to the Combined Authority Executive Committees including the Transport Committee, Housing and Communities Committee and Skills Committee in

consultation with the relevant Political Group Leaders, at any time throughout the municipal year.

C39/19 REVISED CONDUCT PROCEDURE RULES, GUIDANCE & TEMPLATES.

Councillor Topgood presented the Revised Conduct Procedure Rules, Guidance & Templates report.

Councillor Topgood explained that the report had been considered and endorsed by the Conduct Committee, following consultation with members and Town and Parish Councils. He asked members to support the recommendations within the report.

Councillor Yeulett praised the report and endorsed the comments made by Councillor Mason as part of the consultation process.

Councillor Hay asked for clarification on the amendment to 2.5.3 (appendix 2 of the report). It was confirmed that the reference to Chairman related to the Chairman of the Conduct Committee. Councillor Mrs Mayor confirmed the word 'Chairman' had been duplicated and removed as part of the amendment.

Proposed by Councillor Topgood, seconded by Councillor Mrs Laws and decided that the Council AGREE to the proposed revisions to the Conduct Procedure Rules and associated Constitutional amendments required to bring them into effect and delegate to the Monitoring Officer to make the changes to the Constitution.

5.11 pm

Chairman

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Civic Engagements

From September 18, 2019 to November 3, 2019

Sunday 22 September	Royal Anglian Association Service Attended by the Chairman Huntingdon District Sea Cadets Attended by the Vice Chairman
Thursday 26 September	Chairman's Macmillan Coffee Morning Attended by the Chairman and Vice Chairman
Friday 27 September	East Northamptonshire Council Dinner Dance Attended by the Chairman
Sunday 29 September	Opening of Peel House Attended by the Chairman
Tuesday 1 October	Peterborough City Council Sausage Supper Attended by the Chairman
Sunday 6 October	Cambridgeshire High Sheriff Judiciary Service Attended by the Chairman
Sunday 13 October	South Holland Civic Service Attended by the Chairman
Saturday 19 October	Royal Society of St George Trafalgar Dinner Attended by the Chairman
Sunday 20 October	March Town Council Civic Service Attended by the Chairman City of Ely Civic Service Attended by the Vice Chairman
Tuesday 22 October	Women's Institute Federation Day Attended by the Chairman
Friday 25 October	Mayor of Stamford's Civic Dinner Attended by the Chairman
Sunday 27 October	Mayor of Whittlesey's Civic Service Attended by the Chairman
Friday 1 November	Royal Anglian Regiment Whittlesey and District Annual Branch Dinner Attended by the Chairman

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Cabinet and Corporate Management Team

Portfolio Holder Briefing Report

November 2019

(For performance in August and September 2019)

Cabinet Members

 <p>Councillor Chris Boden Leader of the Council & Portfolio Holder for Finance</p>				
 <p>Councillor Ian Benney Portfolio Holder for Economic Growth</p>		 <p>Councillor Sam Clark Portfolio Holder for Social Housing & Leisure</p>		 <p>Councillor Susan Wallwork Portfolio Holder for Communities</p>
 <p>Councillor Mrs Jan French Deputy Leader of the Council</p>		 <p>Councillor Miss Sam Hoy Portfolio Holder for Housing</p>		 <p>Councillor Mrs Dee Laws Portfolio Holder for Planning</p>
 <p>Councillor Peter Murphy Portfolio Holder for Environment</p>		 <p>Councillor Chris Seaton Portfolio Holder for Social Mobility & Heritage</p>		 <p>Councillor Steve Tierney Portfolio Holder for Transformation & Communication</p>

BUSINESS PLAN AREA: Communities**Business Plan Priority:** Support vulnerable members of our community**Business Plan Action:** *Support residents to maximise their income by accessing the benefits they are entitled to. Process applications for Housing Benefit and Council Tax Support efficiently and accurately through our shared service (Anglia Revenues Partnership; ARP)***Business Plan Action:** *Support residents in managing the effects of welfare reform changes by working with partners, including Jobcentre Plus and the Rural Citizens Advice Cambridgeshire, and helping them access Universal Credits online***Portfolio Holder:** Cllr Mrs Jan French

Description	Target 19/20	Achieved (in-month only)	Cumulative for 19/20	RAG
Performance Measure				
LPI ARP1 Days taken to process Council Tax support – new claims and changes	8 days	6.19	7.24	
Target ARP2 Days taken to process Housing Benefit – new claims and changes	8 days	6.15	6.20	

This month we have once again exceeded all targets.

The time taken to assess Council Tax Support new claims and changes has decreased this month. Target 1 Processing Time has decreased by 0.51 days. Target 2 has also decreased by 0.26 days. This has resulted in the time taken to assess Council Tax Support new claims/changes has decreased for the year as a whole. Target 1 has decreased by 0.2 days. Target 2 has increased very slightly by 0.01 days. The current year to date figures remain very good with both targets having been exceeded.

The Council continues to analyse outstanding work and allocate work tasks on a daily basis to ensure that claims and changes are managed effectively.

The position of Council Tax Billing Officer has been through job evaluation at Fenland Hall and a pay grade agreed.

A proposed change to the Council Tax Support Scheme for 2020/21 is currently out to

public consultation. The aim of the change is to provide customers who are in receipt Council Tax Support and who receive Universal Credit more clarity as to the amount of Council Tax customers will be required to pay. For these customers the proposal is to introduce a £15.00 income change tolerance so small changes in income will not trigger a re-assessment of Council Tax Support as a result customers will receive fewer bill amendment letters.

Fenland has managed to spend 37.7% of Discretionary Housing Payment funds allocated by the DWP to assist tenants in the local area.

BUSINESS PLAN AREA: **Communities**

Business Plan Priority: **Support vulnerable members of our community**

Business Plan Action: ***Prevent Homelessness, meet housing needs, improve housing conditions and keep homes accessible through our housing duties***

Portfolio Holder: **Cllr Miss Sam Hoy**

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI CEL1 Total number of private rented homes where positive action has been taken to address safety and cohesion issues	200	46	136	

The Council has undertaken 40 positive interventions in response to new requests for service for Houses in Multiple Occupation (HMOs) across the district.

The Council had also investigated 96 complaints from tenants occupying privately rented accommodation in the same period. Council Officers intervened to remove Category 1 hazards (serious faults) and Category 2 hazards (less serious faults) from properties to make them safe for the residents.

The geographical spread is as follows:

	<u>HMOs investigated</u>	<u>Privately Rented Homes investigated</u>
Wisbech	35	38
March	2	21
Chatteris	2	8
Whittlesey	3	9
Villages	0	20

Breakdown for the 20 in the villages:

Fridaybridge =	1
Murrow =	2
Manea =	2
Gorefield =	3
Leverington =	3
WSM =	2
Tydd SG =	2
Turves =	2
Wimblington =	2
Doddington =	1

October marks the first anniversary of the extension to the Mandatory Licensing Scheme within the district. Upon reviewing the number of voluntary applications received by the council it is evident that a large number of landlords remain reluctant to engage and fully commit to the process and continue to avoid their legal responsibilities; resulting in poor fire safety standards and poor housing conditions.

Therefore officers, with the support of the housing portfolio holder, have reviewed the current enforcement processes, that work to deliver the Council's housing enforcement policy, and are, with immediate effect, taking a more robust approach to non-compliance. Where officers identify, and have reason to believe, a property is occupied as a licensable HMO, and is not so licenced, the council will issue a Notice of Intent, with a view to pursuing its powers using the Civil Penalty Notice procedure. Not only does this process serve as a warning to landlords that the authority will not tolerate non-compliance, if successful, fines of up to £30,000 will be issued and will be payable to the council, rather than the existing penalties which are paid to the courts.

The same approach will be taken where landlords fail to respond promptly to requests for repairs made by their tenants and the council has to intervene.

A letter to all known landlords in the district, detailing the amendments to the council's procedures as above, has been sent; a press release also.

As well as the work in Wisbech, the Controlling Migration Fund also funded an officer for the town of March. This member of staff has now been recruited and will begin the process of making house to house enquiries to find any Houses in Multiple Occupancy that are unlicensed and to address hazards within private sector housing.

Private Sector Housing Enforcement – Controlling Migration fund project Performance

The team has reviewed its priorities in relation to enforcement activity. The officers are focusing on targeting existing cases and assessing which landlords are failing to comply with informal requests with a view to implementing enforcement powers

pursuant of Civil Penalty Notices.

Measure	Cumulative since March 2018
Total Number of Properties Inspected	2104
Interventions Taken (see table below)	876
Information Packs Issued	315
Smoke Detectors brought into use	327
Hazards Removed	583

Breakdown of interventions since March 2018

Interventions	Cumulative
Smoke Detector defect letters (Private Rented Sector)	152
Smoke Detector advisory letters (Owner Occupied)	158
Formal Inspection Appointment Letters	140
Notice requesting Information	11
Informal Letter requesting remedial repair	355
HMO declaration notices	53
Enforcement Notices issued	14

The actions undertaken by the council help to ensure that residents can live safely in their private rented homes and landlords are aware of their responsibilities.

In light of the impact from the work from the Controlling Migration Fund project and the ongoing need for prevention, intervention and enforcement to improve house conditions the Council is proposing to budget for the work to be continued for a further 12 months in 2020/2021. The posts will be funded through fine income and any other external funding the Council can source.

Empty Homes

In September the Council supported Empty Homes week through a press release highlighting the support available to empty home owners through our website www.fenland.gov.uk/emptyhomes. The portfolio holder for Housing has agreed to a pilot project to recruit an Officer for one year to focus proactive engagement with empty homes owners to bring them back into use. If successful the project will produce additional income to the Council over and above the cost of the post through finance received from Central Government.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI Number of households prevented from becoming	200	April 32 May 21 June 39 July 16 August 26	169	

homeless		September 35		
<p>Breakdown:</p> <p>Mediation = 9</p> <p>Debt Advice = 6</p> <p>Resolve rent arrears = 9</p> <p>Private rented with deposit support = 28</p> <p>Private rented without deposit support = 49</p> <p>Housing Register Offer = 44</p> <p>Supported Accommodation = 24</p> <p>The total preventions in 2017/18 was 115, the total for 18/19 was 315.</p>				
Description	Monthly	Cumulative for 2019/20	%	
Total number of Households approaching the Housing Options Team	155	1056	N/A	
Total number household receiving advice only for example not homeless but advice needed	64	420	N/A	
Total number of Personal Housing Plans created i.e. there is a risk of homelessness and an action plan has been created to hopefully prevent the homelessness taking affect.	14	154	N/A	
Number of formal Homeless decisions made. This is where the personal housing plan has not resolved the problem leading to the need for a formal decision to be taken under the legislation. In 17/18 we made 159 decisions and experience in Wales and Southwark indicate this should be much lower under the new Act.	0	7	N/A	
Successful outcomes in Prevention stage (household had their issue resolved within 56 days)	April = 18 May = 12 June = 23 July = 3 August = 17 September = 17	90 out of 100	90 %	
Successful outcomes in Relief stage (cases that came to us too late for prevention stage i.e. households were awaiting court action to end their tenancy or they lost their last settled accommodation, which meant the Council had to provide some alternative form of accommodation whilst the household and the Council work on a personal housing plan. During the 56 day "relief period" they had their housing issue resolved).	April = 14 May = 9 June = 16 July = 13 August = 9 September = 18	79 out of 134	59%	

Statistic for Wales Prevention 62% Relief 42%

Trailblazer Project Update

The work of early homeless prevention across the Fenland-led Trailblazer project continues to make a valuable difference to people's lives and wellbeing within Cambridgeshire and Peterborough.

Since the start of the project in August 2017, there have been over 1000 referrals in to the service. Fenland has consistently had the highest level of referrals, 90 between April and September 2019, from individuals and partner agencies requesting help to prevent families and individuals from becoming homeless.

The Trailblazer team is working with social and private sector landlords to prevent homelessness including the use of mediation, debt advice and financial advice. With the project continuing for another year, the focus will be continued work with partners to identify and assist clients at risk of homelessness before 56 days and to develop partnership protocols for example offenders, mental health patients and 16/17 year olds for the Cambridgeshire and Peterborough area to enable more effective processes to identify and assist those at risk of homelessness early.

Rough Sleeping Update

The Council currently has 23 rough sleepers that are being supported to attempt to resolve their housing problem. The Council is very keen to capture information and intelligence from the community on rough sleepers so that contact can be made and support plans developed. Please contact 01354 654321 or www.streetlink.org.uk (there is a direct link on our website) or email housingadvice@fenland.gov.uk.

Rough sleeping (Controlling Migration Fund)

The Council is working with Change Grow Live (CGL) to run a Migrant Outreach Service in Wisbech. The service is funded by a successful bid under the Controlling Migration Fund (CMF) for one year.

There will be two outreach posts, one of whom will assist those with complex needs. The funding of £136,625 is for one year.

The service links in to a new hub being run by Ferry Project following a successful bid to the Ministry of Housing, Communities & Local Government (MHCLG) for £131k to assist

with support and rehousing options for one year to alleviate rough sleeping. The aim of the hub is to work as a day centre for rough sleepers to understand the barriers for repeat rough sleeping and develop solutions to get the rough sleeper back into temporary / settled accommodation. During September, 15 individuals have been helped into secure accommodation and 21 clients have engaged in the Hub service.

For rough sleeping issues outside of Wisbech and for all non-migrant concerns, the Council's Housing Options team carry out this function.

The Council has also been successful in securing a further £35k grant by the MHCLG for a Rough sleeper coordinator post for a year to support the work of all the rough sleeping programmes that are in place.

As well as this, the Council is working on an opportunity to develop a Cold Weather Fund bid to government, which will be for across the whole of Fenland.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI Number of homes adapted to assist vulnerable disabled residents to remain in their home	130	24	79	

Through this scheme the Council provides adaptation works for older and disabled home owners and tenants to remain safe, secure and protected in their own homes. This work is financed through the Better Care Fund the health and social care budget- with funds being allocated annually to the Council.

The Council has assisted 79 households with adaptation works year to date.

The geographical spread is as follows:

Wisbech	23
March	26
Chatteris	8
Whittlesey	2
Other villages	20

Breakdown:

Elm =	3
Eastrea =	2
Manea =	3
WSM =	2
Parson Drove =	2
Coldham =	1
Murrow =	3

Gorefield = 1
 Thorney Toll = 1
 Wimblington = 1
 Tydd SG= 1

Current Budget Spend and commitment breakdown:

Better Care Fund Budget (£)	Spent Year to Date (£)	Committed Year to Date (£)	Indicative pipeline (£)
1,358,000	464,381 (34%)	412,488 (30%)	200,000 (18%)

The pipeline figures can change significantly depending on whether cases proceed to application – factors such as means testing, challenges of the scheme and patients health, etc can determine when and if the proposed adaptations goes ahead.

Homelessness Review & Homelessness Strategy Action Plan Update (July 19)

The Council is working with partner agencies to commence a homelessness review in the Autumn. The outcome will lead to a refreshed Homeless Strategy and Rough sleeper action plan for 2020/21. The review looks to refresh the evidence data which forms and picture of needs and pressures relating to Homelessness in the district. It then assesses current services and resources available to meet needs to identify gaps in service provision. Following that an action plan is created and consulted upon setting out the actions required to meet those needs.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Support vulnerable members of our community

Business Plan Action: *Work with partners to build capacity and resilience so that residents can support themselves and the community*

Portfolio Holder: Cllr Susan Wallwork

Community Locally Led Development (CLLD)

Cambridgeshire ACRE organised a drop-in session on the 10th September 2019 for organisations likely to submit an Expression of Interest to CLLD and an invitation was

sent out to all those in pipeline of which the following attended:

- Octavia Hill Birthplace Museum Trust
- Cambridge Community Arts
- FACET - booked but then gave apologies
- Recovery College East

One hour time slots were offered throughout the day with the aim of:

- Discussing project ideas in more detail
- Finding out more about the funding available and the application process
- Discussing the support available
- Reviewing relevant documentation including the Expression of Interest

Following this a CLLD meeting was held on 25th September 2019 and expressions of interest was received from a few of the above and the meeting was encouraged to see a partnership project between The Recovery College East and Head to Toe Charity which has been outlined below:

Recovery College East sits within Cambridgeshire and Peterborough NHS Foundation Trust (CPFT). Recovery College East (RCE) is part of a national network of providers helping to fill the gap in mental health service provision between in-patient care and outpatients' recovery within the community.

The project will bring the Recovery College ethos to Wisbech by delivering a programme of community-based workshops and training sessions within an educational setting. Delivering specifically to people with mental health and long-term physical health issues.

Participants will access a training programme in a non-stigmatised recovery environment that is very much led by them. It is anticipated that training modules will include but not be confined to:

- Overcoming the barriers of returning to work
- Staying Well at work
- Assertiveness,
- Increasing self-esteem,
- Challenging internal self
- My role and responsibilities in making it happen for me
- Accredited peer worker training course

In turn the above will improve the confidence of individuals, develop a community of support, and empower individuals to take control of their own recovery, become experts in their own self-care and develop the skills for living and working.

Head to Toe is the charity for Cambridgeshire and Peterborough NHS Foundation Trust (CPFT). Head to Toe and the college will work as partners around all the financial reporting elements of this project.

Four types of placement would be available to allow the prospective participants to be matched to the type which is best suited to their employment ambitions and current circumstances. These would include Tea Room and Gardener/Groundskeeper (supported by an external partnership).

Other placement types would depend on the nature of other possible project partners, the museum would be especially well-placed to support roles in the areas of group visits/events, working with our reference library catalogue, event publicity and retail (via our gift shop and off-site bookshop).

Portfolio Holder:

Cllr Susan Wallwork

I Heart Wisbech

Work is underway to contact residents who expressed an interest in getting further involved when they completed the community conversation survey that took place last winter. Alongside this Supporting Cambridgeshire have commenced work on exploring whether it would be beneficial to set up a new community vehicle for the town of Wisbech that would be able to collaborate with the existing Community and Voluntary Sector in the town and public bodies to bid for funding to meet identified gaps that have arisen through initiatives and consultations that have taken place in the town. National funding bodies are keen to see more funding submissions relating to Wisbech and it is hoped that if feasible such a vehicle would help bring in more resource to the town.

Portfolio Holder:

Cllr Chris Seaton, Cllr Susan Wallwork, Cllr Ian Benney, and Cllr Sam Hoy

Support communities and businesses to access the information they need surrounding Brexit

A number of business events have taken place throughout August and September delivered by the Better Business for All Cambridgeshire and Peterborough Local Authority group. Of particular interest to local businesses was the regulatory update which took place in September. This update was an opportunity to ensure both freight and import/ export requirements were understood with a speaker from the Freight Hauliers Association.

The Council has continued to reinforce messages from the HM Government regarding Brexit advice to businesses in Fenland, with the Fenland District Council website www.fenland.gov.uk/brexit providing information to both residents and businesses.

Fenland representatives have also been involved in Cambridgeshire and Peterborough Local Resilience Forum exercises to test preparedness and communications across the range of organisations involved. This has resulted in different tiers of local authority locally, including Cambridgeshire County and the Combined Authority, meeting to share resources and information on plans.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Support vulnerable members of our community

Business Plan Action: *Explore the creation and development of Youth Advisory Boards in Fenland, and to work with local schools in the development of the national Democracy Ambassador scheme, consulting with young people on matters that affect them*

Portfolio Holder: Cllr Chris Seaton

Increasing awareness of democracy with young people

The work on the Youth Advisory board pilots in East Cambs and Fenland has now begun with The Youth Advisory Board in Fenland looking to consult with up to 3000 young people across their communities about the issues important to them. The top 3 issues highlighted as part of these consultations in each area will then become a working focus for social action, education and awareness and will see the YABs commission services that can address the issues.

Alongside this we hope they will be supported by a diverse range of professionals to contribute to the evaluation and creation of local services relevant to them and to engage in democratic processes.

This pilot will also support and inform an application to the Big Lottery (which has been supported by both FDC and East Cambs) for £500,000 to support the delivery of YAB's across Cambridgeshire over 5 years.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Support vulnerable members of our community

Business Plan Action: *Encourage a range of partners to support the delivery of the Golden Age programme to support older people*

Portfolio Holder: Cllr Susan Wallwork

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI Number of people who attend the Golden Age events	200	87	87	

The next Golden Age event is due to take place at March library on Tuesday 15th October 2019 and will be reported in December full council report.

A recent Senior Citizens Advisory Group (SCAG) meeting was held on 11th September 2019 to discuss the following:

- Marketing materials to promote the Golden Age brand for future Golden Age Fairs
- Marketing for the Golden Age Fair for the next fair in October including Members of SCAG having a day of delivering flyers in March.
- The support of other partner agencies to help with marketing for example Community Ambassadors, Town Councils and the Libraries.
- Locations for future Golden Age Fairs including Whittlesey in December 2019.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Support vulnerable members of our community

Business Plan Action: *Work with partners and the community to deliver the Wisbech 2020 Action Plan across the themes of Education and Skills, Health, Wellbeing and Cohesion, Infrastructure and the Built Environment, and Local Economy*

Portfolio Holder: Cllr Chris Boden

Wisbech 2020 Update

The new progress trackers which were recently introduced are helping to track progress of the actions included within the four themes of the project:

- Education and Skills
- Health, Wellbeing and Cohesion
- Infrastructure and the built environment
- Local Economy

Objectives from the Wisbech 2020 Vision work have also been included in the Growing Fenland Wisbech document which is due to be considered by Wisbech Town Council on 21 October. There are also several projects which feature in an overall strategic report for the Growing Fenland project, including options around the Nene river barrage, dualling the A47, and the Wisbech Garden Town concept.

It is hoped that by bringing these projects into the spotlight of the Combined Authority, we could attract additional funding and support to help with delivery.

Plans for the Wisbech 2020 Vision Summit/Celebration Event being held in December 2019 are in the process of being finalised. The public will be encouraged to attend the event to celebrate successes, learn about future plans and share their views.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Promote Health & Wellbeing for all

Business Plan Action: *Support our local community by delivering the Council's Leisure Strategy, in partnership with Freedom Leisure*

Portfolio Holder: Cllr Sam Clark

Description	Achieved		
Performance Measure			
MPI	May 2019	July 2019	Sep 2019
Membership base in leisure centres	5,931	6,103 (+172) (+3%)	7,236 (+1,133) (+18%)

Freedom operates a scheme of reporting membership data and sales on a daily basis and moves targets accordingly. Modest growth in the early part of the year has been followed by an extremely successful summer period with a growth of over 1,110 memberships. Reasons for this would be based around advanced sales at the Hudson, re-structuring of the swimming lesson programme and attractive seasonal promotions. Manor Leisure Centre has seen the highest individual growth

Leisure Contract Update

Freedom is now 10 months into the 15 year contract. A full year one performance review will be presented to Members in November but, at this stage, the switch to a new operator has been a resounding success. The vast majority of staff remains in place (only 5/100 contracted staff leaving so far) and satisfaction levels are high throughout the organisation.

Capital investment has been centred on the Hudson as per the specification but maintenance issues at all sites (leaks, potholes, broken down equipment etc.) have been addressed promptly and successfully. This work has included new showers at the George Campbell, a new boiler and calorifier at Hudson. Next steps include the servicing, internally, of pool filters.

New gym equipment for all four sites has been ordered and will be in place by December.

The investment, as well as ongoing servicing of equipment, is ensuring that local customers get a great experience when they attend the leisure centres.

Fenland officers are meeting regularly with the area manager for Freedom, as well as

the local Centre Managers. During these regular meetings, performance and KPI information is discussed, as well as any issues arising alongside positive work that is ongoing. Fenland and Freedom continue to work well together with a solid partnership approach and this is certainly the best way to ensure that the Council has a cooperative and community focussed partner for the length of the contract.

Additionally, a quarterly meeting with the Operations Director has taken place to discuss performance and challenges.

The Freedom Operations Director is attending November's Overview and Scrutiny Panel. At this meeting, Members will receive an update on contract progress to date, some KPI highlight information, as well as information with regards to Freedom's expectations for the short term.

Hudson Leisure Centre Redevelopment Project Update

Design – March/ April – completed on schedule
Tender – June / July – completed on schedule
Building Work – June to Dec – in progress, and on schedule
Gym open – Oct – in progress, and on schedule
Reception – opened September, ahead of schedule
Dance studio open – Dec – in progress and on schedule

The contractors have been highly efficient, respectful of the centre's staff and customers.

The splendid new reception, opened 23rd September (well ahead of the planned date), complete with Costa coffee facility - receptionists are now trained as baristas – and the decoration of the main corridor which has brightened up the area. Shower area improvements are also taking place.

The new gym will be opened in late October, featuring state of the art equipment including a training rig that will allow small group classes to take place inside the gym itself.

Gym Equipment Replacement Update

Specification - June - completed on schedule
Procurement - June / July - completed on schedule. Following received bids, officers visited live sites in the South of England to evaluate the quality of equipment, its usability and its popularity with customers. Selection was based on this criteria and

Technogym duly awarded the contract for all sites.
Order - August - completed on schedule
Fit out - October - this will commence at the Hudson from 14th October with other sites following later in the year

BUSINESS PLAN AREA: Communities

Business Plan Priority: Promote health and wellbeing for all

Business Plan Action: *Work collaboratively with others to deliver the Council's Health & Wellbeing Strategy to tackle local health priorities, including mental wellbeing, and reducing inequalities both within Fenland and between Fenland and the rest of Cambridgeshire*

Portfolio Holder: Cllr Susan Wallwork

Health & Wellbeing Strategy / Working in Partnership

The Fenland and East Cambs Living Well partnership met in September. A number of update presentations were received from partners including the results of the Annual State of the Voluntary Sector survey for 2019.

The presentation informed the group; the majority of voluntary sector groups are very small (fewer than 5 employees), volunteers are very much needed with more than 90% of companies surveyed using volunteers, overall organisations are finding it hard to recruit volunteers and the demand on the voluntary sector is increasing.

Portfolio Holder: Cllr Steve Tierney

Energy Conservation / Fuel Poverty

As part of Age UK's handyperson service, home energy efficiency checks are now being undertaken helping vulnerable residents of Fenland from becoming fuel poor. This service offers older people extra help with small practical jobs around the home, designed to make people's lives easier and safer around the home.

Exact handyperson services differ from place to place, the type of jobs they can usually help with include:

- Small repairs - putting up curtain rails, shelves and pictures
- Safety measures - fitting smoke alarms, carbon monoxide detectors and grab rails
- Home security - door and window locks, door chains and door viewers
- And more recently, home energy efficiency checks. As part of a home survey, the property is assessed to determine the level of safety, practicality and energy efficiency of the home. Improvements such as installing draught excluders, radiator heat reflectors and energy efficient lightbulbs are just some examples of work that is carried out to help with improving the heating efficiency of the home and lower fuel bills.

The Stay Well working group met recently to review their Stay Well 'health pack' that are distributed across Fenland and the surrounding Cambridgeshire towns and villages in time before the winter period sets in.

These health information packs have proven to be popular amongst the elderly and other members of the public that have often benefitted from the useful information contained within them. This year, the pack has been redesigned to include new information such as the handyman service, revised and more up to date information and useful contact information on agencies that are all able to offer help and support.

These will be distributed once again by the council's Environmental Health Team and other partners from early October onwards.

Applications awarded over the last period demonstrate that residents of Fenland continue to benefit from this service as the figures show, the amount of funding awarded to people experiencing difficulty in heating their homes, is covering the cost of supplying fuel namely, gas, electricity and oil.

In November the Cambridgeshire Community Foundation will be launching their Winter Crisis Appeal to help more people who are likely to struggle in heating their homes this coming winter. Residents who currently benefit from the Winter Fuel Allowance can apply so that the money awarded can help pay for heating or other energy related costs.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Promote health and wellbeing for all

Business Plan Action: *Create healthier communities through activities developed by Active Fenland and community partners*

Portfolio Holder: Cllr Sam Clark

Active Fenland Update



Active Fenland continues to offer many activities to the local community. The sessions are affordable, community focussed and available locally. An example of the impact the sessions are having, from a customer perspective is as follows:

I would just like to take the opportunity to thank Fenland District Council for organising the free ten week Tai Chi Lessons. I have since continued with the Tai Chi as has my Husband albeit on an intermittent basis, and cannot express enough how this has positively impacted on our lives, not just physically but also mentally. To the point that having been on anti depressants for most my adult life I am now no longer taking them. Obviously this has been under supervision.

I have always been aware of the benefits of physical exercise, but have failed to find any exercise that I have enjoyed. Being given the opportunity to try Tai Chi has quite literally changed my life for the better. This has been augmented by the coaching by the wonderful instructor Jason, who is so obviously passionate about Tai Chi you cannot help but be infected by his enthusiasm and knowledge and above all patience.

I did write this in our feedback form but as my written is usually illegible I wanted to reiterate how much of an impact this has made to our lives and thank Fenland District Council for doing something so positive for the community.

Although the initial sessions are free, to ensure that the classes are sustainable a £2.50 fee has since been introduced and now the session in question is self-funding. This is the approach taken with many classes.

Fenland Active Communities

In addition to managing the leisure centres, Freedom Leisure also has one officer working on community initiatives to increase physical activity levels in the area. This work is complimentary to the Active Fenland team. A recent success is detailed in the case study below:

active communities

Contract Area: **Fenland**

Date Completed:

Case Study: FACET Gym & Fitness Programme – George Campbell LC

Case Study Code: **DDMM/YY**
Office Use only

Overview:

The Active Communities Manager for Fenland has worked in conjunction with FACET, a charity based in March with a focus on providing training and day care to adults with disabilities to develop a gym and fitness programme for its students at The George Campbell Leisure Centre in March.

Initially, the Active Communities Manager met with Kris Harrold (General Manager) at FACET in May 2019 to introduce the AC role that Freedom hold within Fenland and how it could be of benefit to FACET students. Following on from this meeting, the AC Manager introduced Kris to Andy Cornwell, Centre Manager at The George Campbell to discuss specific details relating to costings, timings and how any such programme could be implemented at the centre. As a direct result of this meeting, a start date of Wednesday 7th August was agreed, with staff from The George Campbell Leisure Centre visiting FACET prior to the start of the programme to meet the students who they would be working with in person. The programme currently operates on a Wednesday afternoon on a fortnightly basis between 1.30pm and 3pm, with FACET students paying £3 to take part on a pay as you go basis.

Since the inception of the programme in August, a total of 12 unique students have taken part, with a throughput figure of 29 across the 3 sessions to date. To further enhance the lead instructor's knowledge of delivering and supporting individuals with disabilities in a sport and physical activity environment, the Active Communities Manager has worked alongside Sense to secure spaces on the upcoming 'Connecting Differently Through Sport' workshop in Peterborough on Tuesday 24th September. The programme has also led to the development of a close working relationship between Freedom Leisure and FACET, who are looking to implement further sport and physical activity opportunities in the near future.

Feedback:

"Since our initial meeting in May, we have been blown away by the levels of support and professionalism from Freedom Leisure.

From clear and precise planning, coupled with a can-do attitude from all the staff at the George Campbell, the gym and fitness is truly up and running and being enjoyed by my students that attend. The feedback from the students and their families thus far has been so positive and everyone involved in this project has really helped to put smiles on the faces of so many adults with learning disabilities. The programme not only enables our students our students to keep fit but does so in a community based environment rather than working within social isolation as is so often the case in the world of Learning Disabilities"

Kris Harrold, General Manager, FACET

Outcomes:

- **Enhanced opportunity for an under-represented target audience to access an affordable local sport and physical activity opportunity**
- **A new addition to the current programme offered at The George Campbell Leisure Centre, increasing access and encouraging inclusivity**



BUSINESS PLAN AREA: Communities

Business Plan Priority: Promote health and wellbeing for all

Business Plan Action: *Facilitate housing development that will deliver healthy environments and promote wellbeing*

Portfolio Holder: Cllr Miss Sam Hoy and Cllr Sam Clark

Whittlesey Development

Details were approved for a 220 home development in Whittlesey that will provide higher than policy required levels of open space and in doing so will provide particularly good access to areas within which to walk , exercise and play to the benefit of health and wellbeing.

Please see the 'Affordable Housing' section for an update on the Whittlesey Extra Care Facility.

BUSINESS PLAN AREA: Communities

Business Plan Priority: Work with partners to promote Fenland through culture and heritage

Business Plan Action: *Support voluntary and community groups to hold public events safely*

Portfolio Holder: Cllr Sam Clark & Cllr Peter Murphy

Safety Advisory Group

The group met at the beginning of September 2019, this meeting was focussed around a de-brief session with the event organiser of the March Steam Show.

The benefits of having a debrief following an event is to identify any positive or negative aspects of an event so these changes can be factored in for future years. The Christmas Event Management Plans are still coming in but the majority of them have been received and circulated to the SAG members.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Deliver a high performing refuse, recycling and street cleansing service

Business Plan Action: Work with partners, the community and volunteers to divert at least 50% of Cambridgeshire's household waste from landfill

Portfolio Holder: Cllr Peter Murphy and Cllr Steve Tierney

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI CEL8 % of collected household waste – blue bin recycling	28%	28.2%	28%	

Collected Household Waste Blue Bin Recycling to August

	Q1	July	August	Overall
Dry Recycling (Blue Bin)	2,141	757	736	3,633
Residual Waste (Green Bin)	5,631	1,883	1,917	9,431
Dry Recycling % of waste	27.5%	28.7%	27.7%	27.8%

Recycling rates remain at expected levels and positively, the overall tonnage of waste collected has reduced when compared to the same period last year.

It is great that customers are reducing the waste that they produce, although dry recycling presented by customers has also reduced compared to last year and the amount of contamination within the blue bin has increased.

The educational, and linked volunteer activities, across the area continue and form the basis of the Council's approach to improving the quality of waste customers recycle through their blue bins.

Supervisors regularly visit rounds ahead of the recycling collections to inspect recycling and deliver educational materials where required. Customers actively recycling all the materials possible receive a thank you tag on their bin and all customers receive information on recycling. Second visits are scheduled to measure improvements.

So far this year more than **12,534 visits** have taken place and resulted in improved numbers of customers correctly presenting their recycling materials.

This work by supervisors supports the day to day work of the recycling crews who make a visual check of recycling bins at collection and have **rejected 6,040 blue bins** with obvious contamination so far this year; less than 1% of those put out for collection.

Even with the crews' and supervisors' actions to reduce the levels of unwanted materials the company sorting the dry recycling materials, Amey, report that **406 tonnes** so far this year were materials not acceptable in the bin. This is a 10% increase on the same period last year (366 tonnes).

A range of actions are in place to help to reduce the incorrect materials in the blue bins, including information to all customers, bespoke blue bin stickers (of which 50% have been delivered), local work by Getting It Sorted volunteers and a continued focus from the waste team through their positive campaign.

Fenland Selected for Large Scale Trial of Recycling Education Campaign

With support from the Recap partnership we have sourced funding from WRAP, a recycling charity, for a broad based trial to schools using homework based education across all the primary schools in Fenland. Members will be kept up to date on the progress of this joint work through portfolio holder updates.

Overall Fenland Recycling

	FDC Collected Waste	HWRCs in Fenland	Total
April 2019 – August 2019			
Recycling and Composting	7,921	6,781	14,702
Residual Waste*	9,431	1,927	11,358
Recycling % of waste	46%	78%	56%

(*collected household waste; not including fly-tipping, street cleansing waste and commercial waste)

The overall recycling rate for domestic waste collected at the kerbside and delivered by customers through the 3 household waste sites in Fenland, and the 28 local recycling bring sites, is **56%** and contributes to the overall recycling rate for Cambridgeshire. This is usual for the time of year with the garden waste increasing across the summer months and increasing the figures.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI % missed bins collected the next working day	92%	91%	91%	

Missed Collections August - September (Blue and Green Bins)

	Aug 19	Sept 19	Overall 19/20
Missed Collections Reported	328	316	1363
Collected next working day	303	286	1241
Percentage	92%	91%	91%

The total number of missed brown bin collections reported so far this year is 384, of which 352 were collected the same or next working day.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Deliver a high performing refuse, recycling and street cleansing service

Business Plan Action: *Maximise the value of materials collected for recycling, including through Recycling Champions*

Portfolio Holder: Cllr Peter Murphy and Cllr Steve Tierney

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI Income generated through recycling materials	£285,000	£57,330	£135,000	

The net recycling income remains on target, although any increase in the quality or quantity of recycling materials collected will increase this income.

Recycling Improvement Plan Update

The educational work to reduce incorrect materials in the blue bin continues and the results so far this year are.....

Recycling Results

The good news is that residents are producing less waste overall so far this year, which is what we want to see. Hopefully this will continue over the course of the year.

Up to the end of August, **3,935 tonnes** of dry recycling (blue bin materials) had come

from collections made in Fenland. This is a slight reduction on the same period the previous year when 3,956 tonnes were collected, but is against this background of less waste overall.

What we can see from the tonnage results so far is that whilst customers are creating less waste, the level of incorrect materials remains above our usual, and contractual acceptance, levels and needs to remain our focus.

Getting it Sorted Volunteers Update

Getting it Sorted Volunteers have been busy across Fenland

Active recyclers at Wisbech Adventure Playpark have been promoting recycling by developing a mural made of recycled plastic bottles - 'Our butterflies and bees' and planters from old wellington boots and plastic bottles.

They were inspired to run a Save the Planet poster competition. The children all made a conscious effort to recycle as a result. Volunteers have had 2 visits to Camsight meetings to help with recycling questions in Chatteris and March.

An active volunteer continues to promote recycling at the children's football matches in Whittlesey. They are sorting recycling after the matches and looking at ways to improve their reuse and recycling.

The Royal Naval Association in March invited volunteers to talk about recycling and reuse and local magazines have contained articles written by Getting It Sorted volunteers.

Across the FDC recycling webpages there have been 1,400 hits and 668 additional recycling sack orders placed as a result.



BUSINESS PLAN AREA: Environment

Business Plan Priority: Deliver a high performing refuse, recycling and street cleansing service

Business Plan Action: Deliver an effective, self-funding garden waste collection service

Portfolio Holder: Cllr Peter Murphy and Cllr Steve Tierney

Garden Waste Service Update

The garden waste service has run smoothly through the summer months with more than **21,000 subscriptions** sold to date. The levels of subscription, with around 70% choosing to pay by direct debit, mean that the service is forecast to remain cost neutral for the third year in succession. Plans are now in place for the coming season and communications start in November in relation to the 2020/21 subscriptions.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Deliver a high performing refuse, recycling and street cleansing service

Business Plan Action: Deliver clean streets and public spaces, as set out in the national code of practice

Portfolio Holder: Cllr Peter Murphy

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI CEL6 Rapid or Village Response requests actioned same or next day	90%	96%	95%	

Cleansing Rapid and Village Response August and September 2019

Area	Requests	Requests Met	Performance
Chatteris	18	18	100%
March	30	29	97%
Villages	51	47	92%
Whittlesey	19	17	89%
Wisbech	71	70	99%
Totals	189	181	96%

The cleansing team have performed well this month with 96% of requests this month and 95% of requests this year (579 from 608) being responded to on the same or next working day.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI CEL7 % of inspected streets meeting our cleansing standards (including graffiti and flyposting)	93%	99%	99%	

Cleansing Inspections for September

Area	Inspections carried out	Standards met	Performance
Chatteris	30	30	100%
March	30	30	100%
Whittlesey	14	14	100%
Wisbech	30	29	96%
Totals	104	104	99%

The regular inspection of the quality of cleansing in Fenland is performed by Street Scene officers on a routine basis using national scoring methodology which assesses litter, street sweeping and graffiti.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Deliver a high performing refuse, recycling and street cleansing service

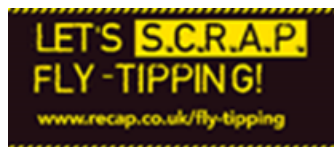
Business Plan Action: Work with key stakeholders to deliver an effective waste partnership and to update the Cambridgeshire and Peterborough Waste Strategy

Portfolio Holder: Cllr Peter Murphy and Cllr Steve Tierney

Cambridgeshire & Peterborough Waste Partnership (RECAP)

The Recap authorities are working with a partnership of stakeholders to raise awareness of flytipping and share enforcement experience. The work was launched recently in Gorefield with the National Farmers Union, Environment Agency, Internal Drainage Board, FDC and others. The launch video can be viewed here -

<https://www.youtube.com/watch?v=DdUKd6v9GK4>



Importantly this campaign focusses on the duty of care that householders have to ensure that their waste is being disposed legally and how to check the credentials of waste carriers. There is a £400 fixed penalty notice for householders disposing of their waste via non licensed waste carriers which creates flytipping. Further information can be viewed here <https://www.recap.co.uk/fly-tipping/>

Waste Strategy Update

The Cambridgeshire and Peterborough Waste Partnership (Recap) has been selected by Defra to develop models of the impact of the government's selected changes in the Waste and Resources Strategy. This Defra funded work will evaluate the impact for local authorities on collection, treatment and disposal with a range of potential waste systems to inform future waste strategy nationally and locally.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Work with partners and the community on projects to improve the environment and streetscene

Business Plan Action: Support improvements to Fenland's streetscene and heritage

Portfolio Holder: Cllr Chris Seaton

Wisbech High Street Project

The Gap – 24 High Street

All feral pigeons and guano has been removed from the building at the rear of 24 High Street and sensors are being installed this week (11th Oct) which will monitor for the presence of bats. Assuming bats are not found to be living within the structure asbestos removal and demolition can commence, which will lead to the next stage in the redevelopment of the site.

11-12 High Street

The creation of a build lease to permit the redevelopment of 11-12 High Street is nearing completion. Taking the site forward, progress continues to be made with planning permission granted for the site on 10 October.

During September it was necessary to undertake further urgent demolition works, following the further deterioration of the remaining structure. Works were actioned quickly and disruption was kept to a minimum. The photograph below illustrates an unsupported area of the structure; works to rectify this have now been completed.



Area Requiring Urgent Works, 11-12 High Street, September 2019

13-17 High Street

We have now received the signed contract from the applicant. This application related to the conversion of a disused first floor into residential accommodation, new shopfronts and general repairs to the building (F/YR18/0268/VOC). We are awaiting a start date on site from the applicants agent.

Other Properties

We are still awaiting the application from an agent appointed by the owner of two listed buildings for shopfront and roof repairs. An application is expected once all quotations have been gathered. Pre-application discussions with Conservation officers have been encouraging. There has also been new interest from one of the largest High Street stores who are now collecting quotations for work to the building façade and windows.

Officers continue to actively encourage and remind occupiers and owners of other buildings of the availability of funds.

Activity Plan

The project continues to develop and deliver popular training events and activities.

As part of our series of talks on historic interiors, we welcomed Patrick Baty (The Paint Detective) to the Wisbech and Fenland Museum on Saturday 7th September. Patrick gave two talks on the subject of the uses of paint in 18th and 19th century houses and explained about the fascinating detective work he undertakes when researching and studying historic paint schemes for restoration and repair work. Feedback was really positive; some commenting it was the best talk they've heard in ages!



Patrick Baty "The Paint Detective" – September 2019

On Sunday 15th September the project pop-up event tent was outside William H Browns on the High St/York Row from 10am-3pm. We welcomed lots of visitors to look at and discuss the plans for 11-12 High Street and around 15 people attended the lunchtime tour of High Street. Copies of the updated Wisbech Merchants Trail were also available as well as other useful guidance and information for owners of historic properties.



Heritage Open Day – 15th September 2019

The College of West Anglia continues to plan an exciting programme of training

events for students to be delivered over the next 2 years, starting during the next academic year. This is the largest activity to be funded by the Wisbech High Street Project with a budget in excess of £40k. It will allow students on their construction courses the opportunity to learn about traditional repairs including stonework and plastering. Using the disused chapel at Mount Pleasant Road Cemetery, students will be able to work on a listed building genuinely in need of some repair and maintenance.

The updated Wisbech Merchants Trail booklet is proving very popular with more copies going to print to meet demand. The mobile app can be downloaded from the Apple and Google Play stores. The response and feedback on both formats has been really positive.

There are more events and activities currently in the planning – the next is the Museums at Night which the project being delivered by the Wisbech and Fenland Museum and funded entirely by the Wisbech High Street Project.



Museums at Night – October 24th 2019

High Street Bid to Government Update

In July the Ministry of Housing, Communities & Local Government (MHCLG) confirmed that FDC's first round submission for March for the Future High Street Fund (FHSF) programme had been successful.

The purpose of the Future High Streets Fund is to support and fund local areas' plans to make their high streets and town centres fit for the future, helping local high streets to evolve and adapt to changes. The Government recognises the challenges and is keen to support local stakeholders by investing capital to encourage vibrant town centres where people live, shop, use services, and spend their leisure time.

Work has started on developing a full business case, which is the next phase of the assessment. Due to the MHCLG announcing a second wave of a further 50 successful bids, and a bigger pot of funding, the very tight deadlines have now fortunately been extended. We are working to meet the early business case deadline of 15 January 2020, and final business case deadline of 30 April 2020. Results are expected in the Summer.

A session for Cabinet and March Members has been arranged for Thursday 17th October, where further details will be given.

Conservation Area / Management Plan Review Update

Consultation on Draft Coates Conservation Area & Management Plan currently under way. The results will be presented back to members in due course for approval of the final document.

Portfolio Holder:

Cllr Mrs Jan French & Cllr Peter Murphy

Manage the operation and maintain FDC-owned and managed public car parks and bus stations

During the months of August and September the following works were undertaken, or have been scheduled for FDC Car Parks

Undertaken

1. Two new replacement bollards installed within Chapel Road Car Park, Wisbech

following a forced vehicle entry into the park.

Scheduled

2. Car Park inspections are due to be undertaken in October which will inform a programme of repairs

The Church Terrace Car Park refurbishment works scheme is being undertaken in three phases. The first phase focussing on drainage, kerb and footpath improvement works is scheduled to be completed week ending 11th October. The street lighting improvement and upgrade works are scheduled to commence on 7th October and will be ongoing for 2-3 weeks. The surfacing and lining contract is scheduled to commence early November.

The car park will remain in operation with isolated areas closed off throughout the first two phases of the works, with the disruption kept to a minimum. The surfacing works will require larger areas of the car park to be closed off with only half or two thirds of the car park remaining in operation whilst surfacing works are carried out, which balances the needs of our car parking users with the optimal works areas available during the working window.

Portfolio Holder:

Cllr Peter Murphy

Manage and maintain highway-related assets and infrastructure (street furniture, street name plates, bus and cycle shelters, bollards, gateway signs, finger arm signs, etc)

During the months of August and September the following street furniture repair or replacement works were undertaken, or have been scheduled:

Undertaken

1. Road repair works undertaken to the FDC bus shelter on High Street, Chatteris
2. Installation of two replacement FDC bus shelters at Mount Pleasant Road and Norwich Road, Wisbech

Scheduled

3. FDC finger arm sign post replacements at various District wide locations.

Manage and maintain district, parish (who have opted in) and Clarion Housing Association street lights

During the months of August and September the following street light repair works were undertaken:

In August 19 street lighting faults were reported to the EG&A Team. One emergency attendance was required and one major fault attended. 15 of the 19 faults attended were rectified, with 2 requiring further action.

September figures were not available at time of report.

The new street light inventory data has been used to source an alternative street light energy agreement and meter administration service following Cambridgeshire County Councils decision to cease providing street light energy to District and Parish Councils within Cambridgeshire from the end of September. Whilst a significant amount of work has been undertaken over the last few months to ensure a smooth and timely transition, some inventory information is still awaited by UKPN from a number of the Parish Councils that have taken back responsibility for their street lighting assets. Therefore the Councils new energy agreement date has been deferred and is now scheduled to commence on 1st November 2019. FDC officers will continue to work with all parties during this transition period to conclude this matter.

Energy will be recharged for the interim period from 1st August for the six Parish Councils that have taken back responsibility for their street lighting assets. Those Parish Councils that have already contracted with FDC for management and maintenance services will be recharged for energy usage from 1st August 2019 at the end of the financial year.

BUSINESS PLAN AREA: Environment

Business Plan Priority: **Work with partners and the community on projects to improve the environment and streetscene**

Business Plan Action: ***Use education, guidance and Council powers to fairly enforce environmental standards and tackle issues such as flytipping, dog fouling and littering***

Portfolio Holder: **Cllr Peter Murphy**

Tidy Fenland Campaign

Green Dog Walkers

The Green Dog Walkers campaign is continuing and after successful launches in Whittlesey and Chatteris, March joined in the fun. On the 27th August at West End open space. 35 dog walkers and over 43 dogs joined us for our launch and have signed up to be ambassadors for the campaign.

The social media coverage before the launch prompted several visits from people wanting to sign the pledge. This was then followed up with a press release. The day went well and the feedback was that walkers were looking forward to promoting the message and felt confident they could talk with other dog owners about the issues. Part of the campaign was to install a dog bag dispenser near the bridge as a central point for walkers. The dispensers were funded by government grant. This is to promote the message of picking up after your pets and to take one of the bags if you have forgotten one. The dog bag dispenser will be monitored to see how effective this is. Everyone we spoke to thought it was a good idea. We have installed a dispenser at the Manor field in Whittlesey and at Furrowfields open space in Chatteris and so far they are working well.

Dog fouling patrols will continue across the districts with our environmental enforcement partners, Kingdom / Local Authority Support, providing free time to the campaign and we will be updating the pledgers on how we are getting on. We are now planning to launch in Wisbech and are in the process of deciding on a date with the Town Council who are supporting the campaign by providing dog tags and bags for pledgers who sign up. We already have a small group of volunteers interested in being champions who have approached us following seeing the press coverage for the other towns.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI	3,500	944	2545	
Streetscene Officer hours spent on active town patrol				
Kingdom Officer hours spent on active patrol		164		

Street Scene - When out and about, are responding to customer enquiries as well as finding and resolving issues. Broken down officer's time across the district throughout August and September:

Town	Wisbech	Whittlesey	March	Chatteris	Rural
Hours	263	120	164	71	50

During these patrols the Street Scene actions have been:

- 62 Reports of abandoned vehicles. All were removed by persons unknown after receiving notices apart from 1 which was removed by our contractor.
- 54 nuisance vehicle enquiries were actioned and responded to.
- 61 dog related enquiries.
- 45 matters relating to our open spaces, mainly regarding our grounds maintenance contract.
- Marked 39 graves.
- 132 General street scene actions, including requests for service and general enquiries.
- 71 matters relating to cleansing and refuse across the district. Including additional requests for service, domestic waste issues and customer queries.
- 19 site visits for other service areas.
- 42 trade waste matters resolved
- 11 report to Highways regarding issues on their land.
- 2 reports to Clarion regarding issues on their land.
- 46 Fly posters have been removed. (excess from fair)

The team has responded to 100% of their service requests within the agreed timescale. Fixed penalty notices served by Streetscene Officers:

Location	Enforcement Action
March	17 Parking FPNs issued (March Market Place) 2 Littering FPNs 1 S.108 Notices (EPA offences)

Wisbech	1 S.34 Trade Waste Notice
Total	21 actions

Kingdom / LA Support – Officers have delegated powers to enforce on behalf of the Council Littering and Public Space Protection Orders. Two new officers started with the shared Peterborough and Fenland team this month, Maria and Sophie, and will mainly be based in Fenland.

Broken down as an approximate, Kingdom patrol hours are broken down into locations from August and September:

Town	Wisbech	Whittlesey	March	Chatteris
Hours	85	23	36	20

Fixed penalty notices served August and September:

Location	Fixed Penalty Notices served
March	13 for littering 1 for spitting
Wisbech	16 for littering 6 for Spitting
Whittlesey	7 for littering
Chatteris	6 for littering
Total	49

The payment rate for the fixed penalty notices is 62% across the period of the contract so far. This is just below the desired 64% for a cost neutral service however other income streams from court hearings and fly tipping fixed penalties ensures the service runs at cost neutral.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI Memorial inspections completed	5,000	0	579	

For August and September there were no inspections carried out due to changes in

administration. Soon officers will be recording all inspections on a new app which is linked directly to our contractors, Tivoli. This will ensure that there is a smoother process which captures all aspects of the process in one location. Whilst this is being developed and tested the inspection have not been carried out.

The app should be fully functional by October and will allow officers to inspect in a more simplified way and be able to catch up thereby achieving the target by the end of the financial year

BUSINESS PLAN AREA: Environment

Business Plan Priority: **Work with partners and the community on projects to improve the environment and streetscene**

Business Plan Action: **Work with a private enforcement partner to tackle littering and associated anti-social behaviour**

Portfolio Holder: **Cllr Peter Murphy**

Environmental Enforcement Update

Fly Tipping and Waste accumulation prevention

In August the hearing of a fly tipping case took place at Peterborough Magistrate's Court. The prosecution followed a lengthy investigation into five separate large incidents of fly tipping in Long Drove, Whittlesey. The offences took place between December 2016 and October 2017.

On 19 August 2019 Peterborough Magistrate's Court heard how Asif Hasham, Sole Director of Cosy Properties (based in Peterborough), was found responsible for fly tipped waste originating from a number of his rental properties. The waste included household items such as furniture, clothing and general rubbish. As well as materials used for growing cannabis.

Streetscene Officers undertook detailed investigations into the company's activities and called Mr Hasham for formal interviews, one of which he eventually attended. Mr Hasham was unable to provide evidence of correct disposal of waste for 9 properties managed by Cosy Properties or for waste found belonging to his personal address and the former address of his wife.

On 19 August the District Judge presiding the case found Mr Hasham and Cosy Properties guilty of all 5 offences. Mr Hasham had been unable to provide any mitigation for the actions, or evidence of waste disposal arrangements or indeed any other link for all the tenants and properties involved.

At sentencing on the 4th September Mr. Hasham was personally fined £1,500 in respect of each charge (£7,500 in total). With Cosy Properties ordered to pay the Prosecution's full costs (£15,446.23), and £1,000 compensation for the clean-up costs. This was an excellent result and shows the Councils commitment to pursue those responsible for fly tipping and hold them accountable.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Work with partners and the community on projects to improve the environment and street scene

Business Plan Action: Ensure well maintained open spaces by working in partnership with Tivoli and supporting community groups (such as Street Pride, In Bloom and 'Friends Of')

Portfolio Holder: Cllr Peter Murphy

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI CEL10 Number of Street Pride and Friends Of community environmental events supported	204	45	127	

In August, 21 events were held by community groups to improve the environment. All of these were regular work parties such as monthly Street Pride litter picks.

In September, 24 events were held. 3 events to highlight here include:

- Whittlesey Street Pride had a stall at the Whittlesey Festival to promote the work they do. Whilst here the group received donations from the public and conducted a litter pick.
- The Friends of March Railway Station saw approx. 1-2 hundred people attend their 10th anniversary event and successfully raised £236.
- Wimblington Street Pride were joined by members of staff from Smurfit Kappa at their World Clean Up day litter pick.

Street Pride, In Bloom & Friends of Projects Update

On 24th August, Lattersey Nature Reserve in Whittlesey held an Open Day to

encourage the community to visit the reserve to experience the nature on their doorstep. Whittlesey Green Dog Walkers attended the event to promote responsible dog ownership, in particularly encouraging owners to clean up after their dog as the site occasionally suffers from dog fouling. Whittlesey Street Pride were also present, completing a litter pick around the vicinity of the reserve and encouraging children to join in by playing a litter clearance game.

A massive congratulations to Benwick, Chatteris, Wisbech and Waterlees who all achieved Gold at this year's Anglia in Bloom competition. The results were announced at a celebration event in St Ives on 10th September. Wisbech have now won Gold for the 12th consecutive year running.

All of the volunteers and partners involved should be very proud of themselves as it was another very successful year for in Bloom.

On 27th September, March Green Dog Walkers was successfully launched. The community led initiative involves dog owners pledging to clean up after their dog and encouraging others to be responsible dog owners too. At the event held at West End Park, over 30 dog owners registered more than 40 dogs to the scheme.

Street Pride Celebration Evening

On 3rd October, a record number of 135 volunteers and local partners attended the annual Celebration Evening. The Council appreciates and values the ongoing work of all its volunteers and this event is our way of saying 'thanks' and celebrating groups' achievements. Representatives from Street Pride, In Bloom, friends groups and 'getting it sorted' recycling champions all attended which reflects the increasing co-operation between them.

At the ceremony, Wisbech Street Pride and Friends of March Railway Station were congratulated on celebrating their tenth anniversary this year as well as those groups who entered In Bloom who all achieved Gold.

Wisbech St Mary Street Pride, a new group formed this year bringing the total number to 17 was presented with their £500 start-up grant from Cllr Murphy.

The evening saw certificates presented for key projects under seven different award categories and for the first time groups submitted their projects for consideration.

The winners were:

Best Nature Project

- Winners: Wisbech In Bloom for their A-Mazing apple orchard to celebrate the town's fruit growing heritage

- Highly commended: Whittlesey In Bloom & Friends of Whittlesey Cemetery for their maintenance of the two flower beds at the entrance to the Manor Leisure Centre

Best Partnership Project

- Winners: Benwick in Bloom / Street Pride for their beautiful village displays, history information boards and receipt of funding from Metalcraft's Community Fund.
- Highly commended: Friends of Station Road Cemetery for clearing bramble and large growth from memorials, uncovering headstones that had been hidden from view for a long time and working in partnership with March Museum to research further those buried here.

Best Street Scene Project

- Winners: Elm Street Pride who created two large raised sleeper beds near to the village sign following a successful grant bid.
- Highly commended: Wimblington Street Pride who planted a beautiful display of crocus and tulip bulbs care of Chapel Cottage Plants.

Best Promotional Project

- Winners: Murrow Street Pride who have had a busy first year with regular litter picks. They raised £125 from their coffee morning which they are putting towards a planter project.
- Highly commended: Friends of Ring's End Nature Reserve who have held a number of events to encourage the community to experience nature on their doorstep.

Best Youth Project

- Winners: Chatteris In Bloom / Street Pride. The Scouts created a planter made from eco-bricks, which are plastic drinks bottles filled with non-recyclable rubbish such as crisp packets and chocolate wrappers.
- Highly commended: Manea Street Pride who installed 10 flower plants around the village following a successful grant bid. Schoolchildren from Manea Primary School helped fill and pot the planters.

Best Clean Up

- Winners: Wisbech St Mary Street Pride, who are the most recent group to join the ranks of volunteers across Fenland. They are already organising monthly litter picks, tackling dog fouling and have begun identifying areas for improvement within the village.
- Highly commended: March Street Pride/In Bloom. In January, the group worked in partnership with volunteers from Greenvale AP to collect 15 bags of waste from various locations in March town centre.

Best Reduce, Reuse, Recycling Project

- Winners: Friends of March Railway Station celebrated their tenth anniversary this year. This year the group replaced their original barrel planters at March station with homemade planters made from recycled donated pallets, painted with

- recycled paint from CCORRN. The whole project cost £10, which was for fixings!
- Highly commended: Orchards C of E Academy School Council who visited Waterbeach Waste Management Park to improve their knowledge of recycling and then delivered a whole school assembly.



The evening also included a hog roast supper and some fantastic live music from four piece band, 'The 59ers'.

Grounds Maintenance Contract Update

The best news of the past period came with the announcement of the Anglia in Bloom awards in September. Our two town entries, Chatteris and Wisbech, had both won a Gold Award in 2018 and the change in planting arrangements – replacing bulbs with more sustainable plants – was a key change we were awaiting judges feedback on.

Notwithstanding the savings in labour and cost to the Council, the move proved a resounding success and both scooped the Gold awards once more. The heroic volunteer efforts of the two groups, the contribution of the Council's horticultural officer and the on-going work of the contractor, Tivoli, all played a pivotal role in the well-deserved success.

Elsewhere, variable seasonal weather did not interrupt the effective delivery of the cutting service with all large areas, the cemeteries and the play areas rigorously maintained throughout. By reducing the labour involved in planting and re-planting bulbs an additional hedge cut for some areas was introduced. Customer issues have all been tackled promptly with good feedback received in many cases for courteous, efficient remedy of an individual problem.

The new contract manager has settled in well and has his team operating effectively with amended rounds across the district contributing to less site-to-site travel and resulting in some spare capacity which has been well used to tackle the multitude of smaller, personal requests for help and action.

A new sub-contract team has been engaged, via Tivoli, to undertake a growing list of tree-related issues. Emergency work to remove a tree overhanging the road at Mount Pleasant, Wisbech was followed by a bramble and vegetation clearance in Station Road Cemetery, March. In both instances, the work is of high standard. Coming substantial works include Meeks and New Road cemeteries, Chatteris and Robingoodfellows field, alongside the railway line, in March

West End Park Skate Facility

Contractor commenced on site on 23/09 and, despite atrocious weather, has made good progress removing the existing structures, the fencing and the old surface. At the time of writing, new hard core is being laid and bunds being formed in readiness for the arrival of the pre-fabricated ramps and benches. Further equipment will be created on site with wet-pour concrete. Regrettably, vandalism on evenings has hampered progress. The Police have been informed.

Wenny Rec Play Area, Chatteris

Commencement on site for the transformation of Wenny Rec Toddler and Junior play area took place on 30th September with completion expected early November. Some existing equipment will be retained but most of it, over 20 years old, will be replaced with new play kit including a 5-way swing and a double tower multi play area with steel slide for the infants.

Whitemill Coldham / Glassmoor and Ransonmoor updates

When the Whitemill Committee met on 22nd August to judge bids, all five applications received were deemed to be compliant.

Projects approved included energy advice sessions, solar panels for Christchurch Community Centre, accessibility improvements to Rings End Nature Reserve, solar powered mobile vehicle activated signs for speedwatch and trip for Christchurch Women's Institute to Amey's Waste Management Park Education Centre so residents can learn about recycling. These bids mean that the community will benefit from just over £38,000 of funding support.

On 4th September, three bids were judged at the recent bidding round of the Ransonmoor Environment Fund, with two bids being deemed as compliant. The projects included replacement heating system for Benwick Village Hall and Benwick Parish Council receiving funding to provide benches made from recycled materials for the river bank.

Over £58K has now been awarded to community projects from the Ransonmoor fund.

BUSINESS PLAN AREA: Environment

Business Plan Priority: **Work with partners and the community on projects to improve the environment and street scene**

Business Plan Action: **Work with Town Councils and the community to provide local markets, market town events, and Four Seasons events**

Portfolio Holder: **Cllr Peter Murphy**

Four Seasons Events

September was an incredible month for events. After much planning and organising Whittlesey Festival took place and was a resounding success. Around 5,000 people visited the town centre to enjoy a spectacular array of live entertainment, food and attractions. Highlights included an acrobatic display from the UK's leading Cossack group and over £7,000 of sponsorship from local organisations and businesses to offer so many activities free of charge, including climbing walls, miniature golf, inflatables and bumper cars to name just a few. Volunteers added the cherry on top by organising the wonderful opening parade, art exhibition and the largest classic vehicle display to date.

Markets Action Plan Update

March Market Place was hired out to the Steam and vintage show on Saturday 3rd August. This was all part of the main event which was held at Knights End Road. The organiser's feedback that the display was well supported by the public who enjoyed seeing the different types of vehicles. They were able to get up close and talk to the owners about the history and mechanics.

March Market also hosted a 'Play with Pride Festival' on the 14th August. This was for young people and in partnership with 20Twenty productions. Themed activities took place in the town hall as well as out on the market place including activities such as clubbercise, boxercise yoga and plastic bottle skittles. There were also stalls from Active Fenland and The Kite Trust.

The Macmillan Cancer Support outreach bus was at March Market on Wednesday 18th September. They fed back they had a great day and were able to offer support and advice to the public. They hope to come back again in December.

Unfortunately due to staffing issues Dan's Fruit and Veg has had to give notice for Saturday Market. We are now in the process of looking to see if we can find another grocer to fill this vacancy.

What do our customers say?

Description	Baseline	Target 19/20	No of customers who responded	No of customers satisfied	% 19/20	RAG
LPI CEL12 % of those asked who are satisfied with FDC's events (Quarterly – May, July, October, January)	100%	90%	130	126	97	

Feedback from the event has been overwhelmingly positive:

"A real sense of community spirit - loved it"

"My 2 kids (7 and 5) loved trying new things...Its was lovely seeing so many stalls and old cars on display, thoroughly enjoyed our time"

"It was so well arranged so pushing a pram around was very easy. Well done to all"

those who organised this year's event. We look forward to next year's festival."

"A Brilliant day, very well put together."

"We showed two classic cars this year. Thank you and well done to all involved for a really great show."

"I thoroughly enjoyed it, everyone so happy, lovely atmosphere - well done everyone involved".

"The organisation and commitment by many parties must be applauded for such a wonderful festival. Bigger and better than last years. The free rides for children through sponsors made a big difference to many families. The events in the square were brilliant. I think the whole day had something special included and of interest to everyone who attended."

BUSINESS PLAN AREA: Environment

Business Plan Priority: Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion

Business Plan Action: Work with partner organisations to reduce crime, hate crime and anti-social behaviour through the Community Safety Partnership

Portfolio Holder: Cllr Susan Wallwork

Description	Target 19/20	Achieved (August & September)	Cumulative for 19/20	RAG
Performance Measure				
MPI Number of incidents recorded by CCTV	1,200	261	660	

During August and September 2019 the Council was able to respond and detect 261 incidents of crime and disorder, including anti-social behaviour, making use of the Council's CCTV service across our four market towns in Fenland. This is a decrease as compared to August and September 2018 in which 315 incidents were reported.

A breakdown of incidents by town for August and September 2019:

Chatteris	12
March	31
Whittlesey	2
Wisbech	165

Description	Target 19/20	Achieved (August & September)	Cumulative for 19/20	RAG
Performance Measure				
MPI Number of incidents resulting in positive action	80	22	60	

During August and September 2019 the Council was able to achieve 22 positive enforcement outcomes from incidents responded to or detected by the use of CCTV. This is a decrease as compared to August and September 2018 in which 69 positive outcomes were achieved.

These included arrests for violence, theft and criminal damage.

Positive outcomes achieved for August and September 2019:

Arrests (CCTV led)	11
Assisted arrests	10
Fixed Penalty Notice	1

Shared CCTV Service Update

The CCTV shared service project between FDC and Peterborough City Council (PCC) is underway and working towards the aim of merging FDC CCTV services with PCC.

- The staffing process to deliver the shared control room has seen the consultation process concluded and the restructure model has been recently approved by staffing committee. The selection process is now being commenced to confirm the team of operators for the shared service control room.

- The technical works for FDC to move to PCC area control room has been commissioned and work is underway to prepare for the control room merger.
- The existing Peterborough CCTV Control room is being relocated in Peterborough, due to the current location at the Northminster car park reaching its end of life. The move to new premises will take place by late November 2019.
- The Fenland CCTV service has recently placed a camera replacement order, as agreed through the capital programme, with the CCTV contractors Quadrant Security Group. This will see the Council's existing analogue and beyond end of life cameras being replaced with new digital cameras that will enable full integration with PCC. The works will take place during the next quarter as part of the shared service project.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI Number of FDC ASB cases where positive engagements are delivered in line with identified risk	90%	99% 34/35 Absence of correct contact details for 1 case in Aug/Sept	99% 85/88	

During the months of August and September there were 35 new ASB cases submitted into community safety. Case investigation and support has been provided to victims appropriate to their individual circumstances and risk.

Community Safety continues to work with internal teams and external partners to provide swift resolutions and longer term resolutions to address on-going local concerns.

ASB reports for each area are as follows:

- Chatteris – 4
- March – 7
- Whittlesey – 0
- Wisbech – 16

July ASB reports for each area are as follows:

- Chatteris – 2
- March – 1
- Whittlesey – 1
- Wisbech – 4

Community Safety Partnership Update

Safety Zones

The 2019 Safety Zone sessions were completed during the last week of June 2019. During the 3 events held at Fire Stations in March, Whittlesey and Wisbech over 1000 pupils from 30 Primary Schools across Fenland took part in activities delivered by staff from Fire, FDC, Police, County Council and volunteers helping deliver the environmental safety activity.

New for this year were booklets given to children before and after their attendance. The purpose of the booklets was to help determine the learning outcomes of the children. The booklet was divided into sections aligned with the exercise subjects namely, fire safety, water safety, community safety, product safety and environmental safety.

Each child also received a certificate of attendance. Copies of the booklets and certificate are available from Sharon Dove in Community Support.

There were 3 disclosures from children relating to knife crime and these were followed up immediately by the police.

Pupil feedback included:

- *"I enjoyed all of it but Road Safety has to be my absolute favourite"*
- *"I learned how to save someone out of the water"*
- *"Learning about shoplifting was interesting as we were told how much you will be fined and that is scary and made me not want to do it"*
- *"I learnt which bin to put the rubbish in which I didn't know"*
- *"I am going to convince my mum to stop smoking immediately"*
- *"Do not talk to people online"*
- *"Fire safety 10/10 😊"*

Feedback from teaching staff included - The children from Coates had an amazing morning with you, thank you so much for organizing such great activities. Your organisation was seamless and the activities pitched perfectly for my Y5 children. The events were promoted through by the Community Safety Partnership with an article being printed within the local newspaper and published on their website. [Article](#)

Fenland CSP Community Engagement

An engagement event was held at Aldi in Chatteris on the 9th September at which there was partnership representation from the local police team. The main subject being promoted on this occasion was Hate Crime with information available about recognising and understanding what hate crime is, the community impact and how to report incidents of hate crime.

Engagement events planned for the remainder of 2019 are

Date	Time	Location	Topics	Partners
14/10/2019	10:00 – 12:00	Whittlesey Library	Road Safety & Speedwatch	Police, Speedwatch coordinator & Neighbourhood Watch
17/10/2019	14:00 – 16:00	Wisbech Library	Road Safety & Speedwatch	Police, Speedwatch coordinator & Neighbourhood Watch
21/10/2019	10:30 – 12:00	March Library	Personal Safety	Police, Fire & Neighbourhood Watch
21/10/2019	14:00 – 15:30	ALDI Chatteris	Personal Safety	Police, Fire & Neighbourhood Watch
22/10/2019	10:30 – 12:00	Whittlesey Library	Personal Safety	Police, Fire & Neighbourhood Watch
24/10/2019	10:30 – 12:00	Wisbech Library	Personal Safety	Police, Fire & Neighbourhood Watch
10/12/2019	10:00 – 12:00	March Library	Road Safety & Speedwatch	Police, Speedwatch coordinator & Neighbourhood Watch

Street Drinking Update

Partnership meetings have been held and a new process for education, diversion and enforcement were agreed in principle. There is further work to be completed to ensure the proposals are 'fit for purpose' and lawful.

The portfolio holder for communities also convened a meeting with the Police to explore how the resource available in the town can be utilised in the most efficient way to make an impact.

A further meeting is scheduled for 4th November 2019 where it is intended to formalise agreed joint working.

Work with the Town Council, partners and the community to reduce anti-social behaviour within Furrowfield Car Park, Chatteris, by improving lighting, signage and speed reducing features

On the 18th and 23rd September 2019 a community door knock was completed by Community Safety with 25 residents who live in close proximity to Furrowfields car park. The roads visited were Mallard Close, Plover Close, Furrowfields Road and Linsells Walk. To summarise of those spoken to 21 felt there had been an improvement in the situation and 3 said there had been a continuation of the problems. In addition 4 people felt there was an issue with speeding on Furrowfield Road itself.

Some of the feedback included:

Mallard Close

- The noise from the carpark is much better, not so many cars are gathering there now and there is less noise, less people there at night
- Got better thank you no real issue to report this time.

Plover Close

- Its brilliant it has been so much better, thank you for working on this and getting something done, it has made a real difference in the noise I've been putting up with.
- The cars are now meeting in smaller groups since the tyre stops and the speed bump have been put in and there is less noise.

Furrowfields Road

- It has got better since the speed humps were put in but we do still get the cars meeting up and revving their engines and being inconsiderate to everyone else living here.
- Its improved since before the works to the carpark as not so many cars meet up there now, there is still the odd night but it not as loud as before.
- It's been much quieter all summer, not like last year, it's much better thank you

Linsells Walk

- We hear some noise and occasionally smell cannabis but it's not to a point that troubles us much, it's a carpark and young people are going to use it to meet up in where else are they going to go? Overall it's not as loud or for as long as last year.
- Has got better since the works have been done, still get the odd night when they roll up and create a bit of noise late at night for 15-30 minutes, it's not as frequent and has been quiet for a while now.

Community Safety are intending to close their case on this problem as the feedback indicates there has been a significant reduction in the problems being experienced

and it has to be accepted that we will not be able to prevent all noise disturbance in a public open place.

The lighting improvements works are likely to be completed by the end of October.

BUSINESS PLAN AREA: Environment

Business Plan Priority: Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion

Business Plan Action: Support the Fenland Diverse Communities Forum to deliver the Fenland-wide Community Cohesion Action Plan and projects resourced by the Controlling Migration Fund (CMF)

Portfolio Holder: Cllr Chris Seaton

Fenland Diverse Communities Forum

The latest figures for Hate Crime (25th June – 13th August) showed there have been twenty two hate crimes reported to police. Compared data to the same time period last year where only eight hate crimes were reported to Fenland police. In context hate crime during this time period represents 1.4% of all crime reported to Fenland. Caution should be given to these statistics though due to the narrow time frame.

When widening search parameters to the past twelve months hate crime sits at 0.9% of all crime recorded. Accurately comparing the 12 month data to 2017 – 2018 is difficult due to a change in police crime recording systems.

As a comparison hate crimes in Peterborough over the same period equate to 2.69% of all hate crime reported.

FDC support tackling hate crime in a number of ways for example through acting as a reporting centre and helping to train community centres who also act as a reporting centre.

Cohesion & Travellers

FDC managed Travellers' sites

In conjunction with Peterborough Environment City Trust (PECT), The Community Support Team approached residents on Newbridge Lane and Fenland Way Travellers' sites to apply/register for warm home discounts and assisted in switching electric accounts to cheaper suppliers. This has helped a significant number of our residents and a potential saving for our residents was calculated to be over £5,000.

The Community Support Team are now arranging to switch residents on Sandbank, Seadyke and Turf Fen to increase that figure by the end of the year which will go a long way to helping those with financial difficulties.

As part of this work PECT have been awarded the National Energy Actions Celebrating Inclusivity Award which is fantastic news and their work was showcased at the national conference in Sheffield on the 16-18th September.

Controlling Migration Fund (CMF) Update

Controlling Migration Fund Reporting/ Monitoring

Every CMF project has been asked to produce an Impact Summary within six months of the end of the project. All partners have this in mind as they implement both monitoring and evaluation plans.

The MHCLG have previously circulated a questionnaire toolkit developed by Ipsos Mori that has been circulated as this may be useful when partners are developing questionnaires as part of their monitoring and evaluation plans. These forms were developed in partnership with the Council as we have had regular visits from them to discuss the progress of our projects.

The MHCLG would have also asked an officer of this council to convene a meeting with the academics and organisations that are undertaking independent evaluations of individual CMF projects. This will help to build up examples of early success and share best practice.

We are currently discussing the best way to share the learning outcomes that we have achieved.

There are updates elsewhere in the performance report relating to CMF projects.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Attract new businesses, jobs and opportunities, whilst supporting our existing businesses in Fenland

Business Plan Action: Working with our partners, local businesses, and the Combined Authority to attract inward investment and establish new business opportunities

Portfolio Holder: Cllr Ian Benney

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI BE5 Number of inward investment and new business enquiries handled per year	12 <i>Month 6 target 6</i>	0	8	

Officers continue to manage two existing smaller format supermarket enquiries, assisting with site identification and supporting information. Given the early stage of these enquiries the direct benefits, if suitable sites are found, will take 12-18 months to materialise.

Officers are working with Opportunity Peterborough on small project, commissioned by the CPCA, to support increased inward investment activity in the north Cambridgeshire area. The project will improve resources on the ground over the next 12 months and seeks to stimulate additional activity beyond the existing available resources.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI BE6 Number of inward investment related jobs created or safeguarded	48 <i>Month 6 target 24</i>	2	5	

A number of live enquiries and developments continue to be managed through Economic growth channels and these look likely to generate significant new inward investment jobs at all skill/education levels in the coming months.

Two exciting inward investment projects have the potential to create a significant number of jobs. One of these projects is likely to provide a number of new jobs in this financial year, the other is expected to land in the next financial year.

NOTE

The red RAG rating relates to the monthly straight-line profiling which is used and reflects the sensitivity of small numbers in the calculation of percentage performance.

If current and ongoing inward investment enquires are landed, there is scope to significantly increase the numbers of jobs created or safeguarded and the year-end target will be met and likely exceeded.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI BE7 Number of businesses referred to Economic Development from Business Ambassadors network	12 Month 6 target 6	0	6	

This month there have been no internal referrals to the Economic Growth Team.

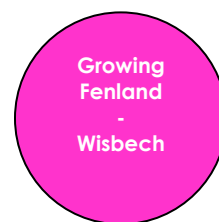
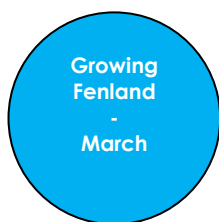
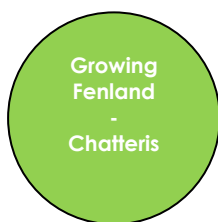
Growing Fenland Update

Following extensive work carried out by officers, consultants Metro Dynamics and the Growing Fenland Town Teams, the final reports are nearing completion. A report has been produced for each of the four market towns which have been shaped by research into current statistics, input from the Town Teams and public consultation.

In addition, an overarching Strategic Report considers the issues which are common to more than one town, focussing on the following themes:

- Infrastructure, transport and housing
- People; education and health
- Jobs and enterprise

Overarching Strategic Report



Reports

will now

be considered by each of our 4 town councils before consideration by:

- FDC Cabinet Members
- CCC Communities & Partnership Committee
- CPCA Board

Once approved, the reports will be used to bid for funding from the Combined Authority and other funding streams.

BUSINESS PLAN AREA:

Economy

Business Plan Priority:

Attract new businesses, jobs and opportunities, whilst supporting our existing businesses in Fenland

Business Plan Action:

Provide responsive business support to encourage business growth, improve job diversity, skills, and increased grant applications to support jobs and economic growth

Portfolio Holder:

Cllr Ian Benney and Cllr Chris Seaton

Business Engagement, Support & Growth

Updates related to business engagements, support and growth are included in the accompanying text to MPI BE5, MPI BE6 & MPI BE7 above.

Workforce Development, Employment, Skills and Apprenticeships

Internally, the Council offers a range of NVQ apprenticeship qualifications out to our workforce already, and are currently developing a wider apprenticeship offer to enable a minimum of 9 apprentice posts being offered by the Council. We already

have:

- 1 x HR Apprentice;
- 1 x Business Administration Apprentice (Business Centres);
- 3 x Management Apprenticeship;
- 1 x Accountancy Apprenticeship (Finance)
- 1 x Business Administration Apprentice (GDPR);

In addition to this, we are actively seeking apprenticeship opportunities in a number of teams, such as Project Management, Planning and ICT.

Partnership Engagement & Funding Activity

The Cambridgeshire & Peterborough Combined Authority have announced the release of the Growth Deal funding as part of their Growth Prospectus 2019-21. Officers continue to liaise closely with colleagues at the CPCA to ensure that the Fenland businesses are informed of the grant call to encourage applications, especially to those that have expressed interest previously.

So far 3 Fenland-based businesses have discussed potential submissions with the CPCA for Growth Deal funding. The call will remain open until the available funding has been allocated. Officers understand that this entire allocation may be exhausted following a November CPCA Board meeting.

On the 23 September an inaugural relaunch of the Fenland Chamber of Commerce meeting was held at Fenland Hall. The event welcomed 17 members & invited guests and coincided with the refresh of the Cambridgeshire Chamber of Commerce website. A new chairman was appointed and future meetings are to be held monthly, with the next meeting at Fenland Hall on 28 October.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI BE8 Number of grant referrals introduced by FDC	24 <i>Month 6 target 12</i>	3	9	

Officers across the Council regularly liaise with businesses looking for a variety of different grant funding options for their business. Suitable grant options where possible are provided to the businesses and officers maintain contact with the businesses to follow the outcome.

Following the recent restructure of the Economic Growth & Assets Team, it is

anticipated recruitment to the Business Account Manager post will help to accelerate activity and significantly increase the number of business engagements and grant referrals.

NOTE:

The red RAG rating relates to the monthly straight-line profiling which is used and reflects the sensitivity of small numbers in the calculation of percentage performance.

Work Experience Placements & Work Opportunities Programme

The Council has an established work experience programme working with local schools to provide a work experience placement programme across a range of Council teams.

This is a rolling annual programme, and usually takes place between May and July each year. We had 5 work experience placements agreed for this academic year, and we anticipate a further 4 from Cromwell Community College

In addition to the above we have started offering work placements for A' level and college students. We have had these in the finance and ICT teams.

The Council can also provide longer-term placements, working with other agencies. We also offer work experience and longer term work placements to enable young people to develop valuable work skills.

Work with partners to deliver a programme of supported skills development across the district

We have been working with the Skills Service and local education providers to help provide opportunities for young people and to help build their 'fit for work skills, such as interview skills workshops, careers presentations and employability skills.

We are currently working with the Combined Authority to ascertain how we can work in partnership to support the wider skills development agenda.

Explore and expand opportunities for the Council to work in partnership with local education providers to promote employment opportunities for the local community, and raise the aspirations for people to improve their employment / life prospects

In addition to the actions above, we have also been working with the County Council to attend a recent Employability Event to promote employment opportunities with the Council and offer longer term work placements to help individuals gain valuable work experience.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland

Business Plan Action: Promote and develop our business premises at South Fens, The Boathouse and our light industrial estates to encourage investment, job creation and skills diversification

Portfolio Holder: Cllr Ian Benney

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI BE1 % occupancy of the business premises estate	90%	87%	N/A	

The current position for the industrial estates is:

Prospect Way, Chatteris - Fully Let with lease renewal discussions continuing. One tenant has served notice effective end of November 2019.

Longhill Road, March - Fully Let

New Drove, Wisbech - The Council recovered possession of one unit, which will be offered to the market shortly.

Venture Court Wisbech -

- o Venture House offices remain vacant and are being marketed via Rightmove Commercial. There have been no enquiries since the premises were vacated in June 2019. Officers have undertaken some soft marketing with prospective occupiers and decoration works are being arranged to make sure it is in good condition internally.

- o Unfortunately the vacancy of Venture House represents 5% of the overall industrial estate floorspace.
- o A small industrial unit at Venture Court is under offer to an existing tenant who requires move on space. The outgoing tenant is retiring.

Boleness Road, Wisbech -

- o One unit is being marketed.
- o Another single unit will be coming onto the market in November 2019.

South Fens Business Centre –

- o A new tenant took occupation on 1st August. This was a seamless transfer with an outgoing tenant leaving the day before.
- o A planned occupation for 1st August 2019 has been put on hold and is likely to complete during October, this has been a complicated process and the Tenant is part of a large organisation based in the USA.
- o Four viewings have taken place in during September and to date in occupation which have resulted in Heads of Terms being issued. One tenant is looking to take occupation during October. The second was introduced via our commercial agent Barker Storey Mathews and is looking to take occupation from 1 February 2020.

Boathouse Business Centre –

- o The centre is now 100% occupied as one tenant did not move out as planned in September.

Meeting & conference facilities

Summary

Current floor space occupied 74,75m² out of a total available 8,654 m².

South Fens Business Centre	58%
South Fens Enterprise Park	100%
Boathouse Business Centre	100%
Light Industrial Units	88%
Overall Business Premises Estate occupancy = 86%	

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI BE4 Number of jobs created or safeguarded in FDC Business Premises	48 <i>Month 6 target 24</i>	5	18	

A new business has taken over 2 units at our site in Boleness Road employing two

people at this location.

An existing tenant at South Fens Business Centre has taken on a new employee to support their growing business.

A new company joined South Fens at the end of August employing two members of staff at this location.

What do our customers say?

Description	Baseline	Target 19/20	No of customers who responded	No of customers satisfied	% 19/20	RAG
MPI BE3 % of satisfied conference customers	100%	95%	9	9	100%	

We invite feedback from our conference customers after every event, however the response rate was poor and too low to gain any constructive feedback from. We now operate different methods to capture feedback so that we can gather as much information as possible:

- Verbally from conference leads (where possible)
- Electronically from conference arrangers
- Forms in the meeting / conference rooms

Positive feedback in September and to date in October included the following comments:

- "I had an IT problem and staff went the extra mile to solve things for me."
- "Staff do a fantastic job with some quite awkward people visiting. All credit to them"
- "Customer Services (reception) are professional and nice. Always willing to help and support us".
- "(Staff name) was really helpful today!".

BUSINESS PLAN AREA: Economy

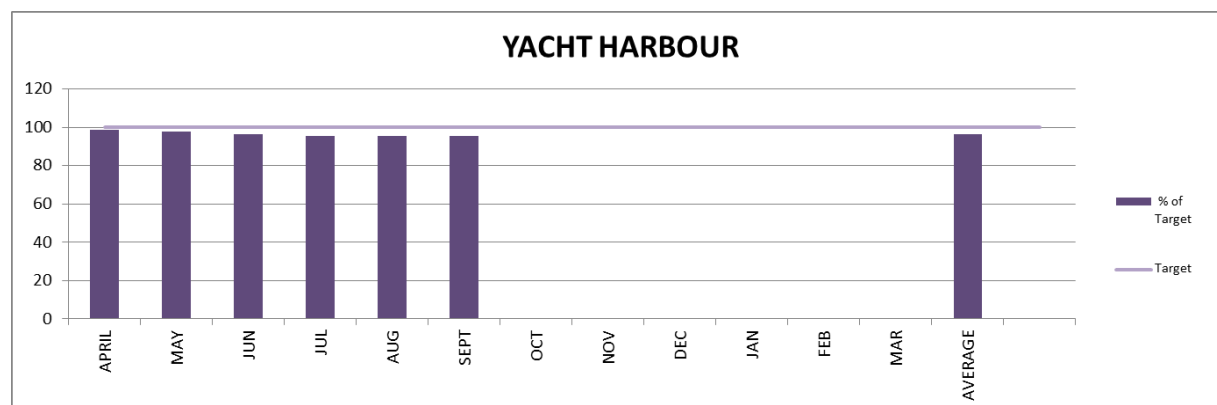
Business Plan Priority: Attract new businesses and jobs and support existing businesses in Fenland

Business Plan Action: Run a proactive and effective Marine Service to meet statutory obligations and promote business opportunities for the River Nene environment

Portfolio Holder: Cllr Ian Benney

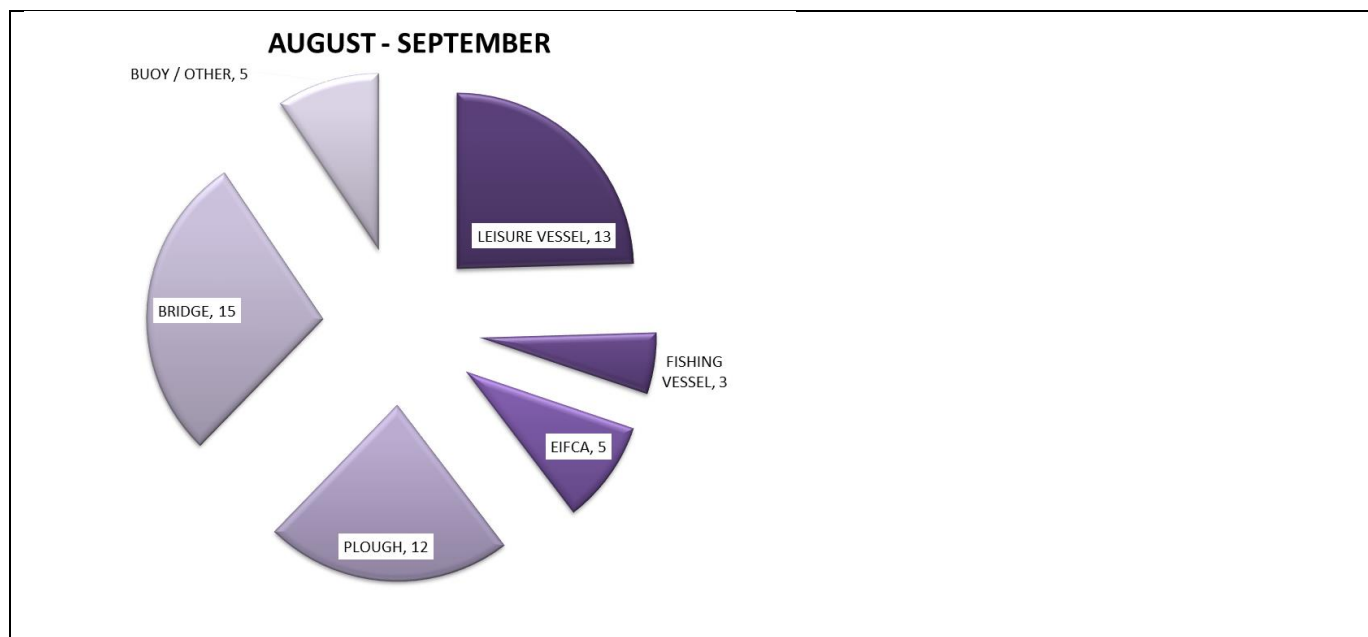
Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI MS1 Number of berth holders / occupancy of berths at Wisbech Yacht Harbour	95% (of 85 berths)	August 82 September 82	97%	

9 visiting boats called at Wisbech throughout August - September, Full time berth numbers remained on target with 0 vessels leaving and 0 new full time berth holders joining the Yacht Harbour,



Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI MS2 Number of boat lift operations at Wisbech Port	170	Aug 9 Sep 12	116	

The boatyard had a quieter period throughout August - September, The Kings Lynn Fishing Fleet sent 2 of the fleet to the yard whilst fishing activity in the wash is quiet The below graph gives an August - September breakdown of the boatyard activity.



Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
MPI MS4 Gross Tonnage to Ports	435,000	August 39,455GT September 24,593GT	164,939 GT against a projection of 212,261 GT 78%	

Port Sutton Bridge

Imports to Sutton bridge have picked up on the previous months reported however remain below on target for August - September with a total of 37,817 GT of cargo of Steel, Salt, and Soya-Meal. The total number of vessels to call at Sutton Bridge was 17. the cumulative is currently 41

Port of Wisbech

Imports to Port of Wisbech were above target for August - September with imports at 26,231 GT of cargo handled by the port that consisted of Timber & Bricks. The total number of vessels to call at Wisbech was 16. The cumulative for cargo is 52.

Sail the Wash Partnership Update

The sail the wash project group has been created with officers representing on behalf of FDC. A work plan is now being created to deliver each stage of the CCF with FDC taking on hydrographic survey works in the Wash and approaches. FDC engineers will now develop a work plan to project manage the engineering elements of the scheme.

An independent website is now being created via external consultants, this will be managed by a marine marketing manager- to be appointed.

Cross Keys Marina, Sutton Bridge – Commercial & Leisure Moorings

A final version of the Management Agreement has been produced with some very small variations required. It is now likely that the agreement will be signed off in October. The completion of the agreement, which has been in development for some considerable time, will create the basis to grow activity in the river and provide important new destinations for local, national and international sailing.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Promote and enable housing growth, economic growth and regeneration across Fenland

Business Plan Action: Enable appropriate growth, development and infrastructure through the delivery of a proactive and effective Planning Service

Portfolio Holder: Cllr Mrs Dee Laws

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI EC2 % of major planning applications determined in 13 weeks (or within extension of time)	75%	100%	100%	
4 major applications were decided in September and all of the decisions were made within target timescales.				

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI EC3 % of minor planning applications determined in 8 weeks or within extension of	80%	85%	94%	

time)				
<p>27 minor applications were decided in the month and of those 23 were determined within target timescales. The 4 applications decided outside of target time were all refused planning permission.</p>				

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI EC4 % of other planning applications determined in 8 weeks or within extension of time)	90%	96%	97%	
<p>26 applications were decided and 25 of those were determined within target timescales. The application that was not decided within timescale was refused planning permission.</p>				

Local Plan Review

The consultation draft Issues and Options document was approved by members in September and the consultation will take place over 6 weeks starting on 11 October. This also includes the call for sites processes whereby landowners can submit sites for inclusion in the future Local Plan. A town and parish workshop was held in September to help engage with these organisations and a viability workshop was held with a group of developers and agents. The viability methodology is also being consulted on: <https://www.fenland.gov.uk/newlocalplan>

Planning Committee Training

Last month Planning Committee received training on planning enforcement.

A further round of externally provided planning training for FDC Members and Town & Parish Councils is taking place on 21st November.

Town & Parish Council Training / Engagement Events

A local plan training / information event was held in September.
4 drop in events are being held during the consultation on the local plan that town and parish councils have been invited to.

Decision making training is taking place on 21st November

Affordable Homes

92 affordable homes are expected to be completed in this financial year. This includes a new 60 home extra care scheme for frail older residents in Whittlesey. Willow Court is a state-of-the-art older person's housing scheme in Whittlesey, Peterborough.

At Willow Court, we aim to help residents live well and prosper in somewhere that they choose to call home.

This Extra Care scheme is available for those who are aged 55 and over and are looking to live in an active and vibrant community.

Extra Care means that you have access to the appropriate level of support as and when you need it. If your needs change over time, your care can easily be tailored to help you to maintain your independence.

Creating a home from home

Everyone should be able to make their apartment feel like home. Every apartment is bright, welcoming and finished with high-quality fixtures and fittings. With neutral decoration throughout, tenants will be able to bring their own personal belongings to make it their own.

Residents at Willow Court will benefit from being part of a warm and welcoming community, with use of a range of communal facilities, including:

- Residents' lounge.
- Restaurant.
- Hairdressers.
- Therapy room.
- Shop.
- Communal landscaped gardens.

Caring for you

Extra Care means providing each resident with the appropriate amount of support so that they can continue to live well within their home.

This means:

- 24 hour care, delivered 365 days a year by an on-site team.
- The provision of a quality, nutritionally-balanced midday meal all-year round.
- Bespoke care packages.
- A full-time scheme manager.
- Pull cord alarm service throughout the building.

If residents are interested in the scheme their interest can be registered in the link below.

<https://www.longhurst-group.org.uk/care-and-support/willow-court-register-your-interest/>

BUSINESS PLAN AREA:

Economy

Business Plan Priority:

Promote and enable housing growth, economic growth and regeneration across Fenland

Business Plan Action:

Work with partners to further develop and help deliver a viable holistic regeneration and growth proposition of Wisbech Garden Town

Portfolio Holder:

Cllr Chris Boden

Wisbech Garden Town Update

General work continues and conversations are taking place with the Combined Authority on the next stage of feasibility work, including member and public consultation.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Promote and enable housing growth, economic growth and regeneration across Fenland

Business Plan Action: *Use the Council's surplus property assets to provide new development opportunities to support and deliver sustainable economic and residential growth*

Portfolio Holder: Cllr Ian Benney

FDC's Strategic Landholdings & Surplus Asset Disposal Programme

The Council's Estates Team have been engaged with working up the 15 surplus sites approved for disposal by Cabinet. On the 10 October, 6 sites were offered for sale by property auction and officers are pleased to report that 5 sites sold, exceeding the reserve prices by 55%.

Other preparation works have included the submission of Planning applications on a number of sites, together with the completion of pre sales enquiries and other legal matters required to ensure the sites can be sold free of encumbrances.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Promote and enable housing growth, economic growth and regeneration across Fenland

Business Plan Action: *Identify and bid for external funding that aligns with and supports our housing, economic and growth objectives*

Portfolio Holder: Cllr Ian Benney and Cllr Chris Seaton

CPCA Skills & Industrial Strategy Update

Following the recent adoption of Cambridgeshire & Peterborough Local Industrial Strategy, FDC Officers have been working with CPCA colleagues to shape the interventions which will enable the LIS to achieve its objectives. The interventions include:

Further information is being provided to the CPCA to support the targeting and tailoring of actions and interventions which will have the greatest impact in Fenland.

BUSINESS PLAN AREA: Economy

Business Plan Priority: Promote and lobby for infrastructure improvements across Fenland

Business Plan Action: *Promote sustainable transport (infrastructure and community) initiatives within Fenland, including road, rail, and concessionary travel to improve links to employment and access to services for the community*

Portfolio Holder: Cllr Chris Seaton

Rail Development Strategy

Hereward Community Rail Partnership (CRP)

In September 2019 the Hereward CRP had a promotional stand at Ipswich Station. Around 800 Line guide leaflets were distributed. There were some good discussions with members of the public and a number of people stated that they would like to visit Manea, March and Whittlesea now they have been made aware that they can travel to us directly from Ipswich.

Fenland Stations – Manea, March and Whittlesea Station Masterplans

In June 2019, FDC Cabinet approved the establishment of 3 new Project Boards (one for each station) for overseeing the delivery of each station masterplan. Each board will also have responsibility for overseeing the CPCA Funding for the delivery of masterplanning schemes. The latest Project Board meetings were held in September 2019 and future meetings are expected to be held bi-monthly.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
Number of journeys made by bus and rail users (please note that figures for railway and car scheme use are reported annually)	14,308 journeys	1,256	7,865	

Concessionary Travel Update

The level of use of the concessionary travel scheme is on target for 2019/20 up to 30 September 2019. FACT currently has around 1,062 members in Fenland District (June 2019). This membership figure is lower than the quarter to end of March 2019. A new approach to membership is now being implemented for 2019/20 in line with the ongoing changes to the organisation. Membership figures are expected to be lower with the new requirements.

Fenland Association for Community Transport (FACT)

FACT is currently the only provider of dial a ride services in Fenland. Members are already aware of the ongoing review and changes required at FACT following the completion of the independent review by PKF-Littlejohn LLP in 2018. The review, its findings and delivery of an action plan are being overseen by Cambs CC Audit and Accounts Committee. The links below provide access to the Audit and Accounts Committee meeting papers. Full details of all discussions are provided from this weblink including the May, July and September 2019 meetings where the latest updates in respect of the Action Plan were considered.

[May 2019 Meeting](#)

[July 2019 Meeting](#)

[September 2019 meeting](#)

Concessionary Travel Back ground and Context

Since April 2008, FDC has provided a Concessionary Travel Scheme for community transport services. This means that any Fenland resident who has a Cambridgeshire bus pass and is a member of the local Community Transport organisation, can travel free of charge on the Dial a Ride Service.

- **What is Dial a Ride?**

Dial-a-Ride (DAR) services provide door to door transport for those people who do not have access to a car, where there is no public transport, or where they cannot access public transport. These services in Fenland are operated by Fenland Association for Community Transport (FACT). To use these services customers must be members of FACT. Membership is subject to meeting the eligibility criteria for Dial a Ride services.

- **FACT Membership**

To use FACT services you have to be a member. DAR is not available to the general public. To become a FACT member you pay a 12 month subscription fee of £10 and you must meet one or more of the following criteria:

- Must live within the Fenland area;
- There is no or limited public transport available (i.e. it does not run at suitable times).
- Difficulty using public transport due to disability (automatic eligibility)
- Difficulty using public transport due to other reasons (assessed eligibility)

BUSINESS PLAN AREA: Economy

Business Plan Priority: Promote and lobby for infrastructure improvements across Fenland

Business Plan Action: *Engage with the Combined Authority and Cambridgeshire County Council on the feasibility and delivery of major infrastructure projects across Fenland, including road (Wisbech and March Access Studies, A47 Economic Corridor and A605 and King's Dyke improvements) and rail (Rail Strategy, improvements to railway stations and the March to Wisbech rail link)*

Portfolio Holder: Cllr Chris Seaton

Support strategic transportation objectives

A47

A47 Economic Corridor

There is no specific update this month. In October 2018 the Cambridgeshire and Peterborough Combined Authority (CPCA) Board approved a further £1million for additional work in respect of A47 Dualling to meet the requirements for including the scheme in the next Roads Investment Strategy. This work is still ongoing. Further details of this proposal and the full paper were discussed at the [October 2018 CPCA Board meeting](#).

A47 – Guyhirn Roundabout

Following the appointment of a new contractor for the A47 Roads Investment Strategy 1 (RIS1) schemes, Highways England are in the process of recommencing work on the Guyhirn Roundabout scheme. A meeting with Members and Officers took place in September 2019. Ground investigation work is due to take place between September and November 2019. Highways England and their consultants have been working with the community to fully engage with them about the ground investigation work. The delivery of this scheme is ahead of the other A47 schemes that Highways England is currently delivering.

This is a Highways England Scheme that is part of the Roads Investment Strategy 1. More detail about this scheme and the latest updates about the Guyhirn scheme can be found on the [Highways England website](#).

Wisbech Access Strategy

There is no specific update on the Wisbech Access Strategy this month.

In November 2018, a paper was taken to the CPCA Business Board and the CPCA

Board. Approval was given for the Wisbech Access Strategy phase 1. This unlocks £10.5million funding for the following schemes:

- Weasenham Lane/Ramnoth Road roundabout scheme
- A47 Broad End Road Roundabout
- A47 Elm High Road roundabout improvements
- New Bridge Lane/Cromwell Road signalisation
- Southern Access Road scheme

The schemes are being taken forward by the County Council in partnership with FDC, CPCA and Wisbech Town Council. The schemes are expected to be complete by the end of March 2021. The schemes are now completing the preliminary design phase. Public exhibitions were held during July 2019 to inform the public of progress. All the details of the engagement and the exhibition boards are on the [County Council website](#).

The schemes aim to unlock the housing and employment growth set out in the Fenland Local Plan. Specifically the housing at East Wisbech and the employment land at South Wisbech.

The CPCA Wisbech Access Strategy Board paper referred to above can be found on the [CPCA website](#).

March to Wisbech Railway Line

There is no specific update this month. In November 2018 a paper was discussed at the CPCA Board meeting. Funding of £1,500,000 was approved and consultants have been appointed for the next stage of study work. Further information will be available when the study work reaches key milestones. For further information regarding the [CPCA Wisbech Rail Board paper](#).

A605 Kings Dyke Crossing

The previous Performance Report set out information following the announcements about increases in cost, and concerns about the delivery of the Kings Dyke Project. There have also been some public meetings.

The County Council has now gone out to tender to find a different supplier to deliver the project. The County Council website includes all the latest information along with all the study information and technical details relating to the [Kings Dyke Crossing](#).

Previous to the above, a paper was taken to the [CPCA Board Meeting in October 2018](#) requesting £16.4million funding for the A605 Kings Dyke Level Crossing project to completion in 2020. The CPCA Board approved the additional funding.

March Area Transport Study

There is no specific update on this project this month.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Governance, Financial Control and Risk Management

Business Plan Action: *Maintain robust and effective financial standards, robust internal controls and effective management. Evidence this in our Annual Audit Letter, Risk Management Strategy, Budget, and Medium Term Financial Strategy*

Portfolio Holder: Cllr Chris Boden

Annual Statement of Accounts Update

Auditors are currently on site and it is envisaged that final accounts will be signed off by the Corporate Governance Committee on 5th November 2019.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Transformation & Efficiency

Business Plan Action: *Engage with the Combined Authority's Public Service Reform agenda*

Portfolio Holder: Cllr Chris Boden

Combined Authority Update

A new 'Dragons' Den' style panel including Mayor of Cambridgeshire and Peterborough James Palmer has been set up to hear **pitches from local organisations for funding to help continued local economic growth**. Click [here](#) for further information.

Unlocking more affordable housing and **giving a boost to the 'revolutionary' £100k home** are among the six projects Mayor James Palmer has added to the Combined Authority's list of urgent priorities during the mid-year tweak to the business plan. Click [here](#) for further information.

Meeting Agendas & Reports

Please click on the links below to access the meeting papers for the following CPCA Committees:

[Overview & Scrutiny Committee – 23rd September 2019](#)

[Business Board – 23rd September 2019](#)
[Combined Authority Board – 25th September 2019](#)
[Audit & Governance Committee – 27th September 2019](#)
[Housing & Communities Committee – 9th October 2019](#)
[Overview & Scrutiny Committee – 28th October 2019](#)
[Combined Authority Board – 30th October 2019](#)

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Transformation & Efficiency

Business Plan Action: *Pursue transformation and commercialisation opportunities, including co-location of services, to support effective ways of working and deliver additional income or cost savings*

Portfolio Holder: Cllr Steve Tierney

Council For the Future (CFF)

The “Council for the Future” project is progressing well and proposals are currently being finalised. It is planned that this will be shared with All members in November. Members will be asked to decide on which proposals are taken forward to develop a full business case before implementation.

In parallel with this we are also reviewing how we can “work smarter” through better use of technology and service delivery redesign.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Consultation and Engagement

Business Plan Action: *Appropriately consult with residents about Council services and proposals, as outlined in our Consultation Strategy. Use feedback to improve service delivery*

Portfolio Holder: Cllr Steve Tierney

Consultations Update

Current Consultations:

- Parson Drove Neighbourhood Plan – deadline 17 October 2019
- Council Tax Reduction Scheme – deadline 10 November 2019
- Local Plan – Issues and Options document – 11 October to 21 November 2019

3Cs Update

3Cs category	Measure	Dates Current year (Apr- Sept 19)	Dates Last year (Apr – Sept 18)	% Change + / -
Compliments	Total number received (over given period)	143	80	78%
Comments	Total number received (over given period)	2	8	-75%
Correspondence	Total number received (over given period)	45	81	-55%
Complaints	Total number received (over given period)	164	239	-68%
Total contact (over given period)		354	405	-13%

Please note – this report is now run cumulatively from April 19/20 rather than in isolated quarters. This is in response to feedback that quarterly variances could look drastic but be small overall when looking at the year as a whole.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Excellent Customer Service

Business Plan Action: *Maintain the Council's CSE accreditation to ensure we continue the most effective service to our communities, including through our Fenland @ your service shops and Community Hubs*

Portfolio Holder: Cllr Jan French

Description	Target 19/20	Cumulative Target	Cumulative for 19/20	RAG
Performance Measure				
LPI ARP3 % of Council Tax collected	96.92%	56.89%	56.74%	
LPI ARP5 Net Council Tax receipts payable to the Collection Fund	£56,185,753	29,948,933	32,276,826.68	

As the tax base grows the net debit increases, which should result in additional revenues being paid into the collection fund providing additional resources into the council's budget. This is why the collection fund target has been exceeded. In year collection is slightly below target, summons for the first court of the year were issued 2 weeks later than compared to last year. This is likely to be the reason for this.

During July the following recovery documents have been issued;
Reminders 1,191 with a value of £158,391.44
Final Notices 532 with a value of £368,372.43
Summons 333 with a value of £234,587.37

Currently there are 1747 (last month 2167) processes outstanding for Fenland. There are currently 12,366 processes outstanding across the partnership (prev month 14,869) of which 8158 are older than 6 weeks (1211 Fenland processes). This includes items in pending (154) plus new properties where we are awaiting information from 3rd parties before it can be processed. There has been a significant increase in incoming work in July and August which explains why the outstanding figure has increased. However the number of processes completed in August was 19,245 compared to an average of 14,863.

We have been able to direct experienced resources to processing moves/discount and exemptions. In addition to this the Mitel call tree has been amended so that 2/3 of the incoming call are directed towards the Council Tax Billing Officers and a 1/3 to the Revenues Officers who process moves. Prior to this change the 2/3 of the calls were

directed at the Revenues Officers.

We have recruited a further 8 Council Tax Billing Officers who will start training on 7 October 2019 in Council Tax. Four of the current Billing Officers are also going to be trained in moves week commencing 30 September.

CT RECOVERY

The recovery team are currently recruiting to fill vacancies. Work has commenced on identifying differences and where possible aligning processes and procedures. A complete review of all processes will be necessary, this will take some time to complete. We have prioritised areas so as to gain maximum benefit as soon as possible.

The team now take phone calls for all partner authorities from Final Notice stage.

Description	Target 19/20	Cumulative Target	Cumulative for 19/20	RAG
Performance Measure				
LPI ARP4 % of NNDR collected	97.88%%	53.96%	55.73%	
LPI ARP6 Net business rates receipts payable to the Collection Fund	£24,663,273	13,405,561	13,789,980	

BUSINESS RATES

Collection continues to be on track for Business Rates

During August 2019 the following recovery documents have been issued;

Reminders 64 with a value of 46,250.74

Final Notices 66 with a value of 850156.03

Summons 21 with a value of 99,101.93

There are currently 131 (242 last month) processes outstanding for Fenland (1313 APR total prev 2780). The team has continued to work hard to reduce the amount of outstanding processes which shows in the reduction in work outstanding.

Now we have the work under control we have produced a skills audit which is informing both our training plan going forward and the setup of drip feed from the EDMS system.

Our assistant team manager will be leaving the team at the end of September. We are currently reviewing the makeup of the team to best resource the service going forward.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
Target CS1 % of contact centre calls answered within 20 seconds	32.5% Year to date target	57.02%	55.67%	
Target CS2 % of contact centre calls handled	62.5% Year to date target	92.64%	89.41	

The ongoing trend in relation to positive performance in the contact centre continues. The revised working patterns of the advisers recruited at the end of the 2018 calendar year has had a positive impact as well as a renewed focus on performance and customer service standards. In addition the volume of customers accessing our Customer Service centres across the district has also seen an ongoing downward trend which enables more staff to be available to answer calls via the contact centre.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
Target CS3 % customer queries resolved at first point of contact	85%	92.3%	94.45%	

The Customer Services Team continues to excel at resolving customers queries at the initial point of contact where ever possible. The team works collaboratively with services across the Council and our partners to ensure the information we hold in relation to all services is comprehensive and we are able to action requests for services accordingly. The implementation of Service Champions within the team in order to provide increased resilience and additional escalation points for complex queries to ensure performance regarding query resolution at the first point of contact is working really well and both customer services staff and colleagues across all services within the Council have reflected on the positive impact this initiative is bringing.

Achieve CSE re-accreditation for the whole Council

The Council maintained CSE accreditation in 2019 with an even stronger "pass" than in the previous year in respect of "Compliance Plus" scores.

When visiting, the CSE assessor was highly complementary of the Council's emphasis on delivering excellent customer focused services. The assessment report included these

points on the Council's particular strengths:

- The Council is proud of its people focus and uses this to embrace a 'one team' approach to making a difference to customers; and various access channels exist to allow customers options when dealing with the Council
- The Council is actively consulting with local communities, businesses, stakeholders and partners on the 'Growing Fenland' initiative, which enables all parties to help shape the priorities for the development of the four main towns.
- Empowerment of staff allows them to go 'above-and-beyond' when dealing with customers, and deliver high quality services; and the Council actively utilises staff insight to improve services.
- Partnering arrangements remain strong with a wide range of partners working with the Council resulting in clear benefits for customers and communities. The Council are the fulcrum of a wide range of local initiatives covering health, crime, education and social inequality.

As a learning organisation the Council is always keen to identify opportunities for continual improvement, and the area we would like to focus on for development will be around consideration how the needs and preferences of residents accessing our services can be met by improving services and access channels.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: **Excellent Customer Service**

Business Plan Action: ***Help residents to access our services digitally and self-serve (as outlined in our Channel Shift Strategy) to allow us to provide more support for vulnerable customers and complex queries***

Portfolio Holder: **Cllr Steve Tierney**

E-Recruitment Tool Update

We have been undertaking some exploratory work in terms of the potential scope for an e-recruitment solution. We will be meeting with potential suppliers in the Autumn to progress this.

Description	Target 19/20	Achieved	Cumulative for 19/20	RAG
Performance Measure				
LPI PC1 Number of visits to the FDC website	620,000	51,873 (Sept)	336,453	

News Survey

The number of news stories added to the FDC website and distributed as press releases to local media in August = 8

Main articles included;

- Ely House Closure Order
- Rail project boards
- Macmillan coffee morning
- Hate Crime reporting
- Licensing Policy in Wisbech town centre

The number of news stories added to the FDC website and distributed as press releases to local media in September = 10

Main articles included:

- Empty homes week 2019
- Businessman fined £24k for fly-tipping

Social Media Update

Monthly update on FDC social media sites;

The number of social media updates added to the FDC Facebook and twitter accounts in **August**;

Facebook = 50

Twitter = 55

We currently have 2,431 likes on Facebook and 8,364 followers on twitter.

FDC Twitter	Tweets	Tweet Impressions	Profile visits	Mentions	New followers	Total no of Followers
	50	61.7K	652	96	5	8,364

FDC Facebook	Posts	Reach	Post Engagem ents	Page Likes	Total Page Likes
	55	19,403	3,739	30	2,431

The number of social media updates added to the FDC Facebook and twitter accounts in **September**;

Facebook = 45

Twitter = 40

We currently have 2,468 likes on Facebook and 8,369 followers on twitter.

FDC Twitter	Tweets	Tweet Impressions	Profile visits	Mentions	New followers	Total no of Followers
	50	61.7K	652	96	5	8,369

FDC Facebook	Posts	Reach	Post Engagem ents	Page Likes	Total Page Likes
	40	15,294	5,735	37	2,468

We continue to post 'snippets' of information about council services, performance and 'did you know' facts on our social media sites.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Equalities

Business Plan Action: *Meet our Public Sector Equality duty by delivering the requirements of the 2010 Equality Act and 1998 Human Rights Act through our core service delivery. Publish an Annual Equality Report to demonstrate how we do this*

Portfolio Holder: Cllr Steve Tierney

Meet Equality Act Requirements

All Council Strategies, Policies, Practices and Procedures have had an Customer (Equality) Impact Assessment conducted on them, this involves analysing the effect, or potential effect, of the way these relate to groups that share protected characteristics, as defined in Equality Act 2010. We annually review these assessments to ensure that they reflect the current community and the way we deliver services, conduct employment practices. This refresh process commences this October.

Whilst Equality Analysis is a requirement for public bodies, it can be a highly effective tool in any sector to identify unfair or unlawful barriers to staff and customers and identify practical steps to remove these, and implement best practice best suited to the Council.

This work is carried out in each service by an appointed/ trained Equality Service Champion.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Asset Management and Commercialisation

Business Plan Action: *Ensure our asset base is suitable, sustainable, fully utilised and maximises income opportunities and financial efficiencies*

Portfolio Holder: Cllr Chris Boden and Cllr Ian Benney

Corporate Asset Management Plan Update

Officers are exploring the utilisation of an Asset Management database to support property & estates management functions; which, when implemented would provide up to date and instantly accessible access to asset records. At this stage the work is being scoped to understand the size of the task and to help develop a specification for the software to ensure it meets the needs of the Council.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Asset Management and Commercialisation

Business Plan Action: *Ensure the adopted Capital Programme is developed and delivered in line with our Corporate Asset Management Plan to maintain the integrity and safety of our assets*

Portfolio Holder: Cllr Chris Boden and Cllr Ian Benney

Capital Programme Update

The recently established Capital Delivery Group continues meet on a bi-monthly basis to discuss the progress of the existing Capital Programme and to identify any programme variations. As part of the usual financial planning cycle, the identification and assessment of projects which might form part of the future capital programme has commenced.

BUSINESS PLAN AREA:	Quality Organisation
Business Plan Priority:	Asset Management and Commercialisation
Business Plan Action:	<i>Develop and deliver a sustainable commercial investment strategy</i>
Portfolio Holder:	Cllr Chris Boden and Cllr Ian Benney

Commercial Investment Strategy

The draft strategy was circulated to all members and an All Member Seminar was held in July. This strategy will go to Full Council on 4th November for formal approval and an update on delivery of this will be taken to Full Council in December.

Another All Member Seminar will be scheduled for November to discuss delivery of this Strategy.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority:	Workforce Development
Business Plan Action:	<i>Ensure that our workforce are effective and that we equip them with the right skills to deliver the Council priorities</i>
Portfolio Holder:	Cllr Chris Boden

Learning & Development

The Council retains a very buoyant learning and development programme for its workforce; and has a very robust and responsive learning and development framework in place to ensure that staff's learning needs are met.

We have provided a wide range of learning and development interventions for our workforce over the past year, such as Managing Conflict Training, 121 coaching, Mental Health Awareness and Mental First Aid Training, PACE training, Mediation training, Pre-retirement training, Prevent Training, Coaching skills, Licensing, Leadership and Safeguarding Children, 121 coaching, management development, investigation skills, health and safety, managing sickness, apprenticeships, funded training, resilience training and so on.

In addition to this we have provided a buoyant e-learning programme covering topics like:

- Safeguarding
- Effective Management skills
Project Management
- Effective Financial Management
- GDPR
- Equalities
- Health and Safety, and
- Induction
- Building Personal Resilience

We are currently delivering the Corporate Programme of Positive Mindset and Service training for the whole organisation, for which the roll out will continue for the next 12 – 18 months.

We have also delivered this Positive Mindset training for our ARP partner Council's, (for which we are generating an income) which has been very positively received.

Apprenticeship Programme Update

The Council offers a range of NVQ apprenticeship qualifications out to our workforce already, and are currently developing a wider apprenticeship offer to enable a minimum of 9 apprentice posts being offered by the Council. We already have:

1 x HR Apprentice;

1 x Business Administration Apprentice (Business Centres);

3 x Management Apprenticeship;

1 x Accountancy Apprenticeship (Finance).

1 x Business Administration Apprentice (GDPR – Member Services)

In addition to this, we are actively seeking apprenticeship opportunities in a number of teams, such as Project Management, Planning and ICT.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Workforce Development

Business Plan Action: *Support and empower staff to make effective decisions within a pleasant working environment*

Portfolio Holder: Cllr Chris Boden

Health Champion Programme

The Council has a team of qualified health champions in place, and we are part of a Work Healthy Cambridgeshire. This is a Health Improvement Programme run by Cambridgeshire County Council specifically for Cambridgeshire businesses and/or organisations.

The programme aims to support employers across the county to improve the health and wellbeing of their employees, increase productivity and reduce sickness absence.

Our Health Champions have developed a programme to promote health and well-being of employees inside and outside the workplace.

Mental Health Training

We have an in-house Mental Health First Aid Instructor who is currently rolling out Mental Health First Aid (MHFA) Training and Champion across the Council. The most recent corporate courses were delivered in March. At present we have over 40 trained MHFA

We are currently exploring further opportunities for income generation with partners to deliver this training.

We also have a comprehensive suite of training to support this area, such as Personal Resilience and Mental Health Awareness and Stress Awareness.

In addition to this we provide 121 coaching and support to employees where required.

BUSINESS PLAN AREA: Quality Organisation

Business Plan Priority: Enforcement

Business Plan Action: *Use a fair and proportionate approach to improve living, working and environmental standards*

Portfolio Holder: Cllr Mrs Dee Laws

Planning Enforcement Update

30 reports of unauthorised development were received in the month and 51 cases were closed. In relation to the cases closed:

- In 18 cases the investigation found that there had been no breach of planning control
- In 15 cases the breach was remedied through either voluntary action or action following the serving of a formal notice by the council
- In 10 cases retrospective planning permission was granted

Portfolio Holder: Cllr Miss Sam Hoy

Business Support and Compliance

Food safety and hygiene

During August and September both Fenland officers and our partners from Breckland South Holland inspected 37 businesses to support with food hygiene and safety compliance.

Of those inspected the following food hygiene rating scores were awarded:

Rating achieved	Number of businesses
5	27
4	7
3	0
2	2
1	1
0	0

The business rated a 1 will be revisited within a matter of weeks to ensure standards are improving.

Health and Safety

A health and safety course funded by a local company was held in September. The course provided basic health and safety awareness skills including risk assessment and management responsibilities. The company were pleased to get their small workforce trained and to receive the accredited training from the Council.

Portfolio Holder: Cllr Sam Clark

Licensing

Policy Update

Following the consultation of the Cumulative Impact Policy and Gambling Policy, these were presented to the Licensing Committee on 02 October 2019 for determination which were approved and now has been prepared for this meeting of Full Council for consideration to be adopted.

Looking ahead the Council is looking to take forward a draft Taxi Policy to the Licensing Committee in February 2020.

Hearings Held and determination reached

Haran's, Wisbech – After the initial hearing was adjourned, it was re-scheduled and the outcome was a warning was issued to the premises.

Licensing Driver – Driver Licence was revoked due to the totting up of Penalty Points issued by compliance officers.

Angel, Wisbech – Licence application received numerous objections and a date was set for a hearing and therefore the applicant decided to withdraw the application. Following this, they have re-looked at what they wish to apply for and resubmitted the application. The consultation period ends on 22 October 2019.

Sportsman, Elm – Variation application, this has received numerous objections and a hearing date will be set to determination this application.

Portfolio Holder: Cllr Miss Sam Hoy and Cllr Sam Clark

What do our customers say?

Description	Baseline	Target 19/20	No of customers questioned	No of customers satisfied	% 19/20	RAG
LPI CEL11 Local businesses supported and treated fairly	100%	90%	6	6	100	

(quarterly)						
<p>6 customers were surveyed during this period and all responses were positive. This survey helps officers to focus the information provided during the inspection appropriately and to ensure business customers feel helped, supported and fairly treated.</p>						

BUSINESS PLAN AREA: **Quality Organisation**

Business Plan Priority: **Health & Safety**

Business Plan Action: ***Maintain effective Health & Safety policies and systems to comply with relevant legislation and local requirements***

Portfolio Holder: **Cllr Chris Boden**

Health & Safety Update

The Council sets out its roles and responsibilities for the management of health and safety through its policies and codes of practice. This is also supported by training of staff through corporate training or service specific training. Along with conducting and documenting risk assessments to identify hazards, risks and control measures.

Codes of practice currently being reviewed/updated are 'Contractor Management' and 'Manual Handling'. These are two areas of higher risk within the Council and therefore require suitable control measures in place to manage the risks satisfactory.

Corporate Fire Warden training has recently been provided with 39 staff trained across the Council. These staff are trained in fire safety, the use of various types of extinguishers and the fire evacuation / sweep process.

Planned in the near future is training to be delivered for first aid and the management of health and safety.

Conducting audits of services/teams is an ongoing part of the assessment of health and safety compliance. Recently, the Transport Workshop has been audited, with Environmental Health being next to be assessed. Where improvements have been identified these are included as recommendations with timescales for implementation.

Emergency Planning Update

The Cambridgeshire and Peterborough Local Resilience Forum (CPLRF) coordinates the joint multi-agency across the county, and Fenland District Council is an active member of the forum which involves ongoing assessing of risks, preparing CPLRF emergency plans, joint training and other specific joint task and finish group activities.

Community resilience is a key area of work, this is about increasing individual, family and community resilience against all threats and hazards. This is through supporting and enabling existing community resilience, and expanding and growing these successful models of community resilience in other areas.

This raises awareness and understanding of risk and the local emergency response capability in order to motivate and sustain self-resilience.

As part of this programme Fenland has been developing community plan templates and guidance to allow communities to articulate the benefits of emergency preparedness to the wider community.

Training of staff for various emergency planning roles is also a key requirement, and currently resources are being used to being used to develop 'emergency rest centre' and support staff 'Emergency Loggist'.

Brexit planning within the CPLRF and at FDC is ongoing and as we move nearer to 31st October the planning for this possible 'no-deal situation' is becoming more important with corresponding allocation of resources devoted towards it.

BUSINESS PLAN AREA:

Quality Organisation

Business Plan Priority:

Health & Safety

Business Plan Action:

Ensure the safety and wellbeing of the Council's workforce, partners and wider community

Portfolio Holder:

Cllr Chris Boden

Workforce Wellbeing Strategy & Health Surveillance Programme Update

The Council has a proactive ongoing health surveillance programme for staff/teams

identified through a risk based approach. This programme involves joint working with an external Occupational Health Advisor who conducts the examinations.

The examination consists of: audiometry, lung function, vision, skin, hand/arm vibration and health promotion. These are conducted on a two yearly basis, unless there is a specific requirement to repeat the assessment sooner than this period for a person. Teams involved in this health surveillance programme include: Refuse and Cleansing (drivers), Street Scene, Marine Services, Transport Workshop and other staff who drive Council logo vehicles.

MOTION SUBMITTED BY COUNCILLOR HOY REGARDING DISCRIMINATION INCLUDING RACISM AND ANTISEMITISM

Fenland District Council is proud of its efforts to tackle discrimination in all its forms, we celebrate our diverse community and we condemn racism and antisemitism wherever it is found. As part of the Council's ongoing equalities work we resolve to join with the UK Government and the major political parties in the UK in signing up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism which defines antisemitism as:-

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.’

The guidelines highlight various manifestations and are accessible at:-

<https://www.holocaustremembrance.com/working-definition-antisemitism>

This Council underlines its condemnation of all forms of racism and religious discrimination in all its manifestations and adopts the IHRA definition of antisemitism as the working model for challenging and confronting incidents of this form of discrimination.

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Agenda Item No:	9	
Committee:	Council	
Date:	04 November 2019	
Report Title:	Commercial & Investment Strategy	

1 Purpose

- To provide Council with an update on the progress of the Commercial & Investment Strategy including formal approval of the Strategy and to agree next steps in formulating a plan for implementation to include; governance, funding, investment criteria and prospective projects.

2 Key issues

- Level of funding to be determined and agreed;
- Criteria for investment to be agreed;
- Capacity and resources required to deliver to be defined;
- How external opportunities can best be identified and explored;
- Identification and delivery of our own sites that are ripe for development;
- Governance structures and type of delivery vehicle needed to achieve the best outcomes in both financial return and project success;
- Risk appetite – from risk adverse to balanced risk taker.

3 Recommendations

- It is recommended that Council:
 - Formally approves the draft Commercial & Investment Strategy; and
 - Authorises CMT to take all required actions to formulate proposals for consideration by Cabinet and Council in December 2019 which facilitate the financial and governance arrangements necessary to give effect to the Strategy and the establishment of a Local Authority Trading Company.
 - Requests and authorises Officers to proceed to obtain outline planning permission for the residential development of three Council owned sites (Two in South Wisbech and one in Coates) in order to make an application to the Cambridgeshire and Peterborough Combined Authority for financial support in the provision of affordable housing. It is also worth noting the tight timescales by which the construction of such affordable housing would need to be achieved in order to qualify for such financial support.

Wards Affected	All
Portfolio Holder(s)	Cllr Chris Boden, Leader and Portfolio Holder, Finance
Report Originator(s)	Peter Catchpole, Chief Finance Officer and Corporate Director Paul Medd, Chief Executive Officer Carol Pilson, Corporate Director and Monitoring Officer Gary Garford, Corporate Director Amy Brown, Deputy Monitoring Officer
Contact Officer(s)	Peter Catchpole, Chief Finance Officer and Corporate Director Paul Medd, Chief Executive Officer Carol Pilson, Corporate Director and Monitoring Officer Gary Garford, Corporate Director Amy Brown, Deputy Monitoring Officer
Background Paper(s)	Draft Commercial & Investment Strategy – Appendix 1 Additional Governance Arrangements Review – Appendix 2

4 Why do we need a Commercial and Investment Strategy?

Since 2010, Fenland District Council has undertaken massive organisational change in response to national austerity pressures. Major sources of funding, specifically Government Revenue Support Grant (RSG) and Business Rates (NNDR) have reduced significantly during this period and FDC will have delivered a total of £9.9million in savings in response to these challenges.

We have been nationally recognised as one of the most efficient Councils in the country. This is due to our innovative ways of delivering savings through our previous Modernisation Programme and Comprehensive Spending Review (CSR1). Savings have been delivered whilst continuing to protect frontline services and freezing Council Tax for 5 (out of 9) years.

Whilst we have met the savings challenge to date, our journey isn't over. We believe that at least £1.6million of further savings will need to be delivered by 2023/24 and each year large cost reductions become increasingly harder to identify and deliver. Additionally there are a number of significant risk areas which could potentially increase this savings target even further and these include but are not limited to the Fair Funding Review, the future of New Homes Bonus and the Business rates Retention Scheme.

Some efficiencies can be delivered through 'business as usual' activities. However, we must take further actions to meet current challenges whilst ensuring our organisation is sustainable for the future. This strategy outlines the types of investment opportunities that are available to us and the benefits they could bring; not just to our organisation, but to the wider district and its residents.

5 The Commercial and Investment Strategy

Currently the Commercial and Investment Strategy ("the Strategy") is drafted in three parts; Part One being Commercialisation, Part Two being Commercial Property Investment and Part Three covering Regeneration and Place Shaping Investment.

Part One is designed to outline and confirm our approach to commercialisation, taking a broad view to include all aspects of our services, digitalisation, shared services, new income generating opportunities and the selling of services. Examples of this already include Trade Waste, CCTV, Planning Fees, Building Control and general fees and charges.

Part Two covers the acquisition of land, property or other tangible assets to achieve the following key objectives:-

- Provide long term investment opportunities
- Maximise the return whilst appropriately managing risk
- Prioritise properties that deliver stable revenue income and rental growth
- Build a balanced portfolio in the context of all of the Council's investments
- Protect the capital investment

Whilst the governance arrangements for Part One are already in place it will be necessary to establish a "new" governance framework for Part Two that enables us to move in a timely and decisive manner in line with market opportunities and within agreed parameters.

Part Three covers Regeneration and Place Shaping Investment and key to the successful delivery of this approach will be defining the business case for decisions. Although the governance framework for this part of the Strategy is already in place through Cabinet and Council (examples already in progress include 24 High Street and 11/12 High Street)

it may be appropriate to make use of other governance arrangements that will be developed under Part Two of this strategy.

6 Governance Arrangements

It is recognised that in order for the Council to maximise its ability to operate effectively in responding to opportunities for investment in the short term, delegations need to be put in place which enable decisions to be taken expediently within an increasingly competitive market. It is envisaged that this could be achieved through the creation of an “Investment Board” which, as a minimum, would include the Leader of the Council and Finance Portfolio Holder, the Chief Executive, the Chief Finance Officer and the Director of Growth.

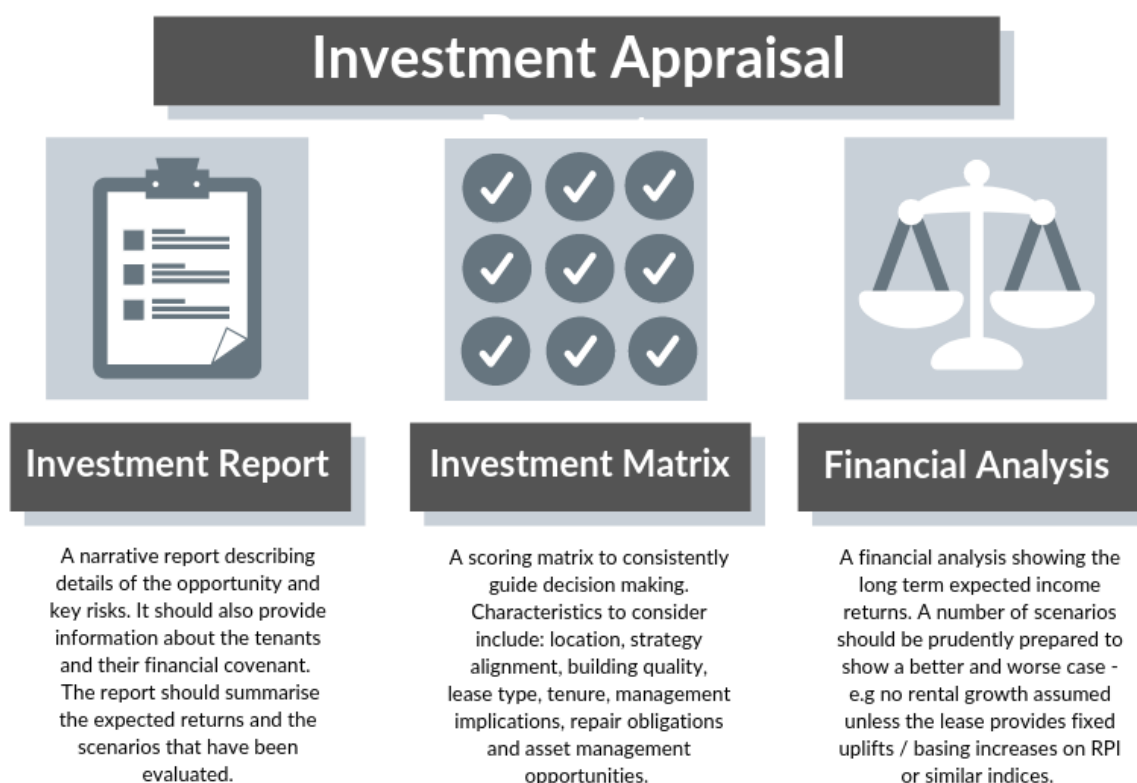
It is also prudent to consider other additional governance arrangements to support the desired objectives of the strategy in the medium to long term. At Appendix 2 of this Report are some examples of alternative structures which could be utilised and a list of some of the pros and cons for each.

Taking into account the relative advantages and disadvantages of establishing a Local Authority Trading Company, Council are recommended to authorise CMT to include within the reports prepared for Cabinet and Council at their respective December meetings all information necessary to consider both the short term arrangements described above and the establishment of a Local Authority Trading Company together with a governance timetable, start-up funding arrangements and all relevant delegations necessary to bring this into effect if agreed.

7 Investment Appraisal

It is envisaged that for each acquisition, the following reports as a minimum would be presented to the “Investment Board”:

Reports forming part of the Investment Appraisal



Following approval from the Investment Board, the actual process for acquiring and selling property would be in accordance with Appendix 2 of the Commercial and Investment Strategy.

The scoring matrix and risk assessment would need to be fully defined and agreed by Cabinet and Full Council together with any associated constitutional amendments.

It is recommended that CMT are authorised to prepare reports for consideration by Cabinet and Council at their respective December meetings setting out the detailed requirements necessary to give effect to these arrangements to include details as to the associated investment criteria, funding and delegations/constitutional amendments if agreed.

8 Funding

Councils are in a strong financial position to acquire property due to their ability to access capital coupled with the low cost of borrowing. It is also worth noting that Fenland District Council does have available cash and reserves which is currently producing relatively low returns as previously reported in the Treasury Management updates to both Cabinet and Council. In order therefore to exploit property investment opportunities and improve the social and economic wellbeing of the District it is envisaged that it may be necessary to make in-year changes to the budget in order to facilitate the establishment of a Commercial Property Acquisition Fund to support the Internal Governance Arrangements.

It is recommended that Council authorise CMT to review the current budgetary position to identify, as appropriate, all potential funding streams available for the establishment of a Commercial Property Acquisition Fund linking this with the scoring matrix, risk analysis and investment criteria underpinning the internal governance arrangements. This information also to be presented for consideration at the December meetings of Cabinet and Council as appropriate.

9 Part Three Investment Proposals

As identified above, Part Three of the Strategy relates to the development of Council owned land and properties in order to maximise their potential as assets and in terms of their value to the community. CMT have begun to identify potential sites that could be further explored as a potential first wave of developments facilitating the provision of new and high quality housing in the district. All of these sites are owned by the Council, relatively easy to access and service and could be developed relatively quickly. Council are therefore recommended to authorise CMT to draw up proposals setting out Part Three investment opportunities supported, as required by a fully costed business and governance case for consideration by Cabinet and Council as appropriate.

Members have requested that officers proceed as a matter of urgency to obtain outline planning permission for the residential development of three Council owned sites, two at South Wisbech and one at Coates, so as to make an application to the Cambridgeshire and Peterborough Combined Authority for financial support in the provision of affordable housing. It is worth noting that the timescales for this funding are tight and further work will be required to deliver a full proposal.

10 Timescales

CMT are recommending that Council authorise the production of reports enabling members to give detailed consideration to the establishment of internal and additional governance arrangements together with the associated funding, delegations and constitutional amendments necessary to bring these into effect alongside any fully costed Part Three Proposals for discussion and, as appropriate agreement to future meetings of Cabinet and Council.



Commercial and Investment Strategy Strategy and Guide



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Introduction

Why do we need a Commercial and Investment Strategy?

Since 2010, Fenland District Council has undertaken massive organisational change in response to national austerity pressures. Major sources of funding, specifically Government Revenue Support Grant (RSG) and Business Rates (NNDR) have reduced by 68% (£7.721million). During this time, FDC will have delivered a total of £9.9million in savings.

We have been nationally recognised as one of the most efficient Councils in the country. This is due to our innovative ways of delivering savings through our previous Modernisation Programme and Comprehensive Spending Review (CSR1). Savings have been delivered whilst continuing to protect frontline services and freezing Council Tax for 5 (out of 9) years.

Whilst we have met the savings challenge to date, our journey isn't over. We believe that at least £1.6million of further savings will need to be delivered by 2023/24. A number of significant risk areas¹ could increase this target even further.

Some efficiencies can be delivered through 'business as usual' activities. However, we must take further actions to meet current challenges whilst ensuring our organisation is sustainable for the future. This strategy outlines the types of investment opportunities that are available to us and the benefits they could bring; not just to our organisation, but to the wider district and its residents.

About our strategy

The term 'investment' can have different meanings in different contexts. Our Investment Strategy aims to provide the basis for informed decisions to be made on investing in property assets. It is split into three sections:

- **Part One** discusses and outlines our approach to commercialisation. It takes a broad view to include all aspects of service reviews, transformation, digitalisation, shared services, new income generation opportunities, pricing and the selling of services.
- **Part Two** discusses the purchase of an asset (and its disposal) to secure returns to contribute to the Council's sustainability. It sets out the processes and decisions needed to undertake investment in order to achieve a net income stream over the medium to long term.
- **Part Three** discusses the Council spending its own funds to support its strategic priorities within regeneration and place shaping. This may not deliver a financial return as described in Part Two, but could increase the GVA (Gross Value Added) and potentially deliver a number of indirect benefits through new jobs, inward investment, Business Rates and Council Tax.

Context

Local authorities have always owned property as part of their operational assets, strategic and regeneration projects. During the past decade, government austerity measures have put significant pressure on local government budgets. This, along with increased autonomy, has led an increasing number of authorities to become commercially minded and to

¹ These include, but are not limited to: the Government Spending review, Fair Funding review, 75% Business Rates retention, New Homes Bonus, changes to income (locally and nationally) and capital spending and funding.

subsequently invest into commercial property as a way to improve sustainability, reduce reliance upon central government grants and to protect services within communities. Historically low levels of interest rates from the Public Works Loans Board (PWLB) have also supported development to take place.

All Fenland District Council owned land and property is held as a corporate resource. Our Asset Management Plan outlines our agreed strategy and operation policy for developing, disposing and acquiring land and property. This strategy focuses on the acquisition of property as an investment and sits within the wider Asset Management Plan. All property is (or will be) held for a clearly defined purpose; whether that is to support services, provide revenue or to enhance our strategic role as a place shaper.

Exemptions

This strategy does not cover the Council's management of its cash-flow and surplus funds through short term investments or deposits in approved financial institutions or investment in Property Funds² which would be a policy decision within the Council's approved Treasury Management Strategy or Policy.

² Approved Property Funds are 'pooled funds' that invest in commercial property for rental income and through appreciation in values. They are available to the Council to invest its surplus funds it will not need within the next 5 to 10 years as a minimum. After fees and charges, net proceeds are distributed to investors within the Fund.

1. Part One – Commercialisation

Commercialisation

1.1 'Commercialisation' is an increasingly important concept in local government driven by the need to manage financial challenges. There is no single approach to this, and local factors influence each authority on how best to take the concept forward. These include political buy-in, the financial climate, capacity, risk appetite, opportunities, skills and capability.

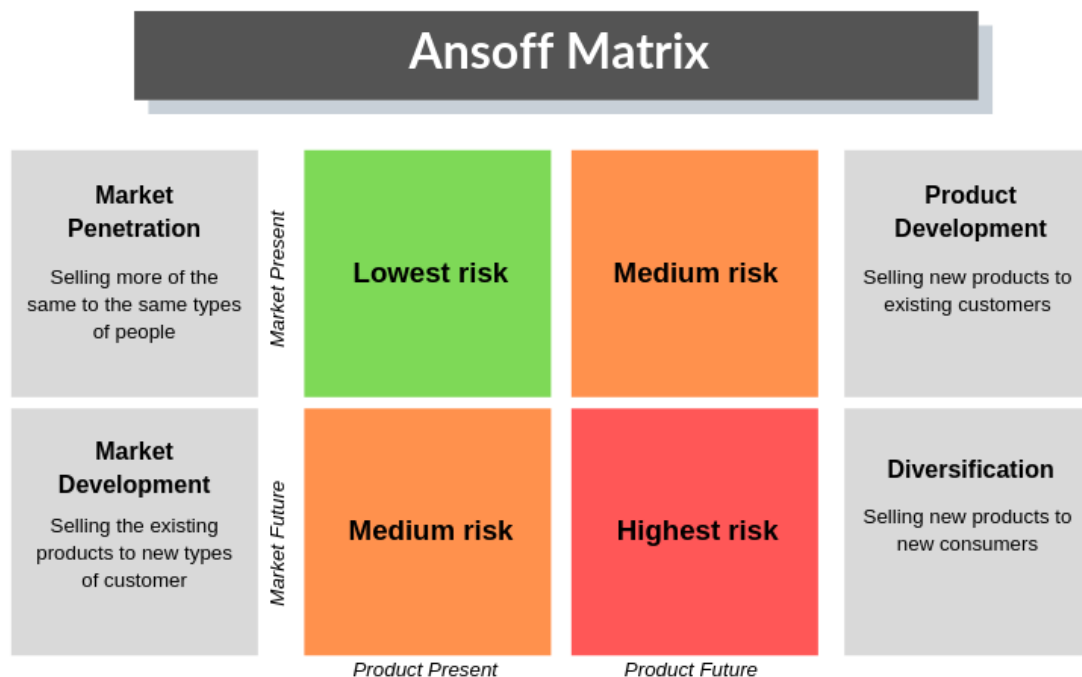
1.1.1 When building our strength as a commercial council, we must question:

- Have all options to maximise use of revenue and assets been explored?
- Do we understand our strengths and weaknesses?
- How do our services compare on net income and cost recovery?
- Have adequate processes been established to identify and select new opportunities?
- Is it clear how generating income will deliver a financial and social return?
- Are we aware of all and emerging financing available to fund proposals?
- Are governance proposals robust enough to scrutinise business cases?
- Do we understand the pros and cons of alternative development models?

Pursuing new opportunities

1.2 When considering new opportunities, we must fully understand the type of commercial opportunity. This will determine the level of risk and whether the venture is appropriate for the Council.

1.2.1 The commercially recognised 'Ansoff Matrix' diagram below categorises the best types of opportunities that are open to us in commercial trading in products (or most likely for us, services):



- 1.2.2 Using this type of categorisation will support us to balance the level of reward against potential risk. Examples of current 'products or services' to pilot include CCTV and new housing development.

Alternative service delivery models

- 1.3 There are a number of different delivery models that can be explored within this strategy. These are designed to protect and maximise our potential to undertake commercial ventures. Examples include:

- Company Limited by Shares
- Limited Liability Partnership
- Joint Venture
- Private Company Limited by Guarantee
- Community Interest Company
- Shared Services with Partners (e.g. SLAs)

Each model has specific features and legal connotations which will impact appropriate use. The completion of a business case will support the appropriate and careful consideration of the opportunity.

Governance arrangements

- 1.4 The appropriate arrangements of this activity are already in place. The Council has already engaged in commercial activity. Examples include Trade Waste, CCTV and Building Control.

2. Part Two – Commercial Property Investment

Background

- 2.1 Part two of this strategy aims to provide a viable and sustainable framework for the acquisition of property investments for pure financial benefit. It sets out:
- Our objectives for acquiring property investments
 - Criteria for investment acquisition
 - Risks to the Council
 - The acquisition and disposal process (governance arrangements)
- 2.1.1 The Local Government Act 1972 gives the Council powers to acquire any property or rights which facilitate, or is conducive or incidental to, the discharge of any of its functions.
- 2.1.2 This strategy provides the Council with the framework to exploit commercial property acquisition opportunities. This is with a view to generating long term rental income streams to support the future delivery of Council services. This would be by either by proactively seeking suitable property in the market or being approached by property agents.

Objectives

- 2.2 Our key objectives are to:
- a) Acquire properties that provide long term investment in accordance with our corporate and financial objectives
 - b) Maximise return whilst minimising risk
 - c) Prioritise properties yielding optimal rental growth and stable income
 - d) Protect capital invested in acquired properties
 - e) Operate a governance framework enabling to move in a decisive and timely manner in line with market opportunities
 - f) Build a balanced investment property portfolio

Investment Property Portfolio Structure

- 2.3 An investment property portfolio must be managed separately to the Council's operational buildings. In line with best practice, it must be balanced and diverse to spread the risk. This means acquiring a mix of asset types, locational spread and tenant types whilst meeting assessment criteria.
- 2.3.1 To provide security, the portfolio should include a combination of lease types. This will ensure there is a minimum income to cover the cost of outstanding debt used to acquire the portfolio.
- 2.3.2 A portfolio of property assets will be diversified on individual assets by sector (industrial, offices and retail), location and risk. A direct investment 'Core' and 'Core Plus' approach is advised, as shown in Table 1.

Table 1: A comparison of 'Core' and 'Core Plus' Properties

	Description	Returns	Rental yield (% financial return on capital investment)
'Core Property'	The best property for the sector in an ideal location. Offers long term income with high quality tenants.	Yields equal to or slightly above prime for the sector	Lower than the general market. However, capital and rental growth should be steady. Medium term risk of void periods and tenant default reduced.
'Core Plus Property'	Similar to Core. However, locations are slightly less favourable, perhaps with shorter leases and lesser tenant covenants.	Returns appropriate to the sector and risk	Higher than Core, due to the increase in risk.

2.3.3 Specialist sector investments³ should not form part of the Core and Core Plus criteria approach. They will only be considered by exception, and with robust proposals.

2.3.4 Given their limited correlation to commercial property, residential properties provide a good income diversifier. Despite the need for careful tenant and property management considerations, returns tend to be stable over the long term. This is discussed in greater detail in Part 3 of our strategy.

2.3.5 Value add (vacant or short leases), re-development opportunities or distressed property can reap high capital and yield returns, but are high risk. Due to differing reasons and motive for consideration, these do not form part of our strategy.

Investment Property Portfolio Principles and Decision Making

2.4 Investment in property should account for the ethical aspects or a property's purpose, and existing/future use under our ethical standards.

2.4.1 Although explored in greater detail in Appendix 1, there are many factors to consider when assessing an opportunity for property acquisition. These include:

- Location
- Lease length
- Covenant
- Tenure
- Lot size
- Repair obligations

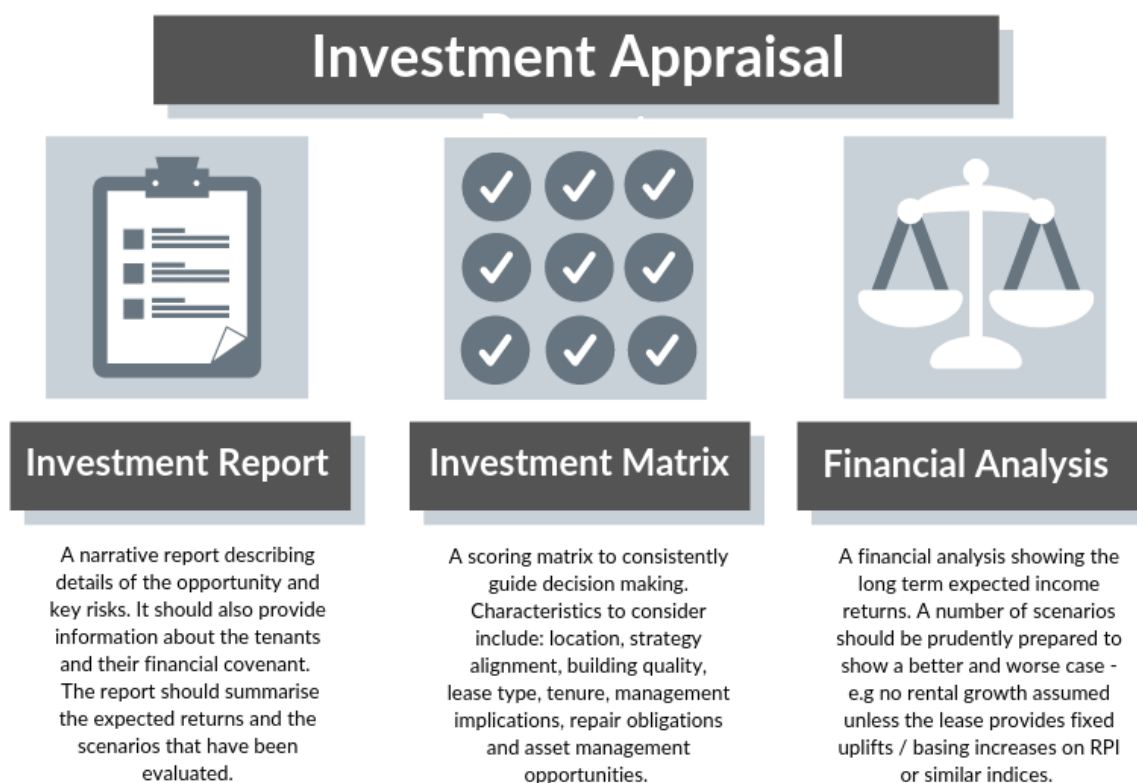
All investment under this part of the strategy must provide income (yield) at a positive net rate of return. This is determined by the cost of borrowing and the Council's Internal Rate of Return (IRR). A set of agreed criteria would need to be agreed by Cabinet and Full Council and a minimum net yield would be set before further due diligence would be considered.

³ Such as hotels, public houses, student accommodation and health care facilities

Governance

- 2.5 It is recognised that in order for the Council to maximise its ability to operate effectively in responding to opportunities for investment in the short term, delegations need to be put in place which enable decisions to be taken expediently within an increasingly competitive market. It is envisaged that this could be achieved through the creation of an “Investment Board” which, as a minimum, would include the Leader of the Council in consultation with the Finance Portfolio Holder, the Chief Executive, the Chief Finance Officer and the Director of Growth.
- 2.5.1 The Board would be delegated to make decisions on each potential acquisition up to a monetary limit. This amount would be agreed by Full Council as part of the budget approval process. The Board would have delegation to spend up to this amount following appropriate and agreed due diligence (see Figure 1)
- 2.5.2 For each acquisition, the following reports would be presented to the Investment Board:

Figure 1: Reports forming part of the Investment Appraisal



- 2.5.3 Following approval from the Investment Board, the actual process for acquiring and selling property is shown in Appendix 2.

3 Part Three – Regeneration and Place Shaping Investment

Strategy where the Council is considering ‘investment’ for regeneration and place shaping

- 3.1 The Council has specific powers and responsibilities in respect of economic regeneration. As a strategic and planning authority, our remit includes ensuring the supply of housing and employment land through its Local Plan. See Appendix 3 for further detail.

Economic regeneration

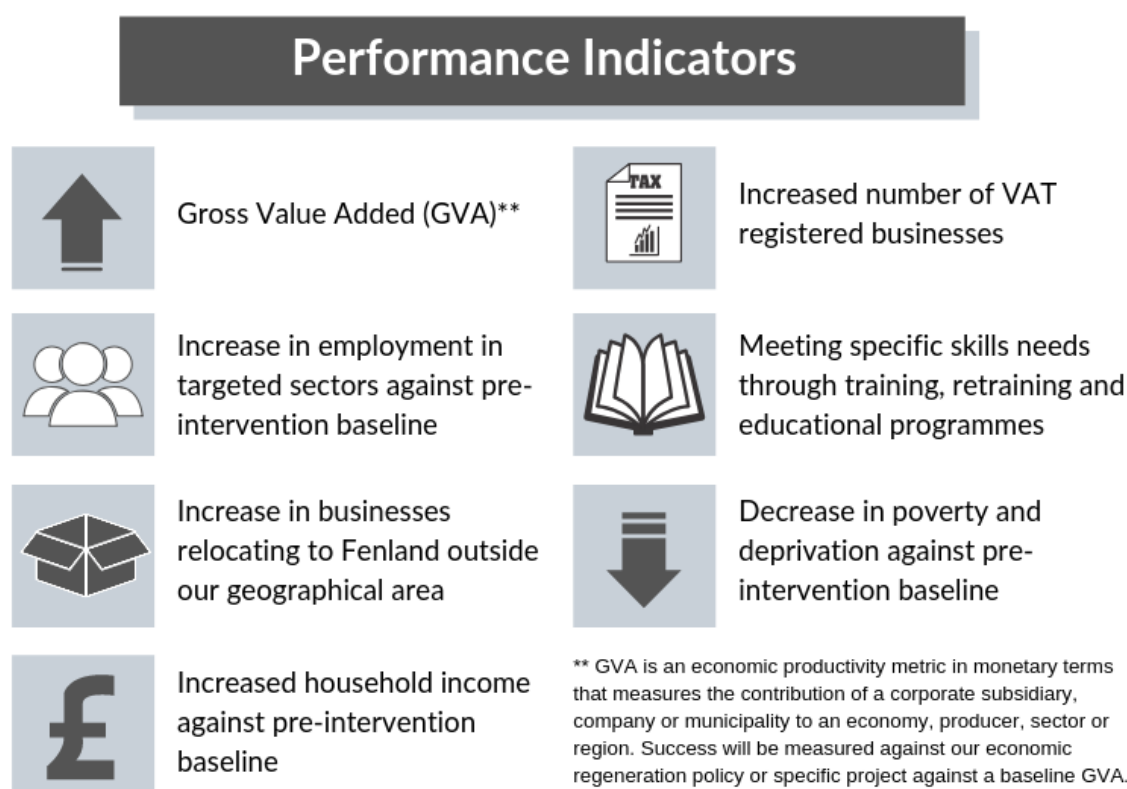
- 3.2 Economic regeneration can be defined as “*the broad process of reversing physical, economic and social decline in an area where market forces will not do this without intervention.*”⁴
- 3.2.1 Economic regeneration focuses on business growth and the actions and policies that can be deployed to create growth. The success of economic regeneration can be assessed using measures of income, poverty and employment – both within specific areas and in comparison to other more successful areas.
- 3.2.2 In Cambridgeshire, the remit for economic growth mainly falls within the Cambridgeshire and Peterborough Combined Authority (CPCA); specifically through the CPCA’s Business Board.
- 3.2.3 The CPCA commissioned an independent report title ‘Cambridgeshire and Peterborough Independent Economic Review’⁵ (CPIER Final Report September 2018). It identified there are three distinct economic areas within the CPCA area. These are the greater Cambridge area, the greater Peterborough area and the Fens. Geographically, Fenland District Council predominantly covers the Fens.
- 3.2.4 The CPIER report sets out recommendations and actions for the CPCA to ensure the economic prosperity and wellbeing of its area. Actions are long-term, spanning between 10-25 years, and are aligned to national economic and growth policies.
- 3.2.5 A key recommendation is for the CPCA to develop a Local Industrial Strategy (LIS) to address the strengths and weaknesses of its three economic areas. A LIS is being developed in conjunction with Government and is expected to be adopted by autumn 2019.
- 3.2.6 Our economic regeneration strategy, policies and actions therefore need to be closely aligned to the CPCA strategies. When the Council applies for funding streams, it must have a clear and evidenced view on what will be delivered in line with local strategy and national policy requirements.
- 3.2.7 The economic regeneration discussed so far is normally interventionist in nature by dealing with issues where the market fails to do so. As such, we will engage with a broad range of national and local stakeholders with varying levels of involvement.

⁴ HM Treasury, Department for Business, Enterprise and Regulatory Reform and Department for Communities and Local Government, ‘*Review of sub national economic development and regeneration*’, July 2007, para 1.13. The text quoted is from Igloo; Env 213, para 4.1

⁵ The Economic Review is a product of the Cambridgeshire and Peterborough Independent Economic Commission. It was established by the CPCA in June 2017.

- 3.2.8 With this in mind, we recognise that allocating and spending our own funds on economic regeneration is not ‘investment’ in the strictest sense (for example, compared to purchasing a property purely for financial returns).
- 3.2.9 In most cases, spending on economic regeneration will not result in direct income to the Council as it would from an investment property. However, it can deliver indirect income through an increase in business rates and council tax income (where there is new housing) and generally through increased fees and charges from greater use of Council facilities.
- 3.3 The new Business Rates Retention system that is due to be implemented from April 2021 increases the importance of economic growth and inward investment policies to ensure the long term sustainability of the Council.
- 3.3.1 The Council will have a range of measures to identify the success of its economic regeneration policies. These must be meaningful and quantifiable to determine and inform future actions. As a minimum, they will include one or more of the following:

Figure 2 – Indicators to determine extent of economic regeneration success



Housing provision

- 3.4 Fenland District Council does not own its own housing stock but still has responsibilities as a strategic housing authority. In 2017, we transferred our council housing to Roddons (now Clarion). This means there is no council housing any more in Fenland.
- 3.4.1 Local authorities are engaging in the provision of housing through a variety of different means. These include:

- House building through companies
 - Building through the Housing Revenue Account (HRA)
 - Building directly under the general fund
 - Building through Joint Ventures with developers
 - Providing land for housing
 - Giving loans to others to build housing or bring it back into use
 - Building for social needs (i.e. extra care housing or homelessness)
- 3.4.2 There is a growing appetite and capacity in local authorities to return to or increase their roles in providing housing as a core function, partly to address local and national housing need. Councils have started to tackle a housing problem, leading to an increase in confidence and capacity to deal with more issues. Some authorities have returned to providing housing, even though they previously transferred their stock.
- 3.4.3 Local authorities have tried to make Government policies work by increasing the number of planning permissions. This has led Councillors to make difficult and sometimes unpopular decisions.
- 3.4.4 Further frustrations can occur when the permitted homes are not built or when renegotiations seek to remove the development contributions, infrastructure or affordable housing initially agreed. The main obligation of developers and land agents are to their shareholders – not to build any housing with planning permission.
- 3.4.5 These frustrations and inactivity have prompted some local authorities to begin building their own homes – often more rapidly than the private sector. Whilst based on a variety of motivations, the most important is to meet local housing needs and to effectively deal with homelessness.
- 3.4.6 Where local authorities are seeking income from housing or property portfolios through their own companies, they are doing so to ensure they have secure and long-term income to deliver their other essential services. This is described as ‘profit for purpose’.
- 3.4.7 It is often assumed that the 5 year land supply in the Local Plan is for private sector development, rather than all types of housing need. There is a disconnect in plans for different market housing needs and alternative tenures. Some authorities are stepping into the breach to provide housing that is not being supplied by the market.
- 3.4.8 Since the mid-1980’s, government policy has mainly focused on housing delivery by the private sector. It has also provided a range of incentives for developers and local authorities to provide new homes, including the New Homes Bonus and Help to Buy. Due to changes in government funding from 2020 (with the removal of the Revenue Support Grant), the New Homes Bonus provides a significant proportion of the Council’s income. However, it could be removed at any time.
- 3.4.9 The Government focus on the private sector has also been represented through Local Plan housing supply approaches. This focuses on the total supply of housing required rather than tenure, need-based locations, or housing related to income. There seems to be an unspoken assumption that land identified for housing is mainly for private house builders. However, private sector developers’ main obligation is to their shareholders, so local authorities cannot rely on them to increase housing supply. They do not have to build any homes at all, despite any planning permissions they hold.

3.5 Local authorities are being required to identify more housing land based on potential mortgageability; this not the same for the private sector. Most debate surrounding housing supply has focused on new build dwellings, with developer preference for greenfield sites which usually yield higher profits. However, there are other approaches being used by councils. These include selling or developing local authority land in partnership, often through wholly owned housing companies.

3.5.1 There are a number of reasons for local authorities in engaging directly in the provision of housing. These include:

- Meeting local housing requirements
- Estate and place regeneration
- Improving quality of design
- Generating income to replace the Revenue Support Grant (RSG)
- Frustration at unimplemented planning permissions
- Bridging gap that housing associations can't fill
- Tackling homelessness
- Private sector build out rates too slow
- Tackling 'problem' sites

3.5.2 Equally, there are reasons why local authorities may not consider direct housing provision. These include:

- Lack of funding
- Lack of expertise
- Unaware of statutory powers available
- No retained housing stock; believing option to provide housing directly not available
- Lack of market
- Lack of political will

Full business case(s) will need to be undertaken with external expert support to determine this right option for the Council. It is advised that the Council's external auditor should be consulted on early in any progress to understand upfront costs and to mitigate and minimise any issues arising during the annual audit of the accounts.

Conclusion

3.6 Part 3 of our Strategy has discussed how local authorities are using the powers available to them to:

- further their strategic regeneration and place making priorities; and
- directly provide housing of different tenure to meet local requirements and address failure within the housing market

3.6.1 Following expert legal and financial advice, the Council must decide the exact mix of methods, legal powers and funding it uses to achieve these priorities.

Governance

3.7 A governance process is already in place for this investment, with examples being Number 11/12 and 24 High Street in Wisbech and the Nene Waterfront regeneration.

3.7.1 It is expected that committing capital finding will attract other external funding opportunities from bodies such as the HLF, CPCA and Homes England.

3.7.2 It is recommended that a budget amount would be agreed by Full Council as part of the budget approval process. Following this, individual projects would be brought to

Cabinet and Council as full business cases following the procedure outlined in this strategy.

Appendix 1: Assessment Criteria – Commercial Property Investment: Risk and Return Matrix

Criteria	Excellent	Very Good	Good	Acceptable	Marginal	Notes
Location	Major Prime	Macro Prime	Major Secondary	Macro Secondary	Tertiary	Due to potential risk, it is likely locations would be chosen either within or close to Fenland
	Core and Core Plus approach					
Covenant	Single Tenant, Strong Financial Strength and Covenant	Single Tenant, Good Financial Strength and Covenant	Multiple Tenants, Strong Financial Covenant	Multiple Tenants, Good Financial Covenant	Tenant(s), Average Financial Covenant	The covenant of the tenant(s) is considered in terms of (audited) financial strength and risk of failure.
Lot Size	£6m - £12m	£4m - £6m £12m - £18m	£2m - £4m £18m - £20m	£1m - £2m £20m - £25m	<£1m >£25m	A balanced portfolio of investments will include various lot sizes.
Lease Length	>10 years	7 – 10 years	4 – 7 years	2 – 4 years	<2 years	Length of lease will determine the fixed term of guaranteed rental income. In most cases, longer leases are more secure.
Tenure	Freehold	Long Leasehold 125 years minimum	Leasehold >75 years <125 years	Leasehold <75 years	Leasehold <50 years	Freehold possession is best. Liquidity and marketability of properties are key considerations for leasehold.
Repair Obligations	Full Repairing and Insuring (FRI)	Internal Repairing 100% Recoverable	Internal Repairing Partially Recoverable	Internal Repairing Non Recoverable	Landlord Repairs	There are various levels of repair obligations; impacting structural, external and internal repairs to the property
Net Yield	+8%	5% - 8%	3.5% - 5%	2% - 3.5%	<2%	All investment opportunities must initially provide income (yield) at a positive rate of return. Acquisition costs may include Stamp Duty Land Tax, agents' fees, legal fees and conveyancing costs.

Given the varied sector dynamics, the criteria for each asset will vary. However, the following core principles should apply in each case:

1. All investments considered must initially provide income (yield) equal to or above the Council's rate of return. This is defined by the cost of capital borrowing for purchase.
2. Individual properties and opportunities will be fully financially and physically appraised using industry standard techniques and the risk/return matrix.
3. To minimise management and risk, preference is for single occupancy investments.
4. Location will be dictated by opportunity to acquire investments that meet the strategy. However, location within the Fenland District or its impact on the economy within the Fenland District will be a deciding factor when all other attributes are equal.
5. Only investments with full repairing and insuring (FRI) terms or FRI by service charge will be considered.
6. Whilst determined by market forces, the aim is to maximise lease length.
7. Market rent should be equal to or above passing rent.
8. Preference will be for market sectors and locations with rental growth and good letting prospects
9. Further performance measures, portfolio analysis and valuation will take place as required during the holding period to allow for buy/sell/hold decision making.

2. Holding Period

It is normal to define a 'holding period' before sale at the time of purchase. This is to counter any significant depreciation eroding value or before the need for redevelopment arises. The holding period will be determined for each individual property at the appraisal stage.

3. Value Add

Value add (vacant or short leases), re-development opportunities or distressed property can reap high capital and yield returns. Whilst such properties can be appraised with the above principles and criteria, they will have different and higher levels of risk. The reasons for considering them must be fully evaluated and understood.

4. Issues not to be overlooked: risks and their management

Market Forces

To limit risk the principles, criteria and full due diligence will be undertaken for all transactions. Changes in demand and supply within the market and wider economy may see the value of investment and income rise and fall. The price of property is not the sole factor that should be considered for making a good investment in the long run.

Liquidity







Acquiring and disposing of commercial property can be complex. The process can result in transactional delay and uncertainty which carries risk from market shift, abortive transactional costs and speed of realising a capital receipt.

Active Portfolio Management and Opportunities

Performance of an investment property should be continually monitored as part of an active portfolio management strategy. Qualified in-house or third party auditors should keep up with market trends, manage asset plans, deal with day-to-day issues, examine lease structuring initiatives and protect against loss of income to ensure the investment yield is maximised.

The role of the property professional is to seek out as many opportunities as possible (often in a limited and highly competitive market), build relationships and communicate to the market the Council's requirements and ability to perform.

Appendix 2: Portfolio Acquisition and Disposal Flow Chart

Acquisition (Buying)	Flow	Disposal (Selling)
<ul style="list-style-type: none"> Appraise property Offers and counter offers Agree Heads of Terms Secure source of funds 	<p>Offer to market – Heads of Terms</p> 	<ul style="list-style-type: none"> Instruct advisors; formulate asking terms and marketing strategy Review property information; anticipate information and devise strategy Procure energy performance certificate
<ul style="list-style-type: none"> Instruct legal team Investigate title Undertake or commission surveys and reports Negotiate contract 	<p>Pre-contract</p> 	<ul style="list-style-type: none"> Consider carrying out and providing searches Make available pre-contract legal pack and access to data Negotiate contract
<ul style="list-style-type: none"> Pay deposit 	<p>Exchange contract</p> 	
Parties committed to acquisition		
<ul style="list-style-type: none"> Pre completion searches Finalise mechanics for drawdown/transfer of funds for completion 	<p>Pre-completion</p> 	<ul style="list-style-type: none"> Continue to manage property (in accordance with contract) Preparation of completion statement Prepare requisitions on title
<ul style="list-style-type: none"> Pay completion monies Assume liability for property 	<p>Completion</p> 	<ul style="list-style-type: none"> Discharge borrowing liability
<ul style="list-style-type: none"> SDLT/Land Registry tasks to be completed Collation of property information Portfolio management 	<p>Post-completion</p> 	

Appendix 3: Exercise of Council's powers

Part 1 of the Localism Act 2011 applies a general power of competence to local authorities in England. Section 1 (1) of the Act provides that *“a local authority has the power to do anything that individuals generally may do.”* The power does not permit local authorities to do anything that is prohibited in legislation, raise taxes or alter its political management structure.

Under Section 3, commercial activities may be undertaken (in line with powers under Sections 93 and 95 of the Local Government Act 2003), but only through a company. Authorities can't trade in services that they already have a statutory requirement to provide.

Appendix 4: Local Authority Companies

Under the Local Government Act 2003, s95, local authorities can set up companies to make a profit in any area of their competencies. In the Localism Act 2011, S1-7, powers for local authorities to establish companies were extended into a General Power of Competence. This allows them to do anything that a company or individual may do, unless prohibited.

These powers have prompted many local authorities to establish a range of companies to undertake a range of services, to undertake developments and/or to hold assets. These companies are wholly owned by the local authority and are supported through the General Funds in the local authority.

A report by Mark Baigent (2016)⁶ sets out the variety of approaches that are available to local authorities to operate companies to provide housing.

Local authority housing companies are set up with the local authority owning 100% of the shares. They can receive loans for development from the local authority, including when funding has been obtained from the Public Works Loans Board. The local authority housing company would pay a premium for the use of this funding, thus giving a net benefit to the local authority. Housing companies also have set level agreements with local authority service providers (i.e. in legal, finance and planning) where the company pays for the use of the local authority officers' time.

These companies can be set up as tax efficiently as any private company or housing association. The way any development is funded may depend on the methods that provide the most income, as that is needed the most by local authorities to bridge their funding gap. Possible funding methods include:

- Public Works Loans Board
- Council's own resource: finance
- Converting office buildings to residential
- Bonds
- Hedge fund(s)
- Homes England
- S.106 payments
- Building on Council land
- Council's own resource: buildings or land
- Loans from other local authorities
- Commercial loans
- European Investment Bank
- LEP/Devolution and City Deals
- From Joint Venture partners


The structures and governance of companies, joint ventures and partnership arrangements can be complex. The Council will procure expert legal and financial advice before entering into such arrangements.

⁶ Mark Baigent (2016), How to Set Up A Local Housing Company, Mark Baigent Consulting: <http://bit.ly/mb-setup-hc>

Delivery vehicle	Advantages	Disadvantages
<p>Local authority trading company (distinct from a Teckal company) Note: there is a requirement to set up a company where a local authority wishes to trade commercially</p>	<ul style="list-style-type: none"> • potential for the Council to set up a local authority trading company (LATCO) on its own or with another local authority • can be allowed flexibility in terms of its governance and oversight arrangements in order to provide an ability to respond to opportunities quickly • ability to trade commercially with the wider public and private sector to a greater extent than permitted by the 20% limit applied to Teckal companies • a degree of Council oversight and agreement of the company's activities and its use of public money 	<ul style="list-style-type: none"> • public procurement regime applies to the LATCO. It cannot take advantage of tax benefits or distort market economy • public law governs public bodies "controlled" or influenced by local authorities therefore it will be subject to eg FOI, EIA • upfront in house and external resources required (operations, finance, legal, HR, communications) • must undertake due diligence re analysis of financial, commercial and tax advantages and disadvantages for long term sustainability, costs of resourcing the company, cost of borrowing if loan extended to the company, costs of transferring staff (with LGPS) if applicable, need to satisfy best value duty, determination of how the company will be resourced - staff, assets, premises etc • potential conflicts of interest in appointment of company directors who will be required to act in the best interests of the company • the company will have separate legal identity and will operate independently of the Council similar to an external provider . The Council should not fetter the board directors' powers and duties
<p>Joint Venture(JV)</p>	<ul style="list-style-type: none"> • potential for collaborating with different joint partners from the private or public sector • potential to establish a JV entity, or enter into a JV contract arrangement without the need to set up a distinct JV entity • potential to create a JV to fall outside the public procurement regime, provided the JV entity is not classed as a public body governed by public law. This is dependent on the structure and purpose of the JV entity and its arrangements eg the JV structure does not create a works services or supplies contract • share risks with JV partner • source investment funding , expertise from private sector 	<ul style="list-style-type: none"> • the Council must undertake a procurement exercise to select a JV partner in a private /public sector venture where private sector will have an influence over the JV entity business • public procurement regime applies to the award of a service or works contract to JV entity • even where public procurement regime does not apply, the Council may still need to undertake some form of competition and advertisement to meet General Treaty Principles • lesser degree of control by the Council where: -the JV entity is not classed as a public body so not

	<ul style="list-style-type: none"> • where a company is used as a JV entity, usually the liabilities are limited to the company and not the shareholders • can be more overtly commercial than other vehicles • high degree of commercial and operational flexibility 	<p>governed by public body regulations;</p> <ul style="list-style-type: none"> -a private sector partner holds larger share ownership; - objective of the JV is to operate independently of the Council <ul style="list-style-type: none"> • a private sector partner may have different objectives dealing with “deadlock disputes” • upfront substantive and time consuming resources (operations, finance, legal HR, communications) will need to be obtained eg. external specialist legal advice on the requirements to create a JV entity falling outside the public procurement regime • resources required for procurement processes • may be a longer process to set up a JV arrangement where public procurement exercises need to be factored into the timescale • higher risk of conflict of interest where Council officers sit on a JV company board having to balance acting in the best commercial interest of a JV company and the Council’s interests • need to reach agreement with private sector partners about treatment of profit • need to guard against state aid implications • risks of Council’s duties on disclosure and freedom of information may not be aligned with private sector partner’s need for commercial confidentiality • private sector partner may be motivated to “cherry pick” elements of the services or arrangement which suit their profit margins
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Agenda Item No:	10	
Committee:	COUNCIL	
Date:	4 NOVEMBER 2019	
Report Title:	LOCAL DISCRETIONARY BUSINESS RATE RELIEF POLICY	

1 Purpose / Summary

- The purpose of this report is to request that Members consider and agree to adopt a Local Discretionary Business Rate Relief Policy (LDBRR). The policy, application guidance and application form are provided within Appendix 1 of the report.

2 Key issues

- One of the Council's key priorities within the adopted Business Plan 2019/20, is the 'Economy' priority, which aims to "Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland".
- Supporting business growth and location into Fenland is recognised as essential to driving economic prosperity, which creates new & exciting opportunities and leads to improvements in the quality of life for our residents and businesses.
- Economic Growth is stimulated by exercising a series of well-coordinated & inter-related actions that create the right environment for business growth and job creation.
- It is proposed that the Council adopts a Local Discretionary Business Rate Relief (LDBRR) policy that recognises the value of inward investment into the District and supports the aspirations of FDC and its partners.
- The policy is aimed at providing business rate discounts for new Inward Investment businesses locating into Fenland who positively contribute to the wellbeing and prosperity of the District and its residents.
- An organisation or other entity taking over a pre-existing business within the geographic billing area of Fenland District Council does not qualify as a new business for the purposes of this scheme.
- This report explains the eligibility criteria and how the application process will operate; it also discusses other considerations such as issues relating to State Aid and the financial implications of implementing the policy.
- If this policy is adopted, Officers will continue to monitor the effectiveness to ensure it meets its intended objectives and delivers the anticipated benefits.

3 Recommendations

- It is recommended that the Council adopts the proposed Local Discretionary Business Rate Relief policy, guidance & application form and notes the proposed application and assessment process.

Wards Affected	All
Forward Plan Reference No.(if applicable)	
Portfolio Holder(s)	Cllr Chris Boden – Leader & Finance Portfolio Holder Cllr Ian Benney –Portfolio Holder for Economic Growth
Report Originator	Justin Wingfield – Head of Economic Growth & Assets
Contact Officer(s)	Peter Catchpole - Corporate Director and S151 Officer (Finance) Gary Garford – Corporate Director (Growth & Infrastructure) Justin Wingfield – Head of Economic Growth & Assets
Background Paper(s)	

1. Background/Introduction

- 1.1. One of the Council's key priorities within the adopted Business Plan 2019/20, is the 'Economy' priority, which aims to *"Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland"*. Supporting business growth and location into Fenland is recognised as being an essential factor to drive economic prosperity of our District and in turn, that prosperity will improve the quality of life and create new & exciting opportunities for our residents and businesses.
- 1.2. Following a review of the Economic Development service by the Overview & Scrutiny Panel in April 2019, Cabinet chose to adopt a new approach, moving from a more traditional Local Government Economic Development function to a proactive Economic Growth service which aims to capitalise on the renewed focus on the Fens from the Cambridgeshire & Peterborough Combined Authority. This focus is driven by the CPIER and recently adopted Local Industrial Strategy for Cambridgeshire & Peterborough which recognised that the Fens has an extremely important role to play in supporting the growth of Cambridgeshire. The O&S Review led to the Council restructuring and shaping a new Economic Growth service that was able to respond the future demands and the ever-changing economic environment.
- 1.3. In recognising that Economic Growth is not an individual activity, but a series of well-coordinated & inter-related actions that create the right environment for business growth and job creation, it is proposed that the Council adopts a Local Discretionary Business Rate Relief (LDBRR) policy that recognises the value of inward investment into the District and supports the aspirations of FDC and its partners.

2. Proposal

- 2.1. Fenland District Council recognises that it must be able to respond flexibly to the needs of business taxpayers within the District if it wants to support strong and sustainable local communities and attract new businesses to locate in Fenland, bringing with it, new job opportunities for our residents.
- 2.2. This report proposes that FDC should introduce and adopt a new business rate relief policy known as the Local Discretionary Business Rate Relief (LDBRR). Section 47 of the Local Government Finance Act 1988 (as amended by Section 69 of the Localism Act 2011) permits local authorities to determine and reduce the business rates of any local ratepayer provided it is in the interest of the Council tax payer.
- 2.3. LDBRR will provide FDC with the ability to award a business rate relief to businesses in a very specific set of circumstances, which meets with the requirements to ensure such

relief is in the interest of the Council tax payer and critically is based on locally determined criteria which support local economic growth objectives. The Local Discretionary Business Rate Relief policy, guidance and application form are included at **Appendix 1**.

- 2.4. The policy is aimed at providing discounts for new Inward Investment businesses locating to Fenland that have a positive benefit on the District and its community. To be eligible, the definition of an 'Inward Investment business' for the purposes of this policy is one that has not been based in or occupied premises within the District and has not been liable to pay NNDR to Fenland District Council in the preceding 5 years.
- 2.5. It is expected that any business applying for LDBRR support will positively contribute to the wellbeing and prosperity of the District and its residents. The benefits to the community must include creating new employment opportunities for residents, particularly where it creates higher skilled/paid job opportunities, provides additional apprenticeship or workforce training opportunities and positively contributes socially and economically to the District.

3. Eligibility Criteria

- 3.1. It is not intended to impose an upper or lower rateable value limit, however any award must comply with State Aid rules and businesses must demonstrate how they meet the following criteria in order to qualify for relief:
 - The eligible premises must be newly occupied properties and the application must be submitted within 3 months from the date of occupation;
 - The business must not currently or have previously occupied any other premises within the District within the last 5 years;
 - The business must employ at least 25 Full Time Equivalent persons on a full time, permanent basis and whose job is based in Fenland.
 - 50% of those jobs must either be apprenticeships or have a salary or basic pay which exceeds the average annual salary (gross) for a full time job in the District - £25,812. This value is determined in accordance with the ONS annual survey of hours and earnings. This value will be updated annually in accordance with published data;
 - The business must create or support opportunities for education, offering annual recurring Apprenticeship opportunities or structured 'in work' training pathways;
 - The business should demonstrate how it will generally improve the quality of life for local residents.

4. Proposed LDBRR Application Process

- 4.1. The guidance notes provide a comprehensive overview of how the policy will be implemented. As part of the process the applicant will be required to submit to the Council a fully completed application form together with the following information:
 - The last two years audited business accounts;
 - Business Plan with 12 month financial forecast;
 - Purpose and use of the property;
 - Details of the organisation and the services performed;
 - Staffing proposals with details of salaries and training arrangements;

- What steps have been taken to meet or mitigate the Business Rates liability (i.e. any other discounts or reductions awarded);
 - How granting the discount will benefit the district and meets the qualifying criteria contained within the LDBRR Policy & Application Guidance.
- 4.2. Applications will be assessed within 20 working days of receipt by the LDBRR Assessment Panel with reference to the above criteria. The LDBRR Assessment Panel will consist of, as a minimum; representatives from the Council's Finance, Economic Growth & NNDR Teams (ARP). The Corporate Director (Finance) & S151 Officer will be the responsible Officer for determining such awards and approvals will be confirmed in consultation with Leader & Finance Portfolio Holder, together with the Portfolio Holder for Economic Growth.
- 4.3. An LDBRR award will be made for up to 100% relief of the Rates Payable for the application property for a period of up to 2 years. The exact amount of discount and award period is subject to the decision of the LDBRR Assessment Panel.
- 4.4. The Council will notify the applicant of the outcome in writing within 5 working days from the date of the confirmed LDBRR Assessment Panel decision. Where the LDBRR award is unsuccessful or not met in full the Council will explain the reasons why.
- 4.5. LDBRR awards are administered under Section 47 of the Local Government Finance Act 1988 (As amended) and awards are not subject to a statutory appeals process. Appeals will therefore be decided by the Council within 20 working days. Decisions on appeals will be made by the LDBRR Assessment Panel. If the Council decide that the original decision should not be revised, the applicant will receive a full written explanation within 10 working days.

5. State Aid Considerations

- 5.1. The EU State Aid rules generally prohibit government subsidies to businesses. In some cases the provision of discretionary NNDR relief to ratepayers can be deemed to be State Aid. There is a general exception to the State Aid rules where the aid is below a 'de-minimis' level. Regulations currently allow a business to currently receive up to €200,000 of de-minimis aid (€100,000 in the road freight transport sector) in a rolling three year period, of course Officers dependent on the outcome of Brexit, it may be necessary to revisit the provisions concerning State Aid.
- 5.2. The Council will need to ensure compliance with the legal requirements and any permitted exemptions by considering each case based on the applicants individual circumstances. The applicant will be obliged to inform the Council if they are or will be in receipt of other State Aid, in the form of financial subsidies, payments, etc. In the event of the applicant failing to declare the receipt of other forms of State Aid when LDBRR is awarded, the Council will be permitted to recover such sums from the applicant for any LDBRR granted

6. Financial Considerations

- 6.1. It is very difficult to model the potential financial cost of the LDBRR policy on FDC. To a large extent the demand is reliant upon not only how well the scheme is publicised prior to an inward investment business opting to locate to Fenland, but also that the business meets the qualifying criteria.
- 6.2. The incentive provided by the LDBRR discount will lead to many indirect financial benefits, connected with new inward investment businesses moving into the District, the creation of higher skilled jobs which will provide increased spending power for our residents, investment into training the workforce and potentially additional trade within the existing business supply chain already located in Fenland.

- 6.3. Revenue Implications – The awarding of LDBRR in part or full will have a short term impact on business rates receipts, however in the medium to longer term it is anticipated that the business rates base will grow through the attraction of additional business investment within the district. If the LDBRR policy is not adopted it is possible that a number of potential inward investment businesses may not consider locating into Fenland and as a result, may opt to locate to other areas where similar LDBRR or other attractive financial incentives are offered.
- 6.4. The LDBRR Assessment Panel includes both the Corporate Director (Finance) & S151 Officer and the confirmatory oversight of the Leader & Finance Portfolio Holder, who will be able to monitor the number of applications and uptake. This will accurate forecasting and in-year budget amendments to be made to ensure that the policy balances the anticipated benefits of the policy with the Council's own budget management processes.
- 6.5. Capital Implications – There are no capital finance implications as a result of the adoption of the LDBRR policy.

7. Benefits

- 7.1. Adopting this policy will support the Council's Business Plan priority 'Economy' by providing an incentive for new inward investment enquiries to choose Fenland as a location for their business. Inward investment businesses will bring new job opportunities and this policy seeks to offer rate relief to address Fenland-specific issues, such as increasing the basic salary levels, offering recurring training opportunities and higher skilled jobs. In addition, after the initial rate relief period the Council can continue to grow its business rates tax base.
- 7.2. Applicants will be expected to demonstrate how their business creates or supports opportunities for education, including offering annual Apprenticeship opportunities or structured 'in work' training pathways and how their business will benefit local people and generally improve the quality of life for local residents.
- 7.3. Having a pro-inward investment policy enables FDC to tailor its approach and provide package of further tools and incentives to begin to compete with other areas and attract businesses into Fenland. The adoption of the LDBRR will enable Officers to promote a valuable financial incentive to new businesses, alongside other services, such as account managing new enquiries and coordinating meetings with other services, such as Planning, offering and supporting development opportunities on expansion land sites across the District.
- 7.4. If this policy is adopted, Officers will continue to monitor the effectiveness to ensure it meets its intended objectives and delivers the anticipated benefits.

8. Conclusion

- 8.1. The adoption of the LDBRR policy is one part of a much larger set of coordinated actions which aims to drive economic prosperity, job creation and training opportunities. It is purposely targeted at a very specific set of eligibility criteria in order to secure its intended outcomes. It is a tool to further promote the opportunities that Fenland can offer to new businesses and enables the Council to offer a tailored incentive to compete with other areas.

Local Discretionary Business Rate Relief Policy Supporting Inward Investment activity in Fenland

Version 4 – November 2019

Policy Context

Fenland District Council recognises that it must be able to respond flexibly to the needs of business taxpayers within the District if it wants to support strong and sustainable local communities and encourage new businesses to locate in Fenland and create new job opportunities for our residents.

This policy documents Fenland District Council's approach to applications for Local Discretionary Business Rate Relief (LDBRR) from Inward Investment businesses. For the purpose of this Policy an 'Inward Investment business' is a business that in the 5 years prior to its application has not been based in or occupied premises within the District and has not been liable to pay NNDR to Fenland District Council during that time.

An organisation or other entity taking over a pre-existing business within the geographic billing area of Fenland District Council does not qualify as a new business for the purposes of this scheme.

This policy relates only to the geographic billing area of Fenland District Council and represents an independently adopted local discretionary business rate relief policy and does not include any other Government supported discretionary business rate scheme.

Policy Factors

Section 47 of the Local Government Finance Act 1988 (as amended by Section 69 of the Localism Act 2011) permits local authorities to determine and reduce the business rates of any local ratepayer provided it is the interest of the Council Tax payer. This document sets out Fenland District Council's Local Discretionary Business Rate Relief Policy related to inward investment opportunities that have a positive benefit on the District and its community.

Fenland District Council will consider a Section 47 award to applicants who meet the qualifying criteria, as specified in this policy. All applications will be assessed by the Council's LDBRR Assessment Panel and considered against the eligibility criteria and upon their individual merits. The LDBRR is a discretionary relief and Fenland District Council are not obliged to award LDBRR and the applicant is not obliged to receive an LDBRR award.

The features of the Fenland District Council LDBRR scheme are that:

- Any award is discretionary;
- The funding allocation in any financial year is discretionary and applications will be considered in order of receipt;
- The total value of the award will not exceed the annual rates payable of the eligible business;
- Current Stage Aid regulations allow a business to currently receive up to 200,000 Euros of de-minimis aid (100,00 Euros in the road freight transport sector) in a rolling three year period (consisting of the current financial year and two previous financial years);
- The Council may choose to vary the way in which funds are allocated according to needs and available funds;
- An applicant does not have a statutory right to payment and appeals will be considered in accordance with the Application Guidance determined by the LDBRR Assessment Panel.

A LDBRR award of up to 100% of the Rates Payable for the application property will be available to eligible businesses moving into the District for a period of up to 2 years. The exact amount of discount and award period is subject to further assessment and will be determined by the LDBRR panel.

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Benefit to the Community

It is expected that any business applying for LDBRR support will positively contribute to the wellbeing and prosperity of the District and its residents. The benefits to the community must include creating new employment opportunities for residents, particularly where it creates higher skilled/paid job opportunities, provides additional apprenticeship or workforce training opportunities and positively contributes socially and economically to the District.

Data Processing & Retention

Fenland District Council is committed to protecting the privacy of our customers and the security of their personal data. Under the General Data Protection Regulations and Data Protection Act 2018, the lawful basis for the processing of data in these circumstances arises 'Consent', whereby the applicant has given clear consent for Fenland District Council to process their personal data for a specific purpose.

Please read Fenland District Council's [privacy statement](#) and that of Anglia Revenues Partnership [privacy statement](#) to find out more about how we do this.

Further Guidance

The Council has produced a document: 'LDBRR Application Guidance' which explains the information that we require in order to consider an application for Local Discretionary Business Rate Relief.

Local Discretionary Business Rate Relief – Application Guidance
Supporting Inward Investment activity in Fenland
*Version 4 – November 2019***Introduction**

This Application Guidance should be read in conjunction with Fenland District Council's Local Discretionary Business Rate Relief Policy (LDBRR).

Qualifying Criteria

There is no upper or lower rateable value limit, however any award must comply with State Aid rules and businesses must meet the following criteria in order to qualify for relief:

- The eligible premises must be newly occupied properties (application submitted within 3 months of the date of eligible occupation);
- The business must not have currently or have previously occupied any other premises within the District within the last 5 years;
- The business must employ at least 25 FTE persons on a full time, permanent basis and whose job is based in Fenland;
- 25% of those jobs must have a salary or basic pay which exceeds the average annual salary (gross) for a full time job in the District - £25,812 (2018 NOMIS - ONS annual survey of hours and earnings). This value will be updated annually in accordance with published data;
- The business must create or support opportunities for education, offering annual recurring Apprenticeship opportunities or structured 'in work' training pathways;
- The business should demonstrate how it will generally improve the quality of life for local residents

Applying for Local Discretionary Business Rate Relief

In order for an application to be considered the LDBRR application form should be completed in full and submitted to Economic Growth, Fenland District Council marked Private and Confidential. Each application shall include all of the following information, failure to provide such information may result in a delay or the rejection of an application:

1. The last two years audited business accounts;
2. Business Plan with 12 month financial forecast;
3. Purpose and use of the property;
4. Details of the organisation and the services performed;
5. Staffing proposals with details of salaries and training arrangements;
6. What steps have been taken to meet or mitigate the Business Rates liability (i.e. any other discounts or reductions awarded);
7. How granting the discount will benefit the district and meets the qualifying criteria contained with the LDBRR Policy & Application Guidance.

The Council recognises that there will be occasions when an applicant does not satisfy the above criteria. These criteria are not restrictive and nothing in them shall be taken as restricting the Council's ability to depart from its general guidelines as to the granting of relief if it sees fit to do so bearing in mind the facts of each case.

Each application will be considered on its individual merits, taking into consideration the information provided by the applicant. It is therefore important that all sections of the LDBRR application form are completed fully and with as much detail as possible, including details of any business rate relief received or already applying against the same property.

Award Determination

All applications will be assessed by the LDBRR Assessment Panel, which will comprise representatives from the Council's Financial, Economic Growth & NNDR Teams. In deciding whether to make an award of a

APPENDIX 1

LDBRR the Council will have regard to the applicant's circumstances. In order to do this each applicant may be asked to supply reasonable supporting evidence to substantiate the answers that they give to the questions above. This may include, but is not limited to:

- Growth or downsizing plans;
- Any sources of credit or available finance;
- Any help which is or is likely to be available to the applicant from other sources;
- Any other special circumstance which the Council should be aware.

The Council, through its LDBRR Assessment Panel, will decide how much to award based on all of the applicants' circumstances.

Payment of LDBRR

All awards will be made by crediting the award value to the business rate account to which it applies.

If by crediting the award, the account moves to an overall credit balance, a refund of that balance will be considered in the normal manner.

Notification

The Council will notify the applicant of the outcome in writing within 5 working days from the date of the LDBRR Assessment Panel decision. Where the LDBRR award is unsuccessful or not met in full the Council will explain the reasons why.

The Right to Appeal

LDBRR awards are administered under Section 47 of the Local Government Finance Act 1988 (As amended) and awards are not subject to a statutory appeals process. Appeals will therefore be decided by the Council.

The Council will operate the following policy for dealing with appeals:

- An applicant who disagrees with a decision may appeal the decision (Appeals can only be made once per application).
- Any appeal must be made in writing within one calendar month of the original decision.
- Where possible the Council will resolve the matter and provide reasons of the decision to the applicant either verbally or in writing.

Decisions on appeals will be made by the panel.

If the Council decide that the original decision should not be revised, we will provide full written reasons to the applicant within 14 working days.

State Aid Considerations

European Union State Aid rules generally prohibit government subsidies to businesses, providing discretionary NNDR relief to ratepayers can in some cases be deemed to be State Aid. There is however a general exception to the State Aid rule where the aid is below a 'de-minimis' level. Regulations allow a business to currently receive up to €200,000 of de-minimis aid (€100,000 in the road freight transport sector) in a rolling three year period (consisting of the current financial year and 2 previous financial years).

Fenland District Council will ensure compliance with the legal requirements and any permitted exemptions by considering each case based on the applicants individual circumstances in full consideration of State Aid rules. The applicant has an obligation to inform the Council if they are or will be in receipt of other State Aid. In the event of the applicant failing to declare this when LDBRR is awarded, the Council will recover such sums from the applicant for any LDBRR granted.

Overpayments

If the Council becomes aware that the information contained in an application for LDBRR discount was incorrect or that relevant information was not declared, either intentionally or otherwise, the Council may seek to recover the value of any award made as a result of that application. The award will be removed from the relevant business rates account and any resulting balance will be subject to the normal methods of collection and recovery applicable to such accounts.

Fraud

The Council is committed to detecting and eliminating fraud in all its forms. Any applicant who tries to fraudulently claim LDBRR discount might have committed an offence under the Fraud Act 2006.

If the Council suspects that fraud may have occurred, the matter will be investigated as appropriate and this could lead to criminal proceedings.

Publicity

The Council will publicise the scheme and provide information to relevant agencies, stakeholders and other Council services. The Council may choose to publicise the successful award of LDBRR, such publication will be in agreement with the successful business.

Monitoring

The Council will monitor LDBRR awards to ensure that this policy has been applied fairly and consistently and that expenditure does not exceed the budget available. This monitoring will be conducted by the Economic Growth team in liaison with Anglia Revenues Partnership.

Local Discretionary Business Rate Relief Application Form

Section A - Business/Organisation and property details

Please complete this section about the property that you want relief for and the organisation that occupies it

NNDR Account reference

Current Rates Payable

Address of Property

Business/Organisation (name
or title of organisation
applying for relief)

What type of business is run from the premises?

Description of the property e.g. Shop, factory, office, etc.

How is the property used?

How much discount is being requested?

Contact

Name of contact and daytime telephone number

Address for correspondence if different from property address

Do you own the property? (Please tick)

☐

Yes

☐

No

Section B - Discretionary relief

IMPORTANT

Please complete this section to apply for discretionary relief providing as much detail as possible. Please continue on a separate sheet of paper if necessary. You should refer to the LDBRR Policy and Application Guidance when completing this section.

1. How does your business benefit local people and generally improve the quality of life for local residents?

2. Please explain how your business creates or supports opportunities for education, annual Apprenticeship opportunities or structured 'in work' training pathways? Please provide details.

DISCUSSION DRAFT

3. How many FTE, permanent staff (Full Time Equivalents – 40 hours per week) does your business employ at the premises for which you are applying for Local Discretionary Business Rate Relief?

4. How many of the above FTE are apprenticeships?

5. How many of those FTE jobs have a salary or basic pay which exceeds the average annual salary for a job in the District - £25,812 (2018 NOMIS)?

6. Are the premises occupied? If not, please provide timescale of when this is will happen.

7. Please provide detail of any other rate relief you are receiving or which you have applied for or intend to apply for?

8. Please provide details of any of relief, financial support or State Aid that you are receiving or which you have applied for or intend to apply for?

Section C – Privacy Statement

IMPORTANT - Privacy statement (please read)

Fenland District Council is collecting the information requested in this form, in order to perform this service or function, and if further information is needed in order to do so, you may be contacted using the details provided. Under the General Data Protection Regulations and Data Protection Act 2018, the lawful basis for the processing of data in these circumstances arises from 'Consent', whereby, you, the applicant have given clear consent for Fenland District Council to process their personal data for a specific purpose.

In performing this service, the Council may share your information with other organisations or departments, but only when it is satisfied that it is necessary to perform a public task, or to exercise its statutory duties to do so.

The Council may also share your personal information for the purposes of the prevention, investigation, detection, or prosecution of criminal offences, but will not share your personal information, or use it for any other purpose, unless provided for by law.

More detailed information about the Council's handling of your personal data can be found in our [privacy statement](#).

I have read and understand the Privacy Statement above and I hereby consent to Fenland District Council using and processing my data in accordance with the Privacy Statement for purposes as outlined ☐ (please tick box)

Section D - Checklist and documents required

Please provide copies of the following items:

- ☐ Copy of your last 2 years audited accounts
- ☐ Business Plan with 12 month financial forecast
- ☐ Any other information used to support your application

Please return completed form and supporting documents to:
business@fenland.gov.uk

Section E - Declaration

As far as I know and believe, the information I have given is correct.

Name
(in capitals)

Position

Telephone number


Email address

Signature

Date

State Aid Declaration

I have read and understand the Application Guidance and I hereby confirm by signing this Application Form that my application complies with the requirements of State Aid. I acknowledge that by signing and submitting this application that if I fail to disclose income in the form of State Aid received by me/my business from other sources, I understand that Fenland District Council will use all necessary powers to recover sums paid as a result of false representation and failure to disclose.

Agenda Item No:	11	
Committee:	COUNCIL	
Date:	4 NOVEMBER 2019	
Report Title:	REVIEW OF MEMBERS' ALLOWANCES SCHEME	

1 Purpose / Summary

To present to Council the conclusions and recommendations of the Independent Remuneration Panel (IRP) in respect of its review of the current Members' Allowances Scheme.

2 Key issues

- The Council is statutorily required to review its Members' Allowances Scheme at least every 4 years.
- The current scheme was last reviewed in November 2015.
- The previous IRP recommended that the Members' Allowances Scheme be subject to review 2 years after its last review in 2015, however in 2017 Members agreed to postpone the review until 2019 when the newly elected members would be in place following the 'all out' local elections.
- As set out within The Local Authorities (Members' Allowances) (England) Regulations 2003, all Members' Allowances Schemes must include a Basic Allowance that is paid equally to all Members of the Council and may make provision for the payment of Special Responsibility Allowances to members who hold positions of significant additional responsibilities over and above the generally accepted duties of a Councillor.
- Before the Council can make or amend its Members' Allowances Scheme, it must have regard to the recommendations of the IRP.
- When revoking a Members' Allowances Scheme, the new scheme may only come in to effect from the following financial year e.g. 1st April 2020 unless the IRP recommends that allowances are backdated.
- The IRP has undertaken a review of the current scheme and has made recommendations which are contained within the report.
- The proposed Members' Allowances Scheme is contained at Appendix 1.

3 Recommendations

- That the Council has regard for the recommendations of the IRP in formulating a Members' Allowances Scheme, to come into effect from 1st April 2020 and authorises the Monitoring Officer to make such

typographical amendments as are necessary to produce clean text copies of the Constitution.

The recommendations include:

- (1) Members acknowledge receipt on behalf of the Authority of the Independent Remuneration Panel's report.

Basic Allowance:

- (2) The Basic Allowance to remain at the current rate of £4818

Special Responsibility Allowances (SRA):

- (3) SRA payments to remain at the current rate with the following exceptions:
- (4) The allowances for the Chairman of Overview and Scrutiny and Chairman of Planning to be reduced from £8,000 to £5,000.
- (5) A new allowance to be introduced, in respect of all members of the Planning Committee at a rate of £500 per annum. Substitute members attending planning committee meetings, as a temporary replacement for the substantive member, to receive an allowance at a rate of £100 per annum.
- (6) The allowance for the Main Opposition Group to remain the same however in the scenario that there is more than one Group Leader that qualifies for this allowance, the allowance will be provided in full to each Main Opposition Group Leader and not split.
- (7) The allowance for the Other Opposition to remain at £2,000. In the event there is more than one Group Leader who qualifies for this allowance, that this allowance should be given in full to qualifying Group Leaders rather than being split equally between qualifying Group Leaders as is the situation at present.
- (8) The levels of Special Responsibility Allowances to be set as at 5.10.
- (9) SRA payments to be limited to 1 per Member with the exception of the new allowance to Planning Committee members.
- (10) No New SRA is to be introduced in respect of the Cambridgeshire and Peterborough Combined Authority.

Co-optees' Allowance:

- (11) Co-optee's allowance in relation to Parish Council co-optees onto the Conduct Committee to be reduced from £500 to £140 per annum.

Travelling and Subsistence:

- (12) Travelling and Subsistence rates to remain the same as now.

Dependents' Carers' Allowance:

(13) Rates to remain the same.

(14) The criteria in relation to Child Care is to be amended to reflect the following 'The scheme provides for reimbursement of expenditure incurred by councillors in providing child care arrangement to facilitate their attendance at approved duties of the Council' all other qualifying criteria are to be removed.

(15) The criteria in relation to Care of Dependants is to be amended to reflect the following 'The reimbursement of expenditure on care for an elderly, sick or disabled dependent normally residing with the councillor and requiring constant care, all other qualifying criteria are to be removed.

(16) The General Conditions to remain the same in accordance with the existing scheme.

Backdating Allowances:

(17) The Council's new Members' Allowances Scheme to be effective from 1st April 2020.

Annual Adjustment of Allowances:

- (18) To reintroduction of indexation of Members' Allowances to employee pay awards both in relation to the Basic Allowance and Special Responsibility Allowances from 01 April 2020.

Independent Person and Deputy Independent Person:

(19) Rates to remain the same.

Pensions:

(20) Councillors are not eligible to enter the Local Government Pension Scheme.

Equipment and Associated Consumables:

- (21) To update this section to reflect the following that the FDC Information Technology (IT) Team publish a recommended preferred standard build of Personal Computers/ tablet devices which best support FDC software, to help inform members choice regarding future computer/ tablet purchases; that meaningful support is provided to elected members to enable them to fulfil their role including the effective use of IT. To provide a loan scheme to enable members to purchase the FDC recommended standard build IT equipment necessary to fulfil their role which can then be deducted direct from their gross basic allowance, which would minimise any tax payable on the repayment amount and finally that the IT team provides members with an option to purchase recommended equipment directly via them to ensure members are able to purchase equipment at a preferential rate which is available as a result of economies of scale. The Panel also recommend that IT equipment and

other consumables to enable Members to fulfil their role are to be met from the Basic Allowance.

Future Reviews:

- (22) The next review of Members' Allowances to take place no later than 18 months from the date of this meeting to both monitor the CPCA situation and any impact from the implementation of the Commercial and Investment Strategy.

Wards Affected	All
Forward Plan Reference	This report was included on the Forward Plan
Report Originator(s)	Amanda Orchard, Marketing Consultant, Magistrate - Chairman of the IRP Panel Gerard Dempsey, Business Consultant, Magistrate and former CEO of national business chains Carol Hart, Local Resident with previous experience of Scrutiny and IRP's within health settings
Contact Officer(s)	Peter Catchpole Corporate Director and S151 Officer, 01354 622201, petercatchpole@fenland.gov.uk Carol Pilson, Corporate Director and Monitoring Officer, 01354 622360, cpilson@fenland.gov.uk Anna Goodall, Head of Governance, Legal and Customer Services, 01354 622357, agoodall@fenland.gov.uk
Background Paper(s)	The Local Authorities (Member Allowances) (England) Regulations 2003 Fenland District Council's Members' Allowances Scheme Scope of Members' Allowances Review Council Report, May 2019

Report of the Independent Remuneration Panel on Members' Allowances November 2019

1 Introduction

- 1.1 The Independent Remuneration Panel (IRP) comprised of three members:
Amanda Orchard – Marketing Consultant, Magistrate - Chairman of the IRP Panel.
Gerard Dempsey - Business Consultant, Magistrate and former CEO of national business chains
Carol Hart - Local Resident with previous experience of Scrutiny and IRP's within health settings.
- 1.2 In undertaking the review, the panel had regard for the Terms of Reference agreed by Council in May 2019 and the "Guidance on Member Allowances' for Local Authorities in England."
- 1.3 The panel received a copy of the current allowances scheme, approved by Council in November 2015 and the panel was requested to undertake a full review with reference to the scope.

2 Methodology

- 2.1 The panel undertook a training session on Members' Allowances Reviews including Legal requirements for schemes, different methodologies, benchmarking, the basic allowance, special responsibility allowances, travel and subsistence, dependents' carers' allowances, pensions, co-optees allowance, considerations regarding the Combined Authority and requirements for publicity.
- 2.2 The panel members:
- Received a copy of previous report from 2011 and 2015;
 - Studied a summary of members' allowances data obtained from other Cambridgeshire District Councils, Cambridge City Council plus other CIPFA nearest neighbours for the purposes of benchmarking;
 - Received the results of the survey of Members' views in relation to the current Members' Allowances Scheme;
 - Received a schedule of the current Special Responsibility Allowances;
 - Received a document detailing the remit and frequency of each of the Council's Committees and list of outside bodies including meeting of the Cambridgeshire and Peterborough Combined Authority
 - Undertook interviews with a total of 19 Members from a cross-section of the Council's membership as well as the provision of an open invitation to all Members. Interviews spanned:
 - Group Leaders
 - Cabinet Members

- Committee Chairmen
- Independent Person and Deputy Independent Person
- Co-opted Member

3 Terms of Reference

3.1 The panel has regard for the terms of reference approved by Council in May 2019 which included:

- To make recommendations as to the amount of Basic Allowance that should be payable to all elected members of the District Council;
- To make recommendations about the roles and responsibilities for which a Special Responsibility Allowance should be payable and the amount of each such allowance
- To make recommendations regarding the approved duties for which travelling and subsistence allowances can be paid and the amount of these allowances;
- To make recommendations as to the amount of the co-optees' allowance;
- To make recommendations regarding allowances in respect of the expenses incurred in arranging for the care of children and dependents, the amount of this allowance and the means for determination
- To determine whether any allowance should be backdated to the beginning of the new term of office for Members, in the event of a new/amended scheme being adopted;
- To determine any other issue covered by the 2003 Regulations including whether annual adjustments should be made to allowance levels by means of an index and, if so, for how long such a measure should last, up to a maximum period of 4 years;
- To make recommendations regarding the remuneration of the Independent Person and Deputy Independent Person;
- To report any recommendations to Council as soon as is reasonably practicable following recruitment of the Panel, member engagement and completion of the review, no later than November 2019;
- To review the current provision of IT equipment and related sundries (eg. paper, ink, toners) to Councillors
- To compare and contrast schemes in existence at other Councils.
- To review the general wording of the scheme to ensure it is sufficiently clear to those who are required to use it and process claims.
- To review the claim form Members use to ensure it is sufficiently clear to those who are required to use it and process claims.
- To report any recommendations to Council in November 2019.

4 Basic Allowance

- 4.1 The 2003 Regulations state that an authority must pay a Basic Allowance to all of its members and that the amount must be the same for each member.
- 4.2 Having studied the results of the Members' survey and listened to the views of those members who attended for interview, the panel is of the opinion that the Basic Allowance should remain the same as it is now at a rate of £4,818.
- 4.3 Most Members stated that the work of a Councillor was similar to what it was at the last review in 2015 and the allowance was adequate to fulfil the duties of the role.

5 Special Responsibility Allowances

- 5.1 The panel considered all positions currently in receipt of Special Responsibility Allowances. The panel recommends that the allowances in regard to the following positions remain at the current rates:
- Leader of the Council
 - Cabinet Members
 - Chairman of Licensing Committee
 - Chairman of Staff Committee
 - Chairman of Conduct Committee
 - Chairman of Corporate Governance Committee
 - Chairman of the Council
 - Vice Chairman of the Council
 - Vice Chairman of Planning Committee
 - Vice Chairman of Overview and Scrutiny
- 5.2 The panel recommends that the allowances in relation to the following positions are amended:
- Chairman of Overview and Scrutiny
 - Chairman of Planning
 - Members of the Planning Committee
 - Leader of the Main Opposition Group
 - Leader of other Opposition Groups
 - Member of the Combined Authority (CA) Board, CA Overview and Scrutiny Committee and Audit Committee in addition to any emerging CA Executive Committees.
- 5.3 The Panel considered the roles of the Chairman of Overview and Scrutiny and Chairman of Planning. It was clear following interviews with Members that these two positions are of considerable importance and there is a clear

demarcation of the level of responsibility and work required to perform these roles as compared to the Chairmen of other committees, which justified the larger allowances these two positions attracted. However, the panel felt that a larger gap was required between the allowances of Cabinet members and the Chairman of Planning and Chairman of Overview and Scrutiny to reflect the greater work load and responsibility Cabinet Members have in relation to decision making. This reduction in allowance will also successfully bring the allowances for the Chairman of Overview and Scrutiny in addition to the Chairman of Planning Committee much more in line with the allowances paid for the same roles in neighbouring as well as CIPFA nearest neighbour authorities. **Therefore, the panel recommends the allowances for the Chairman of Planning and Chairman of Overview and Scrutiny are reduced from £8,000 to £5,000.**

- 5.4 The Panel considered the roles of Vice-Chairman of Overview and Scrutiny and Vice-Chairman of Planning. Currently neither of these roles attract an allowance. The Panel felt that the Vice-Chairmen roles were important in supporting the Chairmen of these committees; however it was not a commensurate responsibility to be a Vice-chairman as compared to a Chairman of a Committee despite the differences in the remit of the Committees. Feedback from Members was that Vice-Chairmen are rarely called upon to chair meetings as the Chairman is mostly present and if any Member was called upon to chair a meeting on an infrequent basis then this would not be seen as an additional responsibility requiring additional remuneration. **Therefore, the panel recommends that no new allowance should be introduced for the Vice-Chairman of Overview and Scrutiny or the Vice-Chairman of Planning.**
- 5.5 The Panel considered the role of Planning Committee members, without exception feedback from all members confirmed that the Planning Committee meet more frequently compared to any other committees and the requirement to attend site visits, attend mandatory training, as stipulated in the constitution, in addition to reading significant volumes of reports in order to make informed decisions which directly impact on local residents, place additional responsibilities on committee members which are not comparable with other committees. Members also reflected that the time commitment associated with being a member of the planning committee could potentially be a barrier for some elected members. **Therefore, the panel recommends that all members of the Planning Committee should receive an SRA at a rate of £500pa. In addition substitute members attending Planning Committee meetings on behalf of a substantive member should receive an SRA of £100 per annum.**
- 5.6 The Panel considered the allowance for the Leader of the Main Opposition Group and agreed with the previous IRP review that a threshold of 5 members should remain in place. The panel felt that due to the additional responsibility and time commitment of managing a larger political group that this should be recognised and **therefore recommends that in the event there is more than one Group Leader who qualifies for this allowance, that the allowance should be received in full as per the previous IRP**

recommendations rather than split equally between qualifying Group Leaders.

- 5.7 The Panel considered the allowance for the Leader of Other Opposition Groups. The panel recognised that the 2003 Regulations state that within the Council's current circumstances that a special responsibility allowance must be paid to at least one person who is not a member of the controlling group and has certain special responsibilities. The panel considered the additional responsibilities of Other Opposition Group Leaders as well as feedback from Member interviews and **recommends that the Leader of the other Opposition Groups allowance remains at the current rate of £2,000, however that this allowance should be given in full to qualifying Group Leaders rather than being split equally between qualifying Group Leaders as is the situation at present.**
- 5.8 The panel considered the roles that members undertake on the Cambridgeshire and Peterborough Combined Authority (CPCA). Other constituent Councils of the CPCA have either already agreed to make SRA payments to members fulfilling roles on the CPCA (namely Cambridge City Council and South Cambridgeshire District Council) or have been asked to consider making payments as part of their respective Independent Remuneration Panel deliberations. From the extensive feedback and evidence received in relation to this matter the panel recognises the significant responsibilities, extent of decision making and associated time commitment these roles carry above that expected of a District Councillor, which would suggest that an additional SRA was justifiable. The panel also acknowledge the importance and associated potential benefits of having Fenland representatives contributing to the role of the CPCA.
- 5.9 The panel received opposing evidence that whilst Fenland representation on the CPCA is of vital importance in addition to being of great value to the area, when the CPCA was first introduced it was on the understanding that it would not result in any additional financial burden for the constituent Councils. The evidence provided to the IRP confirmed that in addition to the CPCA Board, CPCA Overview and Scrutiny Committee and CPCA Audit Committee, three additional Executive Committees with decision making responsibilities are also currently proposed and therefore the panel concluded that it was not unreasonable to assume that given the CPCA is still in its infancy additional Executive Committees could be constituted, which may result in further suggestions regarding the payment of SRA's. The lack of control the constituent Councils have in relation to the formulation of additional Executive Committees could compromise the ability to plan for and sequence informed budgetary decisions in the event that these roles attract the payment of a new SRA. The panel also recognise that in accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members. **The Panel therefore recommend that no additional SRA is payable in respect of Members undertaking any roles on the CPCA however it is also recommended that this is reviewed again within the next 18 months. The panel also recommend that a letter is sent to the CPCA outlining the view that any payments to members representing constituent Councils on the CPCA should be payable by the CPCA, if justifiable, to ensure consistency**

across the area whilst also ensuring that the CPCA is responsible for the associated financial consequences of creating additional Committees requiring representation.

5.10 List of Special Responsibility Allowances:

Special Responsibility Allowance	Current Allowance	New Allowance
Leader of the Council	£16,509	£16,509
Cabinet	£8,500	£8,500
Chairman of Overview & Scrutiny	£8,000	£5,000
Vice Chairman of Overview & Scrutiny Panel	£0	£0
Chairman of Planning Committee	£8,000	£5,000
Vice-Chairman of Planning Committee	£0	£0
Members of Planning Committee	£0	£500
Substitute Members of Planning Committee	£0	£100
Chairman of Licensing Committee	£3,274	£3,274
Chairman of Conduct Committee	£1,637	£1,637
Chairman of Staff Committee	£1,637	£1,637
Chairman of Corporate Governance Committee	£1,637	£1,637
Chairman of Council	£4,116	£4,116
Leader of Main Opposition Group	£5,706	£5,706
Leader of other Opposition Groups	£2,000	£2,000

6. Co-optee's Allowance

- 6.1 The panel considered that co-opted members of the Conduct Committee previously received an allowance of £500 per annum. The panel recognised that the changes to the Standards regime have resulted in a reduction in the amount of work for the Conduct Committee due to a national streamlining of processes. The panel interviewed one of the co-opted members of the Conduct Committee and recognised that this Member was required to give up their time to support the work of the Committee however this commitment had reduced considerably in recent years to the extent that the co-optee was not required to attend any meetings during the period 2018/19.. Therefore, in recognition of the infrequent time commitment and travel arrangements required for the Committee, **the panel recommends that co-opted members receive an allowance of £140 per annum. In addition co-optees will be entitled to claim travelling and subsistence in accordance with the terms set out in section 7 of this report.**

7 Travelling and Subsistence

- 7.1 The panel reviewed the current allowances scheme for travel and subsistence. The panel recognised this section of the scheme was subject to a number of recommended amendments as a result of a high profile Conduct issue associated with travel and subsistence claims. The panel were of the conclusion that the current scheme remains fit for purpose, as it is in line with HMRC guidelines however it is **recommended that the documented additional guidance for Members should be implemented to provide greater clarity and prevent any ambiguity in relation to the scheme particularly for those members travelling to Committee meetings from their work location and members who are also parish and or County Councillors. Specifically the existing scheme would be improved by stating that mileage can only be claimed from the Councillor's normal place of residence or at a meeting on Council business to which the Councillor travelled from home.**

8. Dependents' Carers' Allowance

- 8.1 The provision of a Dependents' Carers' Allowance has been a feature of the Council's Members' Allowances Scheme since February 2002 and to date no claims have been made in spite of the fact that a number of Councillors may have been eligible to make an associated claim .
- 8.2 The panel considers it appropriate this allowance remains in the scheme on the basis that the Council wishes to attract and retain Members from a wide cross-section of the community and to assist the participation in the democratic processes by people who would not otherwise be able to do so. **Therefore the panel recommends that the payment rates to remain the same as the current scheme however the criteria for claiming for Child Care and Care of Dependants be updated to reflect the following 'The**

scheme provides for reimbursement of expenditure incurred by councillors in providing child care arrangement to facilitate their attendance at approved duties of the Council' all other qualifying criteria are to be removed.

The reimbursement of expenditure on care for an elderly, sick or disabled dependent normally residing with the councillor and requiring constant care, all other qualifying criteria are to be removed.

All other General Conditions associated with the scheme are to remain the same in accordance with the existing scheme.

9 Backdating Allowances

- 9.1 The Allowances Regulations allow local authorities to apply amendments to allowances payments to be backdated to the beginning of the financial year. **It is the view of the panel that the Council's new Members' Allowances Scheme should be effective from 1st April 2020.**

10 Annual Adjustment of Allowances

- 10.1 The panel considered that the Allowances paid within the current scheme have been increased by 1% per year from 1st April 2017-1st April 2019, however not exceeding employee pay awards. In the event employee pay awards were less than 1% from 1st April 2017-1st April 2019, Members' Allowances increases would match those of employees. However the currently Special Responsibility Allowances are not subject to the annual review and uplift. The panel acknowledged that it is important that member allowances do not fall behind that of comparator councils and **therefore the panel recommends the reintroduction of indexation of Members' Allowances to employee pay awards both in relation to the Basic Allowance and Special Responsibility Allowances from 01 April 2020.**

11 Independent Person and Deputy Independent Person

- 11.1 The panel considered the roles of the Independent Person and Deputy Independent Person, the changes in Council procedure and changes to national legislation which affected these two roles. The panel also received benchmarking information. Considering all of this information, **the panel felt that the allowances for both roles (Independent Person: £1,032; Deputy Independent Person: £516) were sufficient and should be updated in line with the recommendation in section 10 of the report and be entitled to claim travelling and subsistence in accordance with the terms set out in section 7 of this report.**

12 Pensions

- 12.1 Councillors are not eligible to enter the Local Government Pension Scheme.

13. Members' ICT/Equipment & Consumables

- 13.1 The panel received considerable evidence from Members regarding the fact that currently they provide their own electronic devices in order to undertake the role as an elected member of FDC, which continues to be a paperless organisation. It is recognised that the 'bring your own device' is the preferred approach for members who are also members of a parish or a County Councillor (twin or triple hatted members), however it is not necessarily the preferred approach for members who are solely an elected representative on the District Council. **Therefore the panel recommend that; the FDC Information Technology (IT) Team publish a recommended preferred standard build of Personal Computers/ tablet devices which best support FDC software, to help inform members choice regarding future computer/ tablet purchases; that meaningful support is provided to elected members to enable them to fulfil their role including the effective use of IT. To provide a loan scheme to enable members to purchase the FDC recommended standard build IT equipment necessary to fulfil their role which can then be deducted direct from their gross basic allowance, which would minimise any tax payable on the repayment amount and finally that the IT team provides members with an option to purchase recommended equipment directly via them to ensure members are able to purchase equipment at a preferential rate which is available as a result of economies of scale. The Panel also recommend that IT equipment and other consumables to enable Members to fulfil their role are to be met from the Basic Allowance.**

14. Future reviews of the Scheme

- 14.1 Following consultation with Members, **the panel are of the view that the next review of Members' allowances should take place no later than 18 months from the date of this meeting to both monitor the CPCA situation and any impact from the implementation of the Commercial and Investment Strategy.**

15. Financial Implications

- 15.1 The provision of Members' Allowances (Basic Allowance and Special Responsibility Allowances) currently costs the Council **£317,466** per annum. The recommendations within this report, if adopted, will result in Members' Allowances (assuming a 2% pay award) costing **an additional £6,789 from 2020/21 onwards which reflects the associated reintroduction of indexation of Members' Allowances to employee pay awards both in relation to the Basic Allowance and Special Responsibility Allowances in addition to the introduction of a Special Responsibility Allowance in relation to Planning Committee members and substitute members .**

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Agenda Item No:	12	
Committee:	COUNCIL	
Date:	4 NOVEMBER 2019	
Report Title:	Proposed Gambling Statement of Policy Document - Gambling Act 2005	

1 Purpose / Summary

- To adopt the proposed Gambling Statement of Principles Policy

2 Key issues

- The last policy was approved by full council on 12 May 2016.
- The legislation states that the Gambling Policy should be reviewed every 3 years.
- On 23 July 2019, the Licensing Committee approved the draft policy for consultation. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1379&Ver=4>
- The consultation for the draft policy took place from 5 August 2019 until 6 September 2019.
- One response was received from consulted partners; this was from Wisbech Town Council which was in support of the draft policy.
- The Licensing Committee report showing responses received during the consultation period can be found on the following link:
<https://www.fenland.gov.uk/localgov/documents/g1380/Public%20reports%20pack%2002nd-Oct-2019%2013.30%20Licensing%20Committee.pdf?T=10>
- On 02 October 2019, the Licensing Committee met again to review and consider received responses to the proposed draft policy. All information regarding the policy and Committee discussion can be found on the following link:
<https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1380&Ver=4>
- Licensing Committee agreed that the policy set out in Appendix A should be adopted. The appendix shows the changes (as track changes and comments) from the last policy adopted in 2016.

3 Recommendations

- For Council to agree the recommendation from the Licensing Committee to adopt the Statement of Gambling Principles for the period of 2019 - 2022 as set out in Appendix A.

Wards Affected	All Wards
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Sam Clark, Portfolio Holder with responsibilities for Licensing
Report Originator(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk
Contact Officer(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk Dan Horn, Head of Housing & Community Support, Tel 01354 654321, Email: dhorn@fenland.gov.uk Carol Pilson, Corporate Director, Tel: 01354 622360, Email: cpilson@fenland.gov.uk
Background Paper(s)	The Gambling Act 2005 Gambling Commission Guidance to Local Authorities, 5th Edition

4 Background / introduction

- 4.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 every three years. The current policy was adopted at Full Council and came into effect on 12 May 2016.
- 4.2 The Gambling Act requires each Licensing Authority to prepare and publish a Statement of Principles under the Gambling Act. The statement sets out how the authority intends to approach its licensing responsibilities and in particular how it intends to promote the three licensing objectives namely:
- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.
 - Ensure gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 4.3 The Gambling Policy is to be renewed every three years and the draft policy will cover the period of 2019 - 2022
- 4.4 On 23 July 2019, the Licensing Committee approved the draft policy for consultation. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1379&Ver=4>

5 Considerations

- 5.1 The consultation on the draft Statement of Gambling Principles took place from 05 August 2019 until 6 September 2019.
- 5.2 A response was received from Wisbech Town Council which was in support of the draft policy being approved.
- 5.3 On 02 October 2019, the Licensing Committee members discussed and reviewed responses received on the draft policy. A copy of the minutes for this meeting can be seen at: <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1380&Ver=4>

6 Community impact

- 6.1 A Customer (equality) Impact Assessment was undertaken in relation to the draft policy for the Gambling Statement of Principles. The impact assessment can be seen at APPENDIX B.

7 Conclusions

- 7.1 The recommendation from the Licensing Committee is to:
- Recommend to Full Council that it adopts the revised Statement of Gambling Principles as attached at APPENDIX A of the report. The appendix shows the changes (as track changes and comments) from the last policy adopted in 2016.

APPENDIX A - Draft Statement of Gambling Principles 2019 - 2022

APPENDIX B - Community Impact Assessment

FENLAND DISTRICT COUNCIL

GAMBLING ACT 2005

GAMBLING POLICY
STATEMENT OF PRINCIPLES

2016-2019 2019 - 2022

FOREWORD

This Gambling Statement of Principles is produced by Fenland District Council under the 2005 Gambling Act and will be the basis for all gambling related licensing decisions taken by the Council as the Licensing Authority over the next three years commencing ~~xx xx 2019~~^{on 31st January 2016}.

The new Act created a unified regulator for gambling in Great Britain called the Gambling Commission ~~and~~ also transferred all responsibilities for licensing gambling premises from the Licensing Justices to Licensing Authorities. ~~These~~ Local ~~Authority is~~^{ies} ~~are responsible for~~^{responsible for} ~~issuing~~^{for issuing} a number of different permits, as well as Temporary and Occasional Use Notices.

This Policy sets out how the Council, as the Licensing Authority, will seek to balance increased leisure opportunities with the protection that children, vulnerable people and communities need and expect.

The Council recognises how important this sector of the entertainment industry is within the district and well-run businesses will get the support of the Council. New gambling related developments that are well planned, and can demonstrate initiatives that prevent gambling from being a source of crime and disorder, ensure that gambling is conducted in a fair and open way and protect people from being harmed or exploited by gambling are welcomed. However, the Council will not hesitate in dealing firmly where problems of gambling related crime and disorder exist.

This Policy will be kept under review and it will be amended when issues arise that make change necessary. The Council will seek through the licensing process and the decisions it takes, to make Fenland District Council a safe and welcoming place for both residents and visitors to enjoy.

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PART A - OVERVIEW

1. INTRODUCTION

- 1.1 This Gambling Statement of Policy sets out the principles Fenland District Council, as the Licensing Authority under the Gambling Act 2005 (referred to in this document as 'the Act'), proposes to apply in discharging its functions to licensed premises for gambling under the Act as well as:-
- designating the body responsible for advising the Authority on the protection of children from harm;
 - determining whether or not a person is an "Interested Party";
 - exchanging information with the Gambling Commission and others; and
 - inspecting premises and instituting proceedings for offences under the Act.

2. THE LICENSING OBJECTIVES

- 2.1 In exercising most of its functions under the Act, Licensing Authorities must have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are:-
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.2 The Licensing Authority notes that the Gambling Commission has stated that 'the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.'

2.3 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) requires gambling premises to undertake a local risk assessment taking into consideration the local information.

2.4 This licensing authority is aware that, as per Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives
- in accordance with the Authority's Gambling Licensing Policy Statement of Principles

3. DESCRIPTION OF THE DISTRICT

- 3.1 The Fenland District Council is situated in the County of Cambridgeshire, which comprises five District and City Councils and one County Council. The District has a population of 96,000 Cambridgeshire County Council Mid-Year

Estimates, 2005) and covers an area of 54,547 hectares. The main centres of population are in the towns of Chatteris, March, Whittlesey and Wisbech. A map of the Fenland District is at **APPENDIX 1**

4. RESPONSIBILITIES UNDER THE ACT

- 4.1 The Act ~~has~~ introduced a new licensing regime for commercial gambling, to be conducted by the Gambling Commission and by [-Licensing Authorities,](#) [depending](#) on the matter to be licensed.
- 4.2 The Act establishes each District or Borough Council as the Licensing Authority whose responsibilities must be discharged by the Licensing Committee created under Section 6 of the Licensing Act 2003. Fenland District Council is the Licensing Authority for the Fenland District.
- 4.3 The Gambling Commission is responsible for issuing Operating and Personal licences to persons and organisations who:-
- operate a casino;
 - provide facilities for playing bingo or for pool betting;
 - provide facilities for betting
 - act as intermediaries for betting;
 - make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
 - manufacture, supply, install, adapt, maintain or repair gaming machines;
 - manufacture, supply, install or adapt gambling machine software; or
 - Promote a lottery.
- 4.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. All types of gambling are covered, other than spread betting and the National Lottery. It is also responsible for issuing permits for [-premises with](#) gaming machines and for receiving notices from operators wishing to use unlicensed premises for gambling on a temporary basis. It is also responsible for the registration of certain types of exempt Small Society Lotteries.
- 4.5 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling in so far as they think it is:-
- in accordance with any relevant codes of practice;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
 - in accordance with the Licensing Authority's Gambling Statement of Principles, subject to the three bullet points above,
- 4.6 Before the Licensing Authority can determine an application for a Premises Licence, an Operating Licence must have been obtained from the Gambling Commission.

5. STATEMENT OF LICENSING POLICY

- 5.1 The Licensing Authority is required by the Act to publish a Gambling Statement ~~-of-of Principlesof Principles~~ which contains the principles it proposes to apply when exercising its functions under the Act.
- 5.2 In this document this is referred to as 'the Policy'. This Policy must be published every three years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The 'new' Policy must then be published.
- 5.3 This Policy takes effect on ~~xx xx 2019~~12 May 2016

6. CONSULTATION

- 6.1 In producing this Policy, the Licensing Authority consulted widely before finalising and publishing it. In addition ~~-to~~ the statutory consultees (at 6.2), the [Council chose](#) to consult with additional local groups and individuals.
- 6.2 The Act requires that the following parties are consulted by the Licensing Authority:-
- The chief officer of police for the authority's area;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 6.3 The other groups and people consulted ~~were:-~~
- Organisations, including faith groups, voluntary and community organisations working with children and young people and organisations
 - working with people who are problem gamblers, medical practices or primary care trusts and the Citizen's Advice Bureau;
 - Other tiers of local government;
 - Businesses who are, or will be, holders of [a GA05](#) Premises Licences;
 - Responsible Authorities under the Act.
- 6.4 Copies of the Policy were placed for inspection in the public libraries of the ~~area-as~~[area as](#) well as Fenland Hall and other Council offices for inspection during normal office hours.
- 6.5 The Licensing Authority's consultation took place between ~~(To be confirmed)~~[xx xx 2019 and xx xx 2019](#)

7. APPROVAL OF POLICY

7.1 This Policy was approved at a meeting of the full Council on ~~(to be confirmed)~~xx xx 2019 and 2019 and was published via the authority's website. Copies are available on request.

7.2 It should be noted that this Policy does not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence, as each case will be considered on its own merit and according to the requirements of the Gambling Act 2005.

8. DECLARATION

8.1 In producing the Policy the Licensing Authority declares that it has had regard to the Licensing Objectives, formal Guidance issued to Licensing Authorities by the Gambling Commission and any responses from those consulted during the consultation process.

8.2 Any information and guidance contained within this policy is intended only to assist readers and should not be interpreted as legal advice or as constituent of the Council's policy. Readers of this document are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, or the guidance or regulations issued under the Act.

8.3 This council recognises its diverse responsibilities under the equality act and will monitor the impact of these statutory duties through its various corporate schemes such as an Equality Impact Assessment.

9. RESPONSIBLE AUTHORITIES

9.1 A full list of the Responsible Authorities designated under the Act and their contact details are given in the APPENDIX 2 of this document. It should be noted that under the Act, the Licensing Authority is designated as a Responsible Authority.

9.2 The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In making this designation the following principles have been applied:-

- The competency of the body to advise the Licensing Authority;
- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- The need for the body to be answerable to democratically elected persons rather than any particular invested interest group etc.

9.3 In accordance with the Gambling Commission's Guidance to Local Authorities, the Licensing Authority will liaise with the Cambridgeshire Safeguarding and Standards Unit for the protection of children from harm.

10. INTERESTED PARTIES

- 10.1 Interested Parties can make representations about licensing ~~applications~~
~~or applications~~ apply or apply for a review of an existing licence.
- 10.2 In determining whether a person is an interested party, the Licensing Authority will apply the following principles. The first principle is that each case will be decided upon its own merits. The Licensing Authority will not apply a rigid rule to its decision making and will consider the examples of considerations provided in the ~~Gambling Commission's Gambling Commission's Guidance~~
~~for Guidance for~~ local authorities. 'Business interests' is given the widest possible interpretation and includes partnerships, charities, faith groups and medical practices.
- 10.3 Section 158 of the Act defines interested parties. ~~To accept~~To accept a representation from an interested party, the licensing authority must take the view ~~that the~~that the _____ person:
- 'lives sufficiently close to the premises to be likely to be affected by the authorised activities,
 - has business interests that might be affected by the authorised activities,
 - represents persons who satisfy paragraphs (a) or (b).'
- 10.4 Licensing authorities will need to have regard ~~to anything~~to anything an interested party says about their status to make representations.
- 10.5 There are a number of factors that the licensing authorities will take into account when determining whether a person 'lives sufficiently close to the premises'. These may include:
- The size of the premises
 - The nature of the premises
 - The distance of the premises from the location of the person ~~making the~~making the representation
 - The potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment
 - the circumstances of the person who lives close to the premises.
- This is not the personal characteristics, but their interests which may be relevant to the distance from the premises.
- 10.6 Interested parties can be persons who are democratically elected, such as District and Parish Councillors and MPs, as persons representing individuals in the other categories. Other representatives might include bodies such as trade associations and trade unions, and residents' and tenants' associations. A school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.
- 10.7 Save for democratically elected persons, licensing authorities should satisfy themselves on a case by case basis that a person does represent interested parties, The Licensing Authority will generally require some form of written confirmation that a person is authorised to represent an interested party.

11. EXCHANGE OF INFORMATION

11.1 The Licensing Authority is required to include in the policy a statement of how it intends to exercise the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, Section 350 of the Act allows licensing authorities to exchange information with other persons or bodies as listed in Schedule 6(1) as:

- A constable or police officer
- An enforcement officer
- A licensing authority
- HMRC
- The First Tier Tribunal
- The Secretary of State

11.2 The principle that the Licensing Authority will apply is that it will act in accordance with the provisions of the Act in its exchange of information will have regard for:

- Provisions of the [Gambling Act 2005, which include the provisions that the Data Protection Act 1998 will not be contravened](#)
- [Data Protection Act 1998](#)
- [General Data Protection Regulation \(GDPR\)](#)
- [Guidance issued by the Gambling Commission](#)
- [Human Rights Act 1998](#)
- [Environmental Information Regulations 2004](#)
- [Freedom of Information Act 2000](#)
- [Crime and Disorder Act 1998](#)

12. PUBLIC REGISTER

12.1 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others. Regulations will prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

13. COMPLIANCE AND ENFORCEMENT

13.1 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing Authority will endeavour to be:

- Proportionate - Intervention will only be when necessary.
- Remedies - should be appropriate to the risk posed and costs identified and minimised.
- Accountable – Authorities must be able to justify decisions and be subject to public scrutiny.
- Consistent – Rules and standards must be joined up and implemented fairly.
- Transparent – Enforcement should be open and regulations kept simple and user friendly.
- Targeted – Enforcement should be focused on the problems and minimise side effects.

- 13.2 The Licensing authority will have regard to the District Council's Prevention, Intervention and Enforcement (PIE) approach to enforcement.
- 13.3 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a risk based inspection programme.
- 13.4 The main enforcement and compliance role of the Licensing Authority in terms of the Act will be to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal ~~Licences~~Licences. Concerns about the manufacturer, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

14. DELEGATION OF POWERS LICENSING AUTHORITY FUNCTIONS

14.1 Licensing authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- issue *Provisional Statements*
- regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing *Club Gaming Permits* and/or *Club Machine Permits*
- issue *Club Machine Permits* to *Commercial Clubs*
- grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- receive notifications from alcohol licensed premises (under the *Licensing Act 2003*) for the use of two or fewer gaming machines
- issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the *Licensing Act 2003*, where there are more than two machines
- register *small society lotteries* below prescribed thresholds
- issue *Prize Gaming Permits*
- receive and Endorse *Temporary Use Notices*
- receive *Occasional Use Notices*
- provide information to the Gambling Commission regarding details of *licences issued* (see section above on 'information exchange')
- maintain registers of the permits and licences that are issued under these functions

~~14.1 The Council has agreed a scheme of delegation for discharging its functions under the Act.~~

- 14.2 It should be noted that Licensing Authorities are not involved in licensing remote gambling at all; this is regulated by the Gambling Commission via operating licences.
- 14.3 It should be noted that Licensing Authorities are not involved in spread betting activities, which are regulated by the Financial Conduct Authority.

PART B PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

15. DELEGATION OF POWERS

15.1 The Council has agreed a scheme of delegation for discharging its function under the Act and this can be seen at **APPENDIX 3**

16. GENERAL PRINCIPLES

16.1 Premises Licences will be subject to the permissions/restrictions set out in the Act as well as the specific mandatory and default conditions which will be detailed in regulations issued by the Secretary ~~of State~~of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is thought appropriate.

16.2 Decision Making

Licensing Authorities are required by the Act, in making decisions about Premises ~~Licences~~Licenses, ~~it should~~to aim to permit the use of premises for gambling so far as it thinks fit:-

- in accordance with any relevant codes of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- to be reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
- in accordance with the Licensing Authority's Policy subject to the three bullet points above.

16.2 16.3 Definition of Premises:

Premises are defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises. It will always be a ~~question of~~fact in each circumstance~~each circumstance~~. The Gambling Commission does not, however, consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

~~16.3~~16.4 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

~~16.4~~16.5 The Licensing Authority takes into account the Gambling Commission's guidance to Licensing authorities which states that licensing authorities should take particular care in considering applications for multiple licenses for a building and those relating to a discrete part of a building used for other (non-gambling) purposes, and is aware that:

- The third Licensing objective seeks to protect children from being harmed by gambling, which in practice means not only preventing them from taking part in gambling activity but also preventing them from being in close proximity to gambling establishments. Premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating
- Customers should be able to participate in the activity named on the Premises Licence

16.6 The Licensing Authority is aware that the Gambling Commission guidance provides relevant access provisions for each premises type and suggests a list of factors to be considered during the application process. The Licensing Authority will consider these and other relevant factors on making its decision, depending on all the factors of the case.

16.516.7 Demand:

Demand is a commercial consideration and is not an issue for the Licensing Authority.

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16.616.8 Location:

Location will only be material consideration in the context of the Licensing Objectives. This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's guidance for local authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

16.716.9 Duplication with other Regulatory Regimes:

Duplication with other statutory/regulatory regimes will be ~~avoided~~ where avoided where possible. This Authority will not consider whether a licence application is likely to be awarded Planning Permission or Building Control consent.

16.816.10 Licensing Objectives:

Premises ~~Licences~~ Licenses granted must be reasonably consistent with the Licensing Objectives. With regard to these Objectives, the following will be considered:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime:
Whilst the Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of ~~-~~gambling premises in terms of this licensing objective.

Where an area has known high levels of organised crime, ~~-this authority will~~ authority will consider carefully whether gambling premises are suitable to ~~be located~~ be located there and the need for conditions, such as the provision of door supervisors.

The Licensing Authority is aware that there is a ~~distinction between~~ distinction between disorder and nuisance and that the prevention of nuisance is not a Licensing Objective under the Act.

- Ensuring that gambling is conducted in a fair and open way:
The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. The Licensing Authority notes that in relation to the licensing of tracks, its role will be different from other premises in [that track](#) operators will not necessarily have an Operating Licence. In those circumstances, the Premises Licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

- Protecting children and other vulnerable persons from being harmed or exploited by [gambling](#):

~~In~~ gambling: In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

Entrances to and exits from parts of a building covered by one or more premises ~~licences~~~~licences~~ should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. ~~In this~~~~In this~~ context ~~it should~~~~it~~ – ~~normally~~~~should normally be possible~~~~be possible~~ to access the premises without going through another licensed premises or premises with a permit.

Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

The Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

16.916.11 Conditions

The Licensing Authority is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. Where there are specific risks or problems associated with particular premises, the authority may consider attaching individual conditions related to the licensing objectives.

Any conditions attached to ~~licences~~~~licenses~~ will be proportionate and **will** be:-

- relevant to the need to make the proposed premises suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;

- fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- In addition, the Licensing Authority will examine how applicants propose to address the licensing objectives. In considering applications the Licensing Authority will particularly take into account the following:
 - Proof of age schemes;
 - CCTV;
 - Door Supervisors;
 - Supervision of entrances/machine areas;
 - Physical separation of areas;
 - Location of entry;
 - Notices and signage;
 - The training of staff to deal with suspect truants and vulnerable persons;
 - Specific opening hours; and
 - With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as Gam Care.

This list is not exhaustive but indicative of examples.

- 16.12 Decisions upon individual conditions will be made on a case by case basis. Consideration will be given to using control measures, should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas, etc. Applicants will also be expected to offer their own suggestions as to the way in which the Licensing Objectives can be effectively met.
- 16.13 It is noted that there are conditions which the Licensing Authority cannot [attach to](#) Premises Licences. These are:-
- any conditions on the Premises Licence which make it impossible to comply with an Operating Licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
 - conditions in relation to stakes, fees, and the winning of prizes.
- 16.14 This Authority will ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - only adults are admitted to the area where these machines are located
 - access to the area where the machines are located is supervised
 - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
 - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

- 16.15 This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 16.16 **Door Supervisors:** The Licensing Authority may consider whether there is a need for door supervisors in terms of the Licensing Objectives of protecting of children and vulnerable persons from being harmed or exploited by gambling and also in terms of preventing premises becoming a source of crime. As the Act has amended the Security Industry Act 2001, door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority.
- 16.17 **Credit:** Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATMs) may be installed in such premises but the Licensing Authority may apply conditions as to where they are sited.
- 16.18 **Betting Machines:** (See **APPENDIX 4** for definition)
In relation to Casinos, Betting Premises and Tracks, the Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the Casino*).
- 16.19 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, among other things, shall take into account:-
- the size of the premises;
 - the number of counter positions available for person to person transactions; and
 - the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.
- 16.20 In deciding whether to impose conditions to limit the number of betting machines, each application will be considered on its own merit and account will be taken of codes of practice or guidance issued under the Act.

17. PROVISIONAL STATEMENTS

- 17.1** Developers may wish to apply for provisional statements before entering into a contract to buy or lease property or land to judge whether ~~a development~~ is development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.
- ~~17.1~~**17.2** Section 204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:
- expects to be constructed;
 - expects to be altered; or
 - expects to acquire a right to occupy.
- ~~17.2~~**17.3** The process for considering an application for a provisional statement is the

same as that for a premises licence application in that the applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

~~17.3~~17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

~~17.4~~17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless;

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

~~17.5~~17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters;

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18. REPRESENTATIONS AND REVIEWS

18.1 Representations and Applications for Review of Premises Licence may be made by responsible authorities and interested parties however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis whether the request for the review is relevant to the matters listed below;

- In accordance with any relevant code of practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of principles.

18.2 The Licensing Authority will decide if a representation or application for a review is to be carried out on the basis of whether or not the request is:

- Frivolous or vexatious.
- Will certainly not cause the authority to wish to revoke/suspend the Licence.
- Substantially the same as previous representations or requests

- for a review.
- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives.

- 18.3 There is no appeal, other than by way of ~~Judicial~~ judicial review, against the authority's determination of the relevance of an application for review.
- 18.4 The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.
- 18.5 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28 day consultation period. This period begins 7 days after the application was received the Licensing Authority, who will publish notice of the application with 7 days of receipt.
- 18.6 The Licensing Authority must carry out a review as soon as possible after the 28 day period for making representations has passed.
- 18.7 The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Sub-Committee are:-
- Add or remove or amend a licence condition imposed by the licensing authority;
 - Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
 - Suspend the premises licence for a period not exceeding three months;
 - And, revoke the premises licence.
- 18.8 In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.
- 18.9 In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 18.10 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- The licence holder
 - The applicant for review (if any)
 - The commission
 - Any person who made representations
 - The chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs.

19 ADULT GAMING CENTRES

19.1 Entry to these premises is age restricted and no customer must be able to access the premises directly from any other licensed gambling premises.

~~19.2~~ The Licensing Authority will take account of any conditions applied to ~~an Operating~~ an Operating Licence in respect of such premises.

~~19.3~~ This Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory or exhaustive and is merely indicative of example measures.

20 (LICENSED) FAMILY ENTERTAINMENT CENTRES

20.1 A Licensed Family Entertainment Centre is defined in the Appendices of this document. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from:

- A casino
- An adult gaming centre or
- A betting premises, other than a track.

20.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

21 CASINOS

21.1 The Licensing Authority has not passed a resolution under section 166 of the Act not to issue casino premises licences. Any future decision to pass or not to ~~pass~~ pass a casino resolution will only be taken after a full consultation process has been undertaken with the area. The principal access entrance to the premises must be from a street; No entrance to a casino must be from premises that are ~~used wholly~~ used wholly or mainly by children and/or young persons; No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

21.2 **Casinos and Competitive Bidding:**
The Licensing Authority is aware that where a Licensing Authority's area is

enabled to grant a Premises Licence for a new style casino, there are likely to [be a](#) number of operators which will want to run a casino. In such situations the Council will run a competition in line with Regulations and Codes of Practice issued under the Act by the Secretary of State. It should be ~~noted that~~[noted that](#) at the time this Policy was adopted, this area had not been so enabled.

21.3 **Betting Machines:**

The Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the casino*). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, amongst other things should take into account:

- the size of the premises;
- the number of counter positions available for person to person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

21.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act.

21.5 **Credit:** Credit facilities are prohibited in casinos; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

22. BINGO PREMISES

22.1 A Bingo premises is defined in the appendices of this document Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from;

- A casino
- An adult gaming centre; or
- ~~A betting premises~~[A betting premise](#), other than a track.

22.2 The Licensing Authority will take account of any conditions applied to ~~an~~[an](#) ~~Operating~~[Operating](#) Licence in respect of such premises.

22.3 **Credit:**

Credit facilities are prohibited in premises licensed for Bingo; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

23. BETTING PREMISES

23.1 Betting Premises are defined in the appendices of this document.

- 23.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

Access must be from a street or from another premise with a betting premises licence.

No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance ~~to~~ to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

24. TRACKS

- 24.1 A Track is defined in the appendices of this document. Entry to these ~~premises~~ are premises are is generally age restricted. On race days, specific areas within the track may be age restricted dependent on the licensable activities taking place.
- 24.2 No customer should be able to access the premises directly from:
- A casino
 - An adult gaming centre.
- 24.3 This Authority expects the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 24.4 This Licensing Authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory or exhaustive and is merely indicative of example measures.

24.4 Gaming Machines

–Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

24.5 Betting Machines –

This Licensing Authority will, as per the Gambling Commission's guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer

25. TRAVELLING FAIRS

- 25.1 The Licensing Authority will determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at a travelling fair is met, where Category D machines and/or equal chance prize gaming without a permit are to be made available for use.

~~26. PREMISES 'READY FOR GAMBLING'~~

~~26.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.~~

~~26.2 If the Construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.~~

~~26.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at the premises, the Licensing Authority will determine applications on their merits, applying a two stage consideration process:~~

- ~~—— First, whether the premises ought to be permitted to be used for gambling~~
- ~~—— Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.~~

27.26. LOCAL AREA PROFILING

~~27.4~~26.1 The Social responsibility Code which came into effect on the 6 April 2016 and was recently updated in May 2019 requires licensees to assess the local risks to the licensing objectives posed by their gambling operations at each of their premises and have policies, procedures and control measures to mitigate those risks. Additionally, applicants will have to undertake a local risk assessment when applying for a new or variation of a premises licence, to take account of significant changes in the local circumstances or when there are significant changes at the licensee's premises.

~~27.2~~26.2 The Licensing Authority is aware that there is no mandatory requirement to have a local area profile but recognises that one may offer a number of benefits. Should evidence be obtained to identify local risk areas then these will be reflected in a separate document and made available from Fenland District Council and the Council's website.

~~27.3~~26.3 Enquiries with relevant organisations have not yet revealed any data to

suggest that there are any areas within the Fenland District that could be identified as a risk. (However, should the consultation reveal such data then this paragraph will be updated).

PART C PERMITS/TEMPORARY OR OCCASIONAL USE NOTICES/REGISTRATIONS

28-27. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

28-27.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

28-27.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such policies and procedures will be considered on their merits, however, they may include:-

- A Disclosure & Barring Service check to ensure that the applicant has no ~~relevant convictions~~ **relevant convictions**. Where the applicant is a person who is the sole proprietor, the check will be against that person or where the applicant is a company, the check will be against the person who is normally in day to day control of the premises.
- Disclosure & Barring Service (DBS) checks for staff;
- Training covering how staff would deal with:-
 - unsupervised, very young children being on the premises; or
 - children causing perceived problems on/around the premises;
 - suspect truant children; and
 - have a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres.
- A plan scale 1:100 of the premises showing:
 - o The boundary of the premises including any internal and external walls, entrances, exits, doorways and windows, and indicating the points of access available to the public
 - o The location of any fixed or temporary structures
 - o The location of any counters, booths, offices or other locations from which staff may monitor the activities of persons on the premises
 - o The location of any public toilets within the boundary of the premises
 - o The location of CCTV cameras
 - o The location of any ATM or other cash/change machines
 - o The proposed location of the Category 'D' machines
 - o Details of ~~non-category~~ 'D' machines (e.g. skill with prizes machines)

This list is not exhaustive but indicative of examples.

29.28. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

~~29.28.1~~ 28.1 There is provision in the Act for premises licensed to sell alcohol under part 3 of the Licensing Act 2003 for consumption on the premises to automatically have two gaming machines, of Categories C and/or D. The Premises Licence holder needs ~~to notify~~ to notify the Licensing ~~Authority~~ Authority of the intention to make gaming machines available for use and pay the prescribed fee at least two months prior to the date of expiry of the current permit.

~~29.28.2~~ 28.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.

28.3 Premises restricted to selling alcohol only with food, will not be able to apply for a permit.

28.4 The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with).
- the premises are mainly used for gaming
- an offence under the Gambling Act has been committed on the premises

~~29.328.4~~ 28.4 Where an application for more than two gaming machines is received, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm, or being exploited by gambling ~~and will and expect~~ will expect the applicant to satisfy the Authority that there will be sufficient ~~measures to~~ measures to ensure that under 18 year olds do not have access to the adult only machines. Measures will cover such issues as:-

- Adult machines being in sight of the bar;
- Adult machines being in sight of staff who will monitor that the machines are not being used by those under 18;
- Appropriate notices and signage; and
- ~~As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of~~ information, and leaflets/helpline numbers for organisations such as Gam Care.

This list is not exhaustive but indicative of examples.

The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.

30.29. PRIZE GAMING PERMITS

~~30.129.1~~ Where a premise does not hold a premises licence but wishes to provide prize gaming, an application for a prize gaming permit may be made to the Licensing Authority. The applicant must specify the nature ~~of gaming~~ of gaming for ~~which the~~ ~~which the~~ permit is sought and demonstrate that he or she understands the limits to stakes and prizes that are set out ~~in Regulations~~ in Regulations and that the gaming offered is within ~~the law~~ the law.

30.229.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such ~~policies and policies~~ ~~procedures and~~ ~~will procedures~~ ~~be~~ will be considered on their merits, however, they may include:-

- A DBS check to ensure that the applicant has no relevant convictions. Where the applicant is a person who is the sole proprietor, the check will be
 - against that person or where the applicant is a company, the check will be against the person who is normally in day to day control of the premises;
- DBS checks for staff;
- Training covering how staff would deal with:-
 - unsupervised, very young children being on the premises, or
 - children causing perceived problems on/around the premises; and
 - suspect truant children.

This list is not exhaustive but indicative of examples.

In making its decision on an application for a permit, the Licensing Authority does not need to have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

31.30. CLUB GAMING AND CLUB MACHINE PERMITS

~~31.430.1~~ Members' clubs and miners' welfare institutes may apply for a Club Gaming Permit and/or a Club Gaming Machine Permit. ~~The Club Gaming permit will enable the premises to provide gaming machines (three machines of category B4, C or D), or equal chance gaming i.e. Poker, Bingo. A Club Machine Permit will enable premises to provide gaming machines (three machines or category B4, C or D) but are restricted by category and number of machines and to equal chance gaming and games of chance.~~ Commercial clubs may only apply for a club machine permit.

30.2 A fast-track procedure is available for premises that hold a Club Premises

Certificate under the Licensing Act 2003.

30.3 To qualify for these special club permits a members club must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming. A members club must be permanent in nature, not established to make a commercial profit and controlled by its qualifying members equally. Examples of these include branches of the Royal British Legion, working men's clubs and clubs with political affiliations.

30.4 Before granting the permit the council will need to satisfy itself that the premises meets the requirements of a members club and the majority of its members are over 18.

30.5 Licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- the applicant's premises are used wholly or mainly by children and/or young persons
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous ten years
- an objection has been lodged by the Commission or the police

30.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

32.31. TEMPORARY USE NOTICES (TUN)

32.431.1 The persons designated to receive TUNs and to issue objections are specified in Appendix 4.

32.231.2 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises. Regulations have been issued by the Secretary of State prescribing the activities to be covered.

32.331.3 For the purpose of a TUN, a set of premises is the subject of a TUN if any part of the premises is the subject of the Notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.

32.431.4 The definition of "a set of premises" will be a question of fact in the particular circumstances of each Notice that is given. In considering whether a place falls within the definition of "a set of premises" the Licensing Authority will consider, amongst other things, the ownership/occupation and control of the premises.

32.531.5 The Licensing Authority will object to Notices where it appears that the effect would be to permit regular gambling in a place that could be described as one set of premises.

33.32. OCCASIONAL USE NOTICES

33.432.1 Occasional Use Notices (OUNs), apply only to tracks, which are described as being premises on any part of which a race or other sporting events take place, or is intended to take place. Tracks need not be a permanent fixture.

33.232.2 OUNs are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. The OUN dispenses with the need for a Betting Premises Licence for the track.

33.332.3 The Licensing Authority has very little discretion as regards these Notices, aside from ensuring that a statutory limit of 8 days in a calendar year is not exceeded.

33.432.4 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to avail him/herself of the Notice.

33.532.5 The person designated to receive the OUNs and assess validity ~~is specified~~ is specified in the scheme of delegation as shown at Appendix 4.

34.33. SMALL SOCIETY LOTTERIES

34.133.1 The definition of a Small Society Lottery is contained in Appendix-4 and these require registration with the Licensing Authority.

34.233.2 The Licensing Authority will register and administer smaller non-commercial lotteries and applicants for registration must apply to the licensing authority in the area where their principal office is located.

34.333.3 The Licensing Authority must be satisfied that the 'society' is established and conducted:

- for charitable purposes (as defined in S2 of the Charities Act 2006)
- for the purpose of enabling participation in, or of supporting, sport athletics or a cultural nature activity; or
- for any other non-commercial purpose other than private gain.

34.433.4 In determining whether the Society is non-commercial the Licensing Authority may require applicants to provide copies of the society's constitution or terms of reference.

34.533.5 For new applications or change of promoter, the Licensing Authority shall require the promoter of the lottery to produce a statement declaring that they have no relevant convictions that would prevent them from running a lottery. A list of 'relevant' offences is listed at Schedule 7 of the Act.

34.633.6 The Licensing Authority may refuse an application for registration if in their opinion:

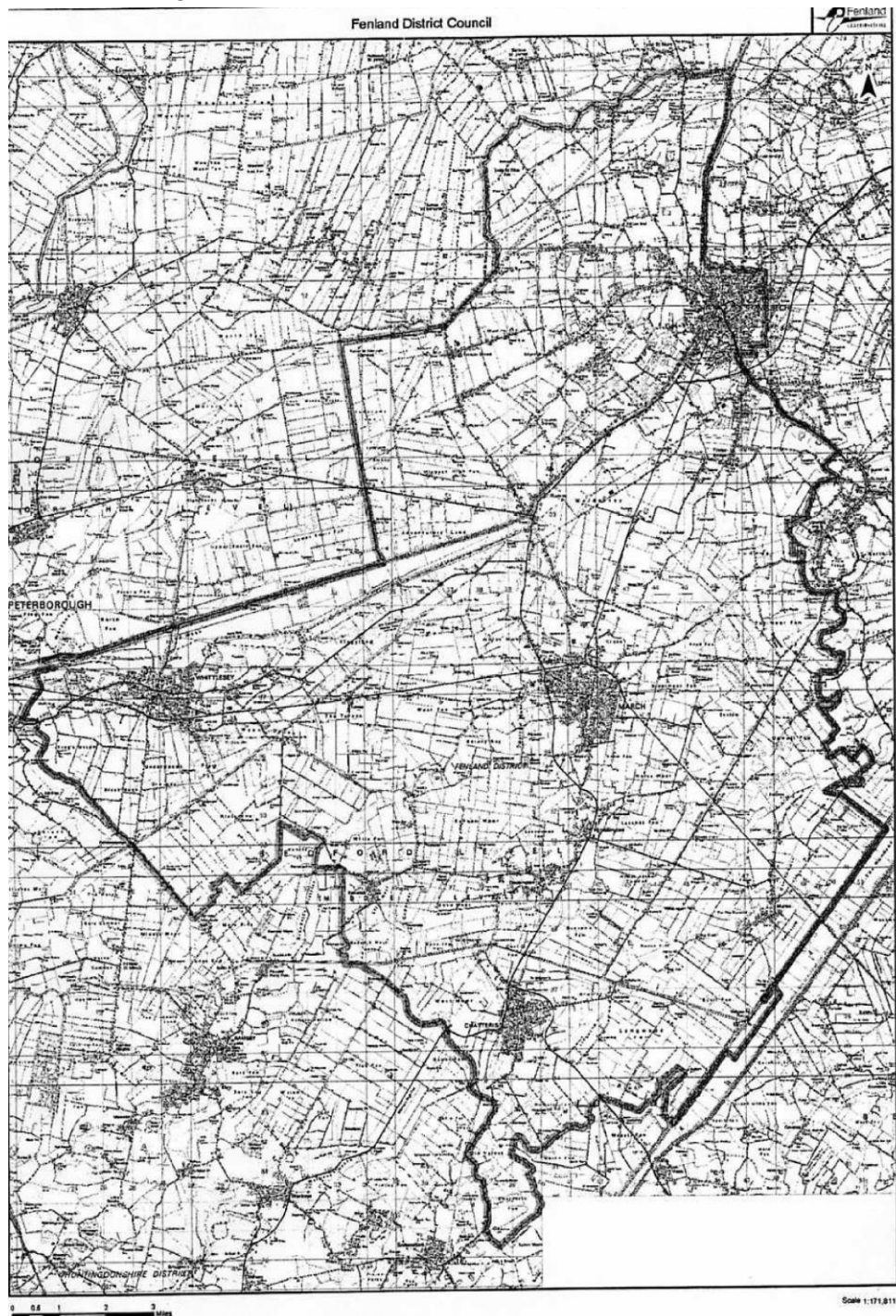
- the applicant is not a non-commercial society
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- information provided in or with the application for registration is false or

misleading.

~~34.7~~33.7 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration. It will also supply evidence on which it has reached that preliminary conclusion.

~~34.8~~33.8 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

APPENDIX 1 – MAP OF FENLAND



APPENDIX 2 – RESPONSIBLE AUTHORITIES

➤ Local Authority Environment and Health Services

Fenland District Council
Environmental & Leisure Support Team
Fenland Hall
County Road
Cambridgeshire PE15 8NQ
Telephone: 01354 654321
Email: Tdarnes@fenland.gov.uk
Jhanson@fenland.gov.uk

-

➤ The Body Responsible for Health and Safety

Fenland District Council
Environmental & Leisure Support Team
Fenland Hall
County Road
March
Cambridgeshire PE15 8NQ
Telephone: 01354 654321
Email: Dsadler@fenland.gov.uk

➤ Cambridgeshire Constabulary

PC Grahame Robinson
Cambridgeshire Constabulary
Partnership & Operational Support Team
Licensing & Events Planning
Thorpewood Police Station
Peterborough
PE3 6SD
Email: LicensingNorth@cambs.pnn.police.uk

➤ Cambridgeshire Fire and Rescue Service

Chief Fire Officer
Hinchingbrooke Cottage
Brampton Road
Huntingdon PE29 2NA
Telephone: 01480 444500
Email: fireprotectionnorthconsultations@cambsfire.gov.uk

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➤ The Body Responsible for the
Protection of Children from Harm

Safeguarding & Standards Unit
Licence applications
PO Box 144
St Ives
Cambridgeshire
PE27 9AU
Telephone: 01223 706380
Email:
ReferralCentre.Children@cambridgeshire.gov.uk
Web: www.cambridgeshire.gov.uk

➤ Local Authority Planning Authority

Fenland District Council
Development Services
Fenland Hall
County Road
March
Cambridgeshire PE15 8NQ
Telephone: 01354 654321
Email: planning@fenland.gov.uk

➤ HM Revenue & Customs

HM Revenue & Customs
12th Floor
Alexandra House
Victoria Avenue
Southend-on-Sea
Essex
SS9 1B

The Gambling Commission

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP
Tel: 0121 230 6500
Email: info@gamblingcommission.gov.uk

Environmental Services—Pollution:-

Environmental Manager
Fenland District Council Fenland Hall
County Road March Cambs PE15 8NQ
Telephone: 01354 654324

Health and Safety: Environmental Manager Fenland District Council Fenland Hall
County Road March Cambs PE15 8NQ
Telephone: 01354 654324

Planning: Planning Manager
Fenland District Council Fenland Hall
County Road March Cambs PE15 8NQ
Telephone: 01354 654324

Safeguarding Children's Board: Safeguarding & Standards Unit
Licence applications PO Box 144

St Ives-
Cambridgeshire-
PE27 9AU
Telephone: 01223 706380
Email:

ReferralCentre.Children@cambridgeshire.gov.uk

For vessels carrying more than 12 passengers the Certifying Authority will be:-

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace Walton-
on-Naze Essex
CO14 8PY
Telephone: 01255 682107

For Vessels carrying 12 or less passengers the Certifying Authority will be:-

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR
Telephone: 01733 464277

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HM Revenue and Customs: National Registration Unit
Porteullis House
21 India House
Glasgow
G2 4PZ

APPENDIX 3 – TABLE OF DELEGATIONS OF LICENSING FUNCTION

Summary of Licensing Authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee setting (when appropriate)			✓
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming/club machine permits		Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give counter notice to temporary use notice		✓	
Consideration of an Occasional Use Notice			✓

APPENDIX 4 - DEFINITIONS

ADULT GAMING CENTRE

An Adult Gaming Centre Premises Licence issued by the Licensing Authority will authorise gaming machines of ~~either Category~~ Category B, C or D in the following numbers:

- 1 A maximum of 20% of the total number of gaming machines which are available for use on the premises - Category B3 or B4 machines
- 2 No limit on Category C and D machines.

AUTHORISED LOCAL AUTHORITY OFFICER

A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area.

BETTING MACHINES

A betting machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make such machines available to accept bets as a substitute for placing a bet over the counter. These machines are not gaming machines and therefore neither count towards the maximum permitted number ~~of gaming~~ of gaming machines nor have to comply with any stake or prize limits. However, if a machine is made available to take bets on virtual races i.e. images generated by computer to resemble races or other events, that machine is a gaming machine and does count towards the maximum permitted number of such machines.

Section 181 contains a power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are being made available by attaching a licence condition to a betting premises licence or to a casino premises licence where betting is permitted in the casino. When considering whether to impose such a condition the Licensing Authority, amongst other things, should consider the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of machines by anyone under 18 years of age or by vulnerable people.

BETTING PREMISES

The legislation contains a single type of licence for betting premises. However, ~~within this~~ within this single class of licence there will be different types of premises which require licensing. One type will be off course betting i.e. the betting shop. The other sort of licensing will be betting at a track i.e. a racecourse. There is a separate type of premises licence for betting on tracks. It will also be possible for there to be premises licence for betting offices on tracks.

The Act also permits betting intermediary to operate from premises, although they usually offer their services via remote communication such as the internet. There is nothing to stop a betting intermediary applying for a betting premises licence to offer intermediary services on the premises.

No one under 18 will be able to enter premises with a betting premises licence although special rules apply to track betting.

Betting will be permitted as part of a casino premises licence and they will not require a separate betting premises licence. However, they will need to obtain a betting operating licence which can be combined with their casino licence.

The holder of a betting premises licence may make available up to 4 gaming ~~machines~~ [of machines of](#) category B, C or D. The category B machines will be restricted to B2, B3 and B4

BINGO PREMISES

Bingo is currently categorised as “equal chance gaming” and is regarded widely as soft gaming. It is played in a variety of circumstances depending on where it takes place, for example as a commercial enterprise in a licensed bingo club for cash prizes, or as a prize bingo in amusement arcades, or on a non-commercial basis with low stakes and prizes in clubs, pubs and other institutes. Variations of club based include linked bingo where two or more clubs play a joint game using pooled stakes and multiple bingo, often known as the National Game, played across the country for large prizes. Clubs ~~also offer~~ [also offer](#) machine gaming which is largely played during intervals between bingo games.

Commercial Bingo Clubs

- ❖ There should be no statutory limits on the stakes and prizes in bingo games;
- ❖ There should be no restriction on the frequency of multiple bingo games;
- ❖ Any new games should be approved by the Gambling Commission; and
- ❖ Rollovers should be permitted.

Bingo in Pubs and Clubs

- ❖ Where pubs or clubs offer prizes in equal chance games such as bingo above £2000 per week, they should be regulated by the Gambling Commission in the same way as commercial bingo.

CASINO

An arrangement whereby people are given an opportunity to participate in one or more casino games.

CASINO RESOLUTION

Resolution not to issue Casino Premises Licences.

CHILD

Individual who is less than 16 years old.

CLUB GAMING MACHINE PERMIT

Permit to enable the premises to provide gaming machines (3 machines of Categories B, C or D).

CONDITIONS

Conditions to be attached to licences by way of:-

- Automatic provision
- Regulations provided by Secretary of State
- Conditions provided by Gambling Commission
- Conditions provided by Licensing Authority

Conditions may be general in nature (either attached to all licences or all licences of a particular nature) or may be specific to a particular licence.

DEFAULT CONDITIONS

Conditions that will apply unless the Licensing Authority decides to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.

DELEGATED POWERS

Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.

DISORDER

No set interpretation. However, likely to be connected to the way gambling is being conducted. In the case of Gambling Premises' Licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.

EQUAL CHANCE GAMING

Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

EXEMPT LOTTERIES

Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:-

- Small Society Lottery (required to register with Licensing Authorities).
- Incidental Non Commercial Lotteries
- Private Lotteries
- Customer Lotteries

EXTERNAL LOTTERY MANAGER

An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.

FAMILY ENTERTAINMENT CENTRE (LICENSED)

A family entertainment centre is defined as premises (other than an adult gaming centre) wholly or namely used for making gaming machines available for use.

It will be necessary to obtain a Gaming Machine General Licence from the Gambling Commission.

A family entertainment centre Premises Licence issued by the Licensing Authority will authorise gaming machines to be provided as follows:

- 1 An unlimited number of Category C and D machines
- 2 Category C machines to be located in an adult only area.

GAMING

Prize Gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences.

GAMING MACHINE

Machine covering all types of gambling activity, including betting on virtual events.

Categories

Category	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited – no category A currently permitted
B1	£5	£10,000
B2	£2100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D non-money prize	30pence	£8
D non-money prize (crane grab machines only)	£1	£50
D combined money and non-money prize	10pence	£8 (of which no more than £5 may be a money prize)
D Combined money and non-money prize (coin pusher or penny falls machines only)	20pence	£20 (of which no more than £10 may be a money prize)

Comment [MB1]: New Regulations laid down in December 2018 and came into effect 1st April 2019

HUMAN RIGHTS ACT 1998 ARTICLES: 1, 6, 8 AND 10

Article 1: Protocol 1

The right to peaceful enjoyment of possessions.

Article 6:

The right to a fair hearing.

Article 8:

The right of respect for private and family life

Article 10:

The right to freedom of expression.

INCIDENTAL NON COMMERCIAL LOTTERY

A lottery promoted wholly for purposes other than private game, and which are incidental to non-commercial events (commonly charity fundraising events, lottery held at a school fete or at a social event such as a dinner dance).

EXCHANGE OF INFORMATION

Exchange of information with other regulatory bodies under the Gambling Act.

INTERESTED PARTY

A person who:-

- Lives sufficiently close to the premises to be likely affected by the authorised activities
- Has business interests that might be affected by the authorised activities
- Represents persons in either of the above groups

LICENSING OBJECTIVES

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
2. Ensuring that gambling is conducted in a fair and Open Way.
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

LOTTERY

An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.

LOTTERY TICKETS

Tickets that must:

- Identify the promoting society
- State the price of the ticket, which must be the same for all tickets
- State the name and address of the member of the Society who is designated as having responsibility for the Society for the promotion of the lottery or, if there is one, the External Lottery Manager, and
- State the date of the draw, or enable the date of the draw to be determined-

MEMBERS' CLUB

A club that must:

- Have a least 25 members
- Be established and conducted 'wholly or mainly' for purposes other than gaming
- Be permanent in nature
- Not be established to make commercial profit
- Be controlled by its members equally.

OCCASIONAL USE NOTICES

Betting may be permitted on a 'track' without the need for a full Premises Licence.

Where there is betting on a track on 8 days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Occasional use notices cannot be used on more than 8 days in a calendar year i.e. the year starting on the 1 January and ending on 31 December.

The notice for an occasional use must be served on the licensing authority and the police. Notices can be given for a continuous period of 8 days.

OFF COURSE BETTING

Betting that takes place other than at a track, i.e. at a Licensed Betting Shop

OPERATING LICENCE

Licence to permit individuals and companies to provide facilities for certain types of gambling. It may authorise remote or non-remote gambling.

PERMITS

Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.

PERSONAL LICENCE

Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. Cannot be held by companies.

PREMISES

Defined as 'any place'. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.

PREMISES LICENCE

Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, Adult Gaming Centres and Family Entertainment Centres.

PRIVATE LOTTERIES

There are three types of Private Lotteries:

1. Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society.
2. Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises.
3. Residents' Lotteries – promoted by, and tickets may only be sold to people who live at the same set of premises.

PRIZE GAMING

Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.

PRIZE GAMING PERMIT

A permit to authorise the provision of facilities for gaming with prizes on specific premises..

PROVISIONAL STATEMENT

Where an applicant can make an application to the Licensing Authority in respect of premises that he:

- ☐ Expects to be constructed
- ☐ Expects to be altered
- ☐ Expects to acquire a right to occupy

RELEVANT REPRESENTATIONS

Representations that relate to the Gambling Licensing Objectives, or that raise issues under the Licensing Policy or the Gambling Commission's Guidance or Codes of Practice.

RESPONSIBLE AUTHORITIES

Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences as follows:

- ☐ The Licensing Authority in whose area the premises is partly or wholly situated
- ☐ The Gambling Commission
- ☐ The Chief Officer of Police
- ☐ Fire and Rescue Service
- ☐ The Planning Authority for the local authority area
- ☐ Environmental Health Service for the local authority area
- ☐ The Body competent to advise on the protection of children from harm
- ☐ HM Revenue and Customs
- ☐ Authority in relation to vulnerable adults
- ☐ Vessel only – the Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. the Environment Agency, British Waterways Board, the Maritime and Coastguard Agency.

SMALL LOTTERIES

When licensing authorities are approached by societies who want to register with them to operate lotteries, they are required to refer to the Act's definition of a small society lottery, which falls into two distinct areas:

- Society status – the society in question must be 'non-commercial'
- Lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

TEMPORARY USE NOTICE

Licensing Authorities may issue Temporary Use Notices to allow gambling activities to take place for limited periods in otherwise unlicensed premises. Only the holder of an Operating Licence may apply for a Temporary Use Notice. The same premises may not be the subject of a Temporary Use Notice for more than 21 days in any period of 12 months. However, provided that the aggregate period does not exceed that limit, it is possible to apply for more than one Temporary Use Notice during that period.

TRACK BETTING

Tracks are sites, including horse racecourses and dog tracks where races or other sporting events take place e.g. football grounds and cricket grounds. Betting is a major activity on the tracks, both in the form of pool betting (often known as the "tote") and also general betting known as fixed odds betting.

There is no separate class of betting premises licence for a track. However, in relation to tracks betting is divided into "on course" and "off course."

The "on course" betting operator is one who comes on to the track, temporarily, while races are taking place and operates at the trackside.

"Off course" betting operators may, in addition to premises away from the track, operate self-contained betting premises within the track premises. Such self-contained premises provide facilities for off course betting e.g. on other events not just those taking place on the track.

In addition pool betting can take place on the tracks, but only on certain types of track and the people who may run it are limited.

TRAVELLING FAIR

A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.

VEHICLES

Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.

VULNERABLE PERSONS

No set definition, but likely to mean group to include people who:

- ☐ Gamble more than they want to
- ☐ Gamble beyond their means
- ☐ Who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

YOUNG PERSON

An individual who is not a child but who is less than 18 years old.

TEMPORARY USE NOTICES

The organisations designated to receive TUNs and to issue objections are:-

- ☐ The Licensing Authority
- ☐ The Gambling Commission
- ☐ Cambridgeshire Police
- ☐ HM Commission for Revenues and Customs

- ☐ If applicable, any other Licensing Authority in whose area the premises are situated (if the premises crosses the border between two Licensing Authority's areas).

APPENDIX 5 - LIST OF CONSULTEES

Responsible Authorities:

- ② The licensing authority
- ② The Gambling Commission
- ② Chief Officer of Police, Cambridgeshire Constabulary
- ② Cambridgeshire Fire and Rescue Authority
- ② Fenland Planning Authority
- ② Fenland Environmental Health
- ② Cambridgeshire Safeguarding and Standards Unit
- ② HM Revenue and Customs
- ② The Environment Agency
- ② The British Waterways Board
- ② Secretary of State for Transport (Maritime and Coastguard Agency)

In addition:

British Amusement Catering Trade Association (BACTA)
(Representing the UK pay to play leisure machine industry)

Association of British Bookmakers

The Bingo Association

Bingo premises
British Beer & Pub Association

Bookmakers within Fenland

Citizens Advice Bureau

Gamblers Anonymous Gam
care

Public Health

Town and Parish Council Clerks

Trading Standards

Faith Groups

Community Groups

**FENLAND DISTRICT COUNCIL
GAMBLING ACT 2005
STATEMENT OF PRINCIPLES**

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Assessing Equality – The Equality Act 2010

Customer Impact Assessment

Name and brief description of policy being analysed

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

Policy being reviewed - Statement of Gambling Policy 2019 – 2022 (GA05)

The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 every three years. The current policy was adopted at Full Council and came into effect on 12 May 2016.

The Gambling Act requires each Licensing Authority to prepare and publish a Statement of Principles under the Gambling Act. The statement sets out how the authority intends to approach its licensing responsibilities and in particular how it intends to promote the three licensing objectives namely:

- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.
- Ensure gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Gambling Policy is to be renewed every three years and the draft policy will cover the period of 2019 - 2022

Information used for customer analysis

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

The Responsible Authority Officers act as a main consultee:

Fenland District Council – Environmental Health
 Fenland district Council – Health & Safety
 Cambridgeshire Constabulary
 Cambridgeshire Fire & Rescue
 Safeguarding & Standards – Protection of Children from harm

Assessing Equality – The Equality Act 2010

Fenland District Council -Planning Authority
HM Revenue & Customs
Gambling Commission
Town Councils

Public Consultation

Comments were requested from the Public Consultation that took place from 05 August 2019 until 6 September 2019. The draft policy was advertised in the local newspaper and by social media feeds for example Facebook. It was also available on our Council website and in our Customer service centres

This CIA has taken into account any comments made during the consultation process and will also reflect any changes that are made with the draft policy prior to Licensing Committee approval on 02 October 2019

	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible Please note details of any actions to be placed in your Service Plan
Race	<input type="checkbox"/>	✓	<input type="checkbox"/>	Officers have considered all of the equality strands. This Customer Impact Assessment does not raise any negative equality issues. Officers have concluded that the Gambling Policy - Statement of Principles will have positive impacts in ensuring that the Licensing Objectives within the policy are upheld. There is no evidence that the policy may result in adverse impacts on equality.	N	
Sex	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Gender reassignment	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Disability	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Age	✓	<input type="checkbox"/>	<input type="checkbox"/>		N	
Sexual orientation	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Religion or belief	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Pregnancy & maternity	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	

Assessing Equality – The Equality Act 2010

Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Human Rights	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Socio Economic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Delivery of the Gambling Policy will have a positive impact as it encourages responsible Gambling.	Y / N	
Multiple/ Cross Cutting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Y / N	

Outcome(s) of customer analysis

a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative ☐ neutral ☐ positive ☐

No major change needed ☒ Adjust the policy ☐ Adverse impact but continue ☐ Stop and remove / reconsider policy ☐

Arrangements for future monitoring:

Note when analysis will be reviewed; include any equality indicators and performance against those indicators

The next CIA analysis will take place when the Gambling Policy is reviewed in 2022, although an annual desk top review will take place for any new impacts with policy implementation.

Details of any data/ Research used (both FDC & Partners):

Results of the public Consultation carried out from 5 August 2019 until 6 September 2019

Completed by:

Name: Michelle Bishop


Position: Licensing Manager

Approved by (manager signature):

Date published: This should be the date the analysis was published on the website

Details of any Committee approved by (if applicable):

Date endorsed by Members if applicable:

Agenda Item No:	13	
Committee:	COUNCIL	
Date:	4 November 2019	
Report Title:	Proposed Cumulative Impact Assessment Policy (CIA)	

1 Purpose / Summary

- To adopt the proposed Cumulative Impact Assessment Policy

2 Key issues

- The current Cumulative Impact Assessment Policy (CIA) was adopted by Full Council on 12 May 2016
- Due to a recent amendment to the LA2003 Act, the Council, as the Licensing Authority, must look to review the CIA Policy every 3 years to ensure all evidence is relevant to the current issues.
- On 23 July 2019, the Licensing Committee approved the consultation on the current CIA Policy. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1379&Ver=4>
- The consultation took place from 5 August 2019 until 13 September 2019.
- 30 consultation responses were received from the public in respect of the CIA Policy
- 2 responses were received from Responsible Authority Officer; these were from Public Health and Cambs Police
- 2 responses were received from consulted partners; these were from Wisbech Town Council and Fenland Community Safety/CCTV
- The Licensing Committee report showing responses received during the consultation period can be found on the following link: <https://www.fenland.gov.uk/localgov/documents/g1380/Public%20reports%20pack%2002nd-Oct-2019%2013.30%20Licensing%20Committee.pdf?T=10>
- On 02 October 2019, the Licensing Committee met again to review and consider received responses to the current CIA policy. All information regarding the policy and Committee discussion can be found on the following link: <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1380&Ver=4>
- Licensing Committee agreed that the policy set out in Appendix A should be adopted along with the amended CIA map set out in Appendix B defining the area in which the policy takes effect.

- Although the policy is proposed to continue the committee felt in light of the evidence received the area should be reduced to be more in line with the Public Space Protection Orders (PSPO) currently active in the town.
- Appendix A shows the changes (as track changes) from the last policy adopted in 2016 with the updated evidence as presented during the Consultation responses.
Appendix B shows both the previously adopted and the new proposed policy Area following agreement by Licensing Committee during 02 October 2019 meeting.

3 Recommendations

- For Council to agree the recommendation from the Licensing Committee to adopt the Cumulative Impact Assessment Policy and Area for the period of 2019 - 2022 as set out in Appendix A and B.

Wards Affected	Medworth, Clarkson, Peckover, Hill and Kirkgate
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Sam Clark, Portfolio Holder with responsibilities for Licensing
Report Originator(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk
Contact Officer(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk Dan Horn, Head of Housing & Community Support, Tel 01354 654321, Email: dhorn@fenland.gov.uk Carol Pilson, Corporate Director, Tel: 01354 622360, Email: cpilson@fenland.gov.uk
Background Paper(s)	The Licensing Act 2003 Section 182 Guidance to the Licensing Act 2003

4 Background / introduction

- 4.1 Full Council adopted the current Cumulative Impact Policy (CIP) and defining Zone on 12 May 2016.
- 4.2 The current CIP sits as an appendix to the Council Statement of Licensing Policy 2016 - 2021.
- 4.3 The introduction of the Cumulative Impact Assessment (CIA) was formally added to the Licensing Act 2003 by the Policing and Crime Act 2017, with effect from 6 April 2018.
- 4.4 Due to this recent amendment to the LA2003 Act, the Council, as the Licensing Authority, must look to review the CIA Policy every 3 years to ensure all evidence is relevant to the current issues.
- 4.5 On 23 July 2019, the Licensing Committee approved the consultation on the current CIA Policy. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1379&Ver=4>

5 Considerations

- 5.1 The consultation on the Cumulative Impact Policy took place from 05 August 2019 until 13 September 2019.
- 5.2 During the Consultation period, we received 30 responses as a result of the survey questionnaire used from members of the public.
- 5.3 During the Consultation two of the Responsible Authority Officers responded, these were from Cambs Police and Public Health.
- 5.4 A further two responses were received from Interested Parties during the consultation period, these were from Wisbech Town Council and Fenland Community Safety/CCTV
- 5.5 On 02 October 2019, the Licensing Committee met again to review and consider received responses to the current CIA policy. All information regarding the policy, responses received and Committee discussion can be found on the following link: <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=1380&Ver=4>

6 Community impact

- 6.1 A Customer (equality) Impact Assessment was undertaken in relation to the draft policy for the Cumulative Impact Assessment. The impact assessment can be seen at APPENDIX C.

7 Conclusions

- 7.1 The recommendation from the Licensing Committee is to:
 - Recommend to Full Council that it adopts the revised Cumulative Impact Assessment Policy and amended Map as attached in APPENDIX A and B of the report.
Appendix A shows the changes (as track changes) from the last policy adopted in 2016 with the updated evidence as presented during the Consultation responses.
Appendix B shows both the previously adopted and the new proposed area map following agreement by Licensing Committee.

APPENDIX A - Draft Cumulative Impact Assessment Policy 2019 - 2022

APPENDIX B - CIA Area Map, both current and proposed.

APPENDIX C - Customer Impact Assessment

Draft Cumulative Impact Assessment Policy 2019 – 2022

Fenland District Council

Cumulative Impact Policy

1.0 Legislative Framework

1.1 Fenland District Council, as the Licensing Authority, has a duty to comply with its obligations under [the Licensing Act 2003](#) ~~Section 17 of the Crime and Disorder Act 1998~~, and to promote the Licensing Objectives contained within the Licensing Act 2003, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.2 Due regard is had to Section 182 Guidance issued under Section 182 of the Licensing Act 2003, as revised in 2018⁹ concerning the cumulative impact of licensed premises within an area, and the resultant impact on the promotion of the licensing objectives.

1.3 The cumulative impact of licensed premises on the promotion of the licensing objectives under the Licensing Act 2003 is a proper matter which the Licensing Authority can take into account.

1.4 This should not, however, be equated with the 'need' – for a licensed premises. This ~~relates to~~ [relates to](#) the commercial demand for a particular type of premises. ~~The issue~~ [The issue](#) of 'need' is a matter for the market to decide, and does not form part of the Cumulative Impact Policy or wider Licensing Policy Statement.

2.0 Definition

2.1 For the purposes of the Fenland District Council Statement of Licensing Policy, cumulative impact is defined as:

'The potential impact on the promotion of the licensing objectives where there are a number of licensed premises concentrated in one area.'

2.2 Where the number, type and density of licensed premises are unusually high, serious problems of noise, nuisance and disorder can occur outside or some distance away from the licensed premises in question. This is described as the cumulative impact of all premises taken together.

2.3 It is recognised that the impact on surrounding areas in relation to the behaviour of patrons from a number of premises located in close proximity to one another is greater than the impact of individual premises.

Draft Cumulative Impact Assessment Policy 2019 – 2022

2.4 The issue of cumulative impact is also linked to:

- Any material increase in the occupant capacity of the premises;
- Any change in the nature of the operation of the premises. This may include a change to layout, the provision of vertical drinking, * the inclusion of regulated entertainment, the addition of other licensable activities, extension to the times regulated entertainment and alcohol is sold or supplied, both on and off the premises;
- Consideration will also be given to applications for premises seeking to provide late night refreshment between the hours of 11.00pm -5.00am.

3.0 Context

3.1 The Licensing Authority may receive relevant representations from either – a 'Responsible Authority' or ~~an 'Interested Party'~~Any Other Person, that the cumulative impact of new premises licences, material changes and variations to existing permissions is leading to an area becoming saturated with licensed premises.

3.2 The issue of cumulative impact will be taken into account when considering the individual merits of an application. The onus is on the person or ~~organisation~~organisations making representations to prove any assertion by way of evidence, that the addition of the premises concerned and/or a variation to activities, hours or a change in nature of operation will undermine the promotion of the licensing objectives.

3.3 The Licensing Authority will not operate a quota of any kind which would pre-determine an application, nor will it seek to impose general limitations on trading hours in particular areas unless there are clear, evidence based reasons for doing so.

3.4 Regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide regulated entertainment, but with contrasting styles and characteristics.

3.5 Proper regard will be made to those differences and the impact they are likely to have on the local community. It is recognised that it may not always be possible to attribute issues to a particular premise, or patrons from a particular premises, but that cumulatively; there can be a negative effect.

4.0 Adoption of Cumulative Impact Policy

4.1 Consideration will be given to the infrastructure in place to facilitate the dispersal of patrons from an area, including the availability of late night bus services, taxis and street cleansing services when establishments offering food, alcohol and regulated entertainment close.

Draft Cumulative Impact Assessment Policy 2019 – 2022

4.2 A major concern for the Council is the level of alcohol related violent crime and ~~alcohol related~~alcohol related Anti Social Behaviour. This is particularly apparent in the town centre and its impact on policing the daytime and night time economy ~~evening and night time economy~~.

4.3 The Council have considered:

- Evidence of ~~serious~~serious concerns, regarding the ~~concentration of licensed premises~~alcohol related incidents that is undermining the promotion of the licensing objectives from a Responsible Authority, namely Cambridgeshire Constabulary.
- Evidence from '~~Interested parties~~Any Other Persons,' to include local businesses, residents and representatives groups regarding noise, nuisance and disorder where a particular concentration of licensed premises in an area of Fenland is considered to be causing a negative impact on one or more of the licensing objectives.
- Evidence of alcohol related harm has been identified as a serious concern by a Responsibility Authority, namely Public Health

5.0 What Does The Policy Do?

5.1 The effect of adopting a Cumulative Impact Assessment Policy(CIA) is to create a rebuttable presumption that applications for new premises licence, club premises certificates or material variations to- such will normally be refused if relevant representations are received.

5.2 Applicants must address the Cumulative Impact Policy and produce evidence to demonstrate how the application will:

- (a) Not add to cumulate impact, and challenges already being experienced in the area or;
- (b) Undermine the promotion of the licensing objectives.

5.3 The applicant must produce evidence to rebut the presumption to refuse an application -within the Cumulative Impact Assessment Policy area. This Policy takes effect where a relevant representation is received.

5.4 It must be stressed that the presumption to refuse an application does not relieve Responsible Authorities of '~~Interested Parties~~Any Other Persons' of the need to provide supporting evidence in conjunction with a relevant representation. This must be -submitted before the Licensing Authority may lawfully consider giving effect to the Cumulative Impact Assessment Policy.

5.5 Where there is evidence that a particular area of the District is already suffering adverse effects arising from a concentration of licensed premises, and it can be demonstrated that communities are under pressure because of it, this will be taken into account in determining

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any further applications or material changes to licensed premises within the area identified.

~~5.55.6~~ This includes:

- The character of the surrounding area;

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- The impact of the licence on the surrounding area, both individually, and cumulatively with existing ~~licences~~ [licenses](#);
- The nature and character of the proposed operation;
- The availability of other support services at key times, for example street cleansing services;
- The impact upon the policing of an area.

6.0 Integration of Strategies

- 6.1 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and beyond the control of the licence holder but is still a key aspect of such control and will be part of a holistic approach to the management of the day and night time economy in the District.
- 6.2 The Licensing Authority recognises that as well as licensing legislation, there are a number of other mechanisms for addressing issues of noise, nuisance and [anti-social](#) behaviour which occur in the vicinity of licensed premises. These include:
- Planning controls;
 - Ongoing measures to provide a safer and cleaner environment in partnership with residents, local businesses and others;
 - Powers to designate parts of the District which restricts the consumption of alcohol in designated public places;
 - Confiscation of alcohol in designated areas;
 - Police enforcement of the law with regard to disorder and anti-social behaviour;
 - Police powers to close some premises for up to 24 hours in extreme cases of disorder or excessive noise;
 - The power of police, local businesses or residents to seek a review of the premises licence;
 - Enforcement action against those selling or supplying alcohol to people who are underage or already drunk.
- 6.3 The Licensing Authority may address a number of these issues through Community Safety Partnerships in line with the strategic objectives for crime and disorder reduction within the District.
- 6.4 The Licensing Authority and Cambridgeshire Police are aware of the problems associated with the town centre area in respect of alcohol related crime and disorder and have launched a number of initiatives to combat this including intelligence sharing about problem premises, joint licensing visits and targeted activity.
- 6.5 There is an established alcohol treatment referral scheme for those individuals who come into custody and investment in diversionary activities for young people.

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- 6.6 The Licensing Authority recognises that the Cumulative Impact [Assessment](#) Policy is one of a range of mechanisms to regulate activities of both premises and individuals, as part of a holistic approach which seeks to offer treatment to individuals and other interventions as appropriate.
- 6.7 Other measures include an established radio system to facilitate communication between licensed premises and exclude problem individuals from venues, CCTV coverage and monitoring of the centre, regular joint operations to monitor licensed premises, active use of [dispersal orders](#) [Public Space Protection Orders \(PSPO\)](#).
- 7.0 Where Does The Cumulative Impact Policy Apply?
- 7.1 The Licensing Authority has applied a ~~special~~ Cumulative Impact ~~Policy~~ [Assessment](#) to an area around Wisbech Town Centre. This is identified on the map attached at Appendix A.
- 7.2 [Police Council](#) review [and adoption](#) of the Cumulative Impact [Assessment](#) Policy ~~April 2016~~ [November 2019](#)
- 7.3 Figures using the Police Recording system (~~CORA~~ [Athena](#)) show the number of incidents within the Wisbech Town Centre Wards. This system evidences the numbers reducing significantly since a partnership approach was adopted by Public Health, Trading Standards and Cambridgeshire Constabulary in preventing further proliferation of alcohol outlets within the [CIAZ](#) area. Since the formation of the alcohol partnership agencies, health and mental health services have seen an increase in demand for support, as street drinkers are directly engaged and offered help.
- [7.4](#) Alcohol related incidents have moved away from a Night Time Economy issue to be one that currently involves the street drinking community. Increases in litter, public urination and defecation have been reported and these have mainly been in areas evidenced to be used by street drinkers. Some of the Town's historic areas have been targeted as they are out of sight of the CCTV cameras and the general public.
- ~~7.4 Sugar Tub Lane and Ghost Lane are particularly impacted with Ghost Passage having seen large quantities of human excrement having to be cleared by the public health services.~~
- [7.5](#) ~~Officers patrolling these areas have on occasions, been attacked by street drinkers and one PCSO has had a glass bottle thrown at him by an aggressive male who did not want to be moved on. Other~~ Areas of the [CIAZ](#) and also in the town centre wards, including Tillery Park, Town Park and the St Peters Church gardens all suffer from street drinkers at various times throughout the day and often well into the early hours. [A Public Spaces Protection Order \(PSPO\) has been formally adopted in 2017 to cover these areas](#)
- ~~7.5 The PSPO orders in place are patrolled by the Police and authorised officers. Seven pre-planned dispersals have been utilised within the CIZ since 31/01/2014 within the CIZ targeting alcohol and or anti-social behaviours. These powers come under Section 35 of the Anti-Social Behaviour, Crime and Policing Act 2014.~~

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- 7.6 It is worth noting that the Constabulary uses a Secure Information Recording System called SIRCS which is operated by Empowering Communities and is used by both Fenland and Peterborough businesses from January 2015 to April 2016 281 pieces of information were placed onto the system – most of this from the town centre alone relating to alcohol. This information has come from the Wisbech Pub Watch. The information received from this system is used by the Responsible Authority Officers and local businesses to work more effectively in their approach. – Group,

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~~Police and Horsefair Security.~~ It evidences the strong shift from night time pub related issues to street drinking becoming an increasing problem.

7.7 Crime Data (Alcohol related) figures supplied by Cambridgeshire Constabulary

LOCATION	Period		% Change Year on Year Crime (Alcohol)
	From	To	
	Apr-15	Mar-16	
Peckover	335 (42)		-
Clarkson	319 (46)		-
Medworth	1010 (116)		-
	Apr-16	Mar-17	Crime 15/16
Peckover	400 (57)		+16.25 (+26.4)
Clarkson	348 (51)		+8.4 (+9.9)
Medworth	1161 (125)		+13.1 (+7.2)
	Mar-17	Apr-18	Crime 16/17
Peckover	355 (38)		-11.25 (-33.4)
Clarkson	473 (68)		+26.5 (+25)
Medworth	1434 (135)		+19.1 (+7.5)
	Apr-18	Mar-19	Crime 17/18 16/17
Peckover	390 (18)		+9 (-52.6) (-68.5)
Clarkson	489 (23)		+3.3 (-66.2) (-55.0)
Medworth	1342 (50)		-6.5 (-62.9) (-60.0)

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7.8 Incident Data (Alcohol related) figures supplied by Cambridgeshire Constabulary Offence/Incident Table

LOCATION	Period		% Change Year on Year Incident (Alcohol)
	From	To	
	Apr-15	Mar-16	
Peckover	1181 (88)		-
Clarkson	1339 (133)		-
Medworth	3017 (299)		-
	Apr-16	Mar-17	Incident 15/16
Peckover	1284 (138)		+8.1 (+36.3)
Clarkson	1371 (139)		+2.4 (+4.4)
Medworth	3103 (377)		+2.8 (+20.7)
	Mar-17	Apr-18	Incident 16/17
Peckover	1014 (113)		-21.1 (-18.2)
Clarkson	1362 (158)		-0.7 (+12.1)
Medworth	3086 (297)		-0.6 (-21.3)
	Apr-18	Mar-19	Incident 17/18 16/17
Peckover	870 (72)		-14.3 (-32.3) (-47.9)
Clarkson	1120 (104)		-17.8 (-34.2) (-25.2)
Medworth	2614 (320)		-15.3 (+7.2) (-15.2)

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Offence/Incident	2012-2013	±/-%	Offence/Incident	2014-2015	±/-%
ASB	2,382-2,159	-9.4%	ASB	1,881-1,418	-24.8%
Alcohol Related Crime	970-727	-25.4%	Alcohol related crime	786-781	-0.6%
Violence	721-662	-8.2%	Violence	231-151	-34.6%

Version: 4.0
3.0 Status:
Final/Draft

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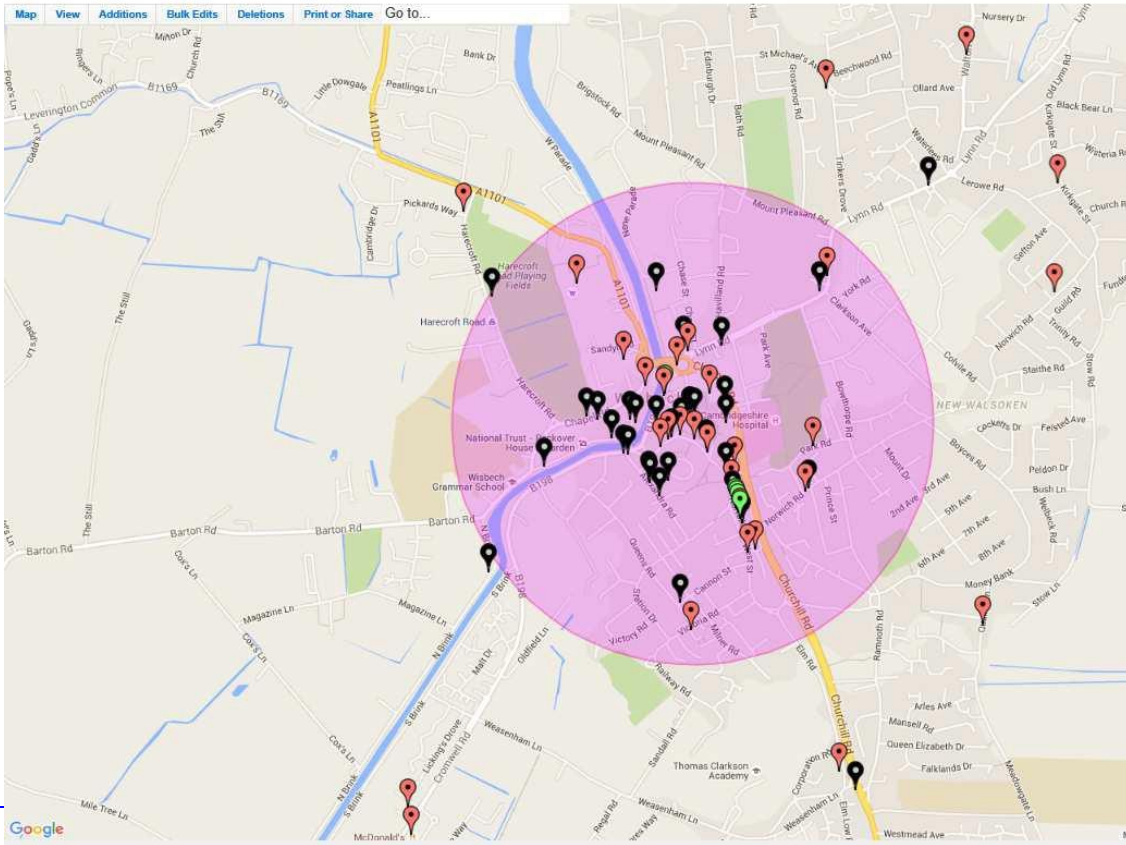
Criminal Damage	580—502	-13.4%	Criminal Damage	497—483	-2.8%
Alc related Violence	30—23	-23.3%			
Historic Figures used for CIZ Policy					
Offence/Incident	2009	2010	2011	= + / - %	
Violent Crime	516	454	504	-2.3%	
Alcohol related Violent crime (% of total violent crime)	211 (40.9%)	188 (41.1%)	244 (48.4%)	+15.8% (+7.5%)	
Antisocial behaviour	1858	1543	1480	-20.3%	
Alcohol related ASB (% of total ASB)	508 (27.3%)	498 (32.3%)	533 (36.0%)	+4.9% (+8.7%)	
Criminal Damage	377	372	314	-16.7%	
Alcohol Related Criminal Damage (% of total criminal damage)	46 (12.2%)	58 (15.6%)	69 22.0%	+50% (+9.8)	

7.8 It is still evident that in areas of street drinking there is a high proportion of alcohol related ASB, urination and defecation, with the associated impact this has on public perception and fear of crime. ~~The local community have made this one of their local priorities for the police to tackle and the ability to deliver on this priority has been facilitated through the benefits provided by the CIZ Policy.~~

~~7.9~~ 7.9 As part of the CIAZ review, ~~incidents outside of the CIZ were considered and the decision has been that the current geographical limits of the CIZ area remain both appropriate and proportionate for the town at this time.~~ Consideration was given to extending or reducing the ~~area covered by the policy.~~ It has been decided that the CIA Policy area be reduced to cover predominantly the Medworth ward within the Town Centre. It was also proposed to clearly define the map highlighting the main areas of concerns and also in line with the PSPO that are currently in place. ~~but it is believed that this would not significantly improve the current effectiveness of the CIZ area.~~

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Draft Cumulative Impact Assessment Policy 2019 – 2022



Map key:

Purple Markers – Off Sales

Premises

Blue Markers – On Sales Premises

Green Markers – Late Night Refreshment Premises (23:00hrs onwards)

Purple circle **Red Line** – indicates approximate area of current **CI** area

Version: **4.0**

3.0 Status:

Final

Page

Draft Cumulative Impact Assessment Policy 2019 – 2022

8.0 Conclusion

- 8.1 The conclusion drawn in respect of the evidence is that where relevant representations are submitted, the Cumulative Impact [Assessment](#) Policy should aim to limit the number of new or material variations to licensed premises. The rebuttable presumption to refuse such remains in place.
- 8.2 The Licensing Authority believes that the presence of a Cumulative Impact [Assessment](#) Policy in the designated area will support and assist the range of strategies in place to tackle alcohol related crime and disorder.
- 8.3 Accordingly, the Licensing Authority has resolved to maintain the Cumulative Impact [Assessment](#) Policy. The Policy will come into effect where relevant representations are received, will seek to prevent a further increase in the number of licensed premises and material changes to ~~licences~~[licenses](#) within that area.
- 8.4 The Licensing Authority wishes to encourage the provision of a range of entertainment in the area and to reduce the dominance of pubs, off ~~licences~~[licenses](#), and take away premises with off licences. Any further expansion of licensed premises and the evening or –night time economy should be consistent with the wider regeneration aspirations of the Council and its partners and should actively promote an inclusive town centre for all that is a safe and pleasant place to be in. This will be balanced against any likely negative impact on the licensing objectives.
- 8.5 The Licensing Authority has resolved that the Cumulative Impact [Assessment](#) Policy is one such measure to facilitate this, and ensure that the correct balance is sought.

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Draft Cumulative Impact Assessment Policy 2019 – 2022

REVISION HISTORY

Version	Status	Date of Issue	Reason for Change	Sections
V 01	Draft – approved Licensing Committee	15/01/2016	First Draft	All
V 02	Approved – Licensing Committee	19/04/2016	Reviewed and final edits made	All
V 03	Final – Approved Full Council	12/05/2016		All
V 03	Draft – Licensing Committee	23/07/2019	Consultation approval	All
V03	Draft – Licensing Committee	02/10/2019	Consultation Review and Adoption	All
V04	Final – Full Council	04/11/2019		

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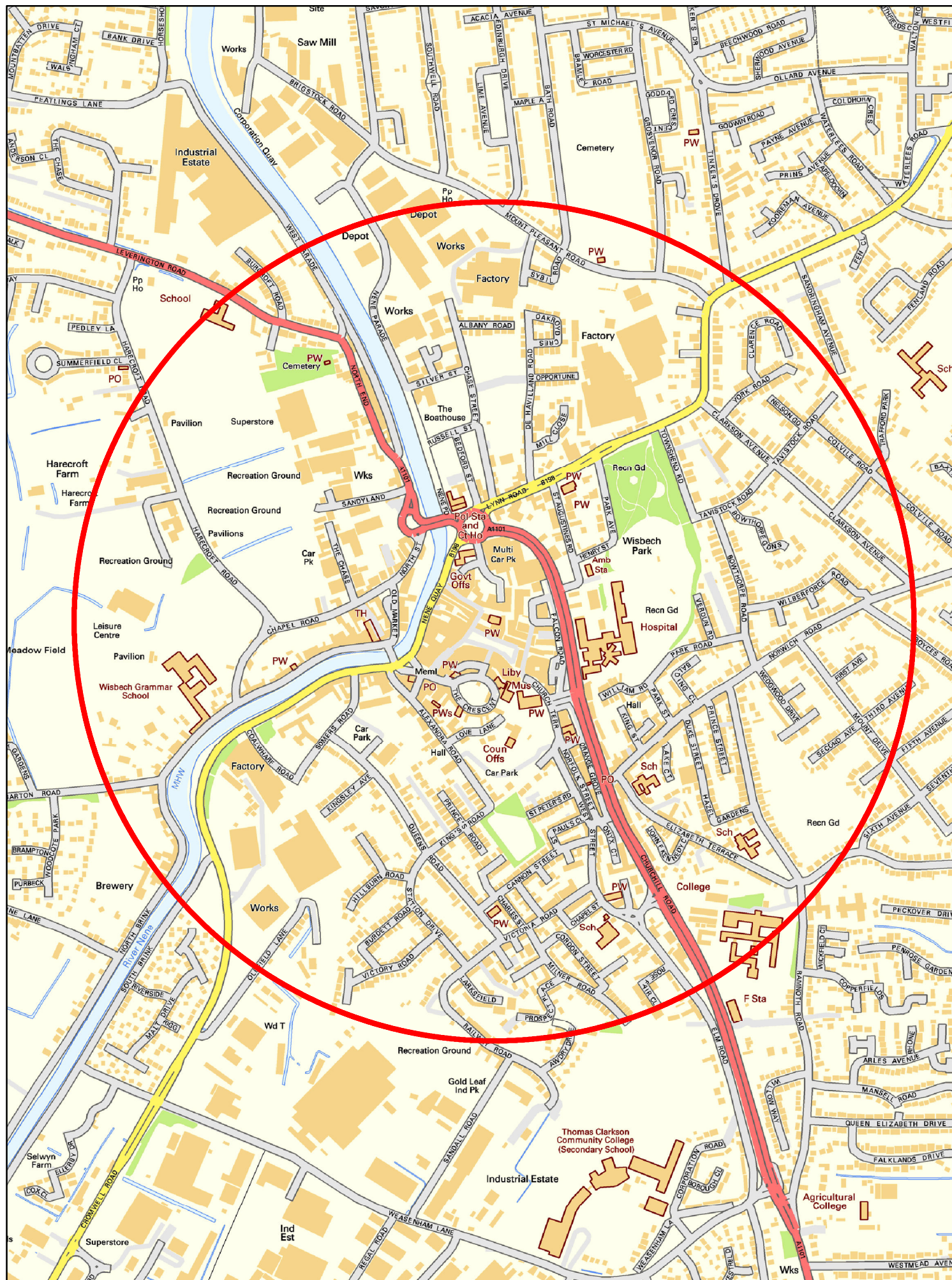
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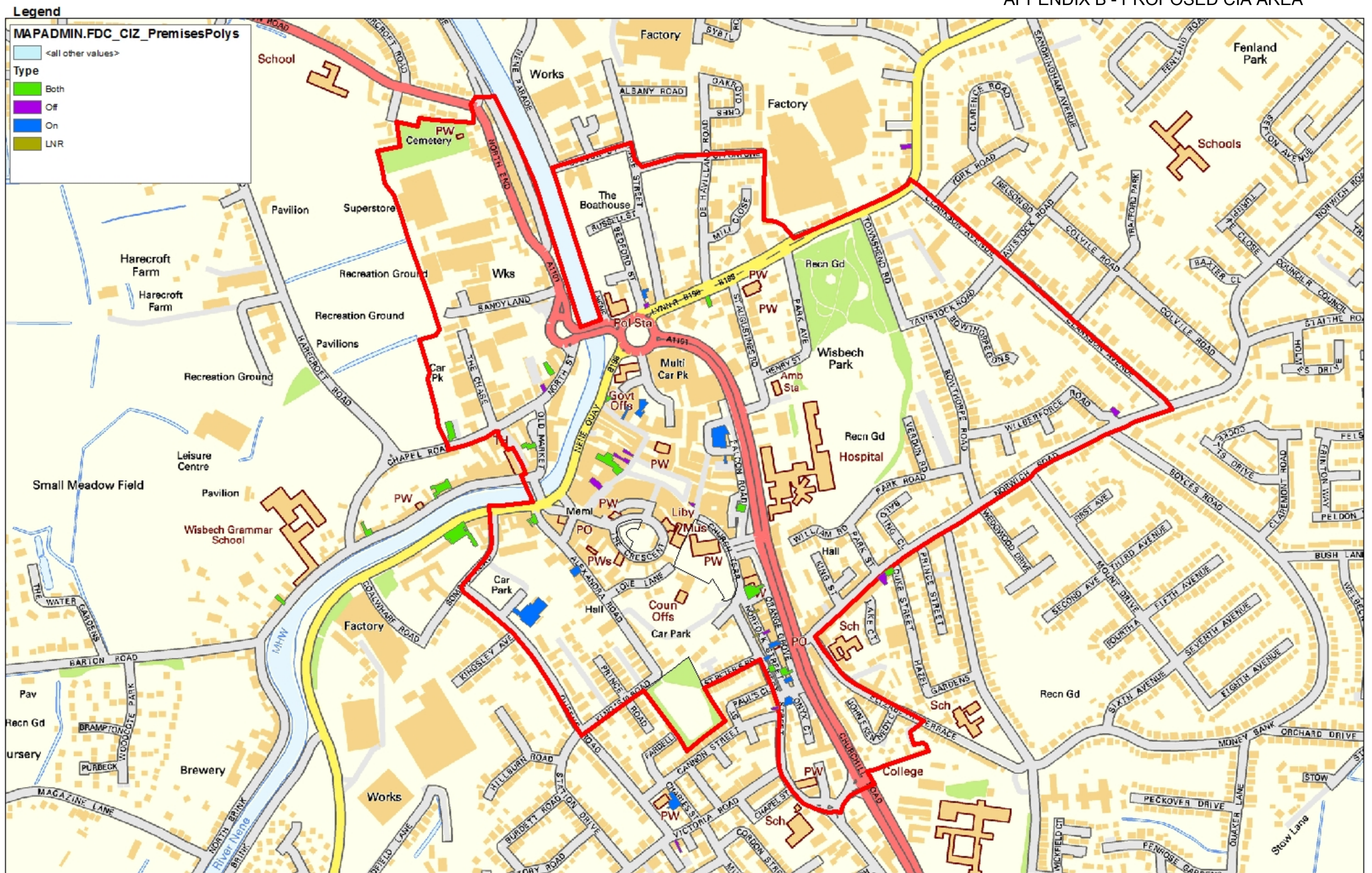
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Wisbech Cumulative Impact Zone

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Scale = 1:10,000





Created on: 04/10/2019

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Wisbech Proposed CIA Policy area

Scale = 1:0

Assessing Equality – The Equality Act 2010

Customer Impact Assessment

Name and brief description of policy being analysed

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

Policy being reviewed - Cumulative Impact Policy (CIA) October 2019

The Council as the Licensing Authority has a statutory duty to review its Cumulative Impact Assessment Policy (CIA) which currently sits under the Statement of Licensing Policy 2016 - 2021. This review is due to a change in the legislation, whereby the CIA Policy has been given legal standing within the Licensing Act 2003. This came into effect in April 2018.

The current policy was adopted at Full Council and came into effect on 12 May 2016.

The Licensing Act 2003 states that if the CIA policy is adopted by Local authorities then it must be reviewed every 3 years. This policy must only be adopted if there is sufficient evidence indicating a need for such a policy.

The CIA Policy if adopted will be renewed every three years and the draft policy will cover the period of 2019 - 2022

Information used for customer analysis

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

The Responsible Authority Officers act as a main consultee:

Fenland District Council – Environmental Health

Fenland district Council – Health & Safety

Cambridgeshire Constabulary

Cambridgeshire Fire & Rescue

Safeguarding & Standards – Protection of Children from harm

Fenland District Council -Planning Authority

Trading Standards

Public Health

Wisbech Town Council

Assessing Equality – The Equality Act 2010

Fenland Community Safety
Fenland Street Scene
Fenland Refuse & Cleansing

Public Consultation

Comments were requested from the Public Consultation that took place from 05 August 2019 until 13 September 2019. The draft policy was advertised in the local newspaper and by social media feeds for example Facebook. It was also available on our Council website and in our Customer service centres.

To make it easier for the public we created a survey link with 4 questions attached.

The questions asked were:

Q1 - Would you like us to keep the current Cumulative Impact Assessment Policy in place?

Q2 - Would you like us to keep the Cumulative Impact Policy in place, but change the area where the policy takes effect?

Q3 - Would you like us to remove the current Cumulative Impact Assessment policy?

Q4 - If you have any further comments, please leave them here:

This CIA has taken into account any comments made during the consultation process and will also reflect any changes that are made with the draft policy following the Licensing Committee approval on 02 October 2019

	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible Please note details of any actions to be placed in your Service Plan
Race	<input type="checkbox"/>		√		N	
Sex	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Gender reassignment	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Disability	<input type="checkbox"/>	√	<input type="checkbox"/>		N	

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Age		√	<input type="checkbox"/>		N	
Sexual orientation	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Religion or belief	<input type="checkbox"/>		√		N	
Pregnancy & maternity	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Marriage & civil partnership	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Human Rights	<input type="checkbox"/>	√	<input type="checkbox"/>		N	
Socio Economic		√	<input type="checkbox"/>		Y / N	
Multiple/ Cross Cutting	<input type="checkbox"/>	√	<input type="checkbox"/>		Y / N	

Outcome(s) of customer analysis

a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative ☐ neutral ☐ positive ☐

No major change needed ☒ Adjust the policy ☐ Adverse impact but continue ☐ Stop and remove / reconsider policy ☐

Arrangements for future monitoring:

Note when analysis will be reviewed; include any equality indicators and performance against those indicators

If approved the next CIA analysis will take place when the Cumulative Impact Assessment Policy is reviewed in 2022, although an annual desk top review will take place for any new impacts with policy implementation.

Details of any data/ Research used (both FDC & Partners):

Results of the public Consultation carried out from 05 August 2019 until 13 September 2019

Completed by:

Name: Michelle Bishop

Position: Licensing Manager

Approved by (manager signature):

Date published: This should be the date the analysis was published on the website

Assessing Equality – The Equality Act 2010

Details of any Committee approved by (if applicable):	Date endorsed by Members if applicable: