

Public Document Pack

COUNCIL

A meeting of Council will be held at Via Zoom on TUESDAY, 23 FEBRUARY 2021 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

Due to the Covid-19 outbreak and the restrictions by the Government on gatherings of people, this meeting will be conducted remotely using the Zoom video conferencing system. There will be no access to this meeting at the Council offices.

The meeting will be available to view on YouTube:

https://youtu.be/RIEkl_J514E

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 18)

To confirm the minutes of 14 December 2020.
- 3 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 4 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.
- 5 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.
- 6 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 19 - 64)
- 7 Motion submitted by Councillor Boden (Pages 65 - 66)

Motion submitted by Councillor Boden regarding the naming of the Kings Dyke Crossing.
- 8 Motion submitted by Councillor Boden (Pages 67 - 68)

Motion submitted by Councillor Boden regarding Saxon Pit.
- 9 Motion -Submitted by Councillor Mrs Laws (Pages 69 - 70)

Motion submitted by Councillor Mrs Laws regarding Built Environment Conservation in Fenland.
- 10 Business Plan (Pages 71 - 88)

For Council to consider and approve the Final Business Plan 2021-2022

11 Corporate Budget 2021/22 & MTFS (Pages 89 - 154)

To consider the Cabinet recommendations in relation to:

- the General Fund Budget Estimates 2021/22 and the Medium Term Financial Strategy 2021/22 to 2025/26;
- the Council Tax levels for 2021/22;
- the Capital Programme 2021-2024;
- the Treasury Management Strategy Statement, Capital Strategy and Annual Treasury Investment Strategy for 2021/22.

12 Council Tax Resolution (Pages 155 - 158)

For Council to consider the Council Tax Resolution for 2021/22.

13 Council Tax Support Scheme (Pages 159 - 196)

For Council to consider the Cabinet recommendations in relation to the Council Tax Support (CTS) Scheme to take effect from 1 April 2021.

14 Culture and Creativity Strategy (Pages 197 - 222)

For Council to adopt the Culture and Creativity Strategy.

15 Hackney Carriage & Private Hire Policy (Pages 223 - 328)

For Council to consider and adopt the Hackney Carriage and Private Hire Licensing Policy for the period of 2021 – 2026.

16 Communication regarding Uncontested Elections (Pages 329 - 332)

For Council to consider additional actions to mitigate the risk of local residents attempting to cast their vote at elections that have been uncontested, and for the introduction of the further measures to be put in place.

- Production of flyers advising of the uncontested election that could be delivered by the duly elected candidates should they chose to request such flyers.

- Publication in the parish magazine and local media if there is sufficient time to do so.

17 Senior Manager Pay Policy (Pages 333 - 342)

The purpose of this report is for Council to adopt the Senior Manager Pay Policy Statement for 2020/21 attached to the report.

Fenland Hall
March



Chief Executive

Monday, 15 February 2021

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"

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COUNCIL



MONDAY, 14 DECEMBER 2020 - 4.00 PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor C Boden, Councillor G Booth, Councillor J Clark, Councillor D Connor, Councillor M Cornwell, Councillor S Count, Councillor Mrs M Davis, 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 C Marks, Councillor D Mason, Councillor A Maul, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor M Purser, Councillor W Rackley, Councillor C Seaton, Councillor W Sutton, Councillor M Tanfield, Councillor S Tierney, Councillor D Topgood, Councillor S Wallwork, Councillor R Wicks, Councillor S Wilkes and Councillor F Yeulett

APOLOGIES: Councillor R Skoulding (Vice-Chairman), Councillor S Clark and Councillor D Patrick

C26/20 **PREVIOUS MINUTES**

The minutes of the meeting of 8 September 2020 were confirmed.

C27/20 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Miscandlon announced that it was with regret he had cancelled the annual Chairman's Carol Service and staff visits but he has recorded a Christmas message to staff to thank them for and in recognition of their sterling work during the global pandemic, delivering the usual and additional services to residents at such a difficult time.

C28/20 **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 Miscandlon 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 said that it is becoming a frequent occurrence to receive late updates or amendments to agenda items, and this means the Independent Group do not have a chance to discuss these in advance. It is unfair to start having to make decisions at such short notice and we need to be more careful that it does not seem we are being undemocratic when we have not had the chance to have a look at the papers properly as a group.

Councillor Tanfield said she is concerned about the Conduct Committee updates. The LGA has an explanation about what bullying and intimidation can be and more comprehensive wording than FDC about bullying and she does not understand why we are not protecting members of the public or fellow councillors from bullying in local government. We talk about there being a difference regarding councillors when they are being individuals, especially online, but characters outside of being a councillor is important when it comes to the principals of public life. (8.50) She would like to

know why FDC has a watered-down version of a conduct committee code of practice when the LGA version is much more comprehensive. In her view our version appears to allow bullying and intimidation with no redress, and she would like to know why we do not have an updated and full version of a code of conduct for the conduct committee.

Councillor Boden responded to Councillor Tanfield's observation about late amendments and updates and said that he had recently made a similar comment to Paul Medd. Every effort will be made to ensure that this is repeated as little as possible; however there is a lot going on within the Council at the moment and perhaps we have been over ambitious in trying to do too much in a short space of time. He has said to Paul Medd that it is important that deadlines are met but we will make every effort to ensure we see less of that in the future and as maximum amount of notice is given as possible.

In respect of the Conduct Committee, Councillor Boden said that codes of conduct belong to each individual council and it is up to the councillors of each council to decide what their own codes of conduct should be. The proposed code of conduct for later discussion has been worked on for over 15 months; it is for the Conduct Committee to decide to then take forward to full Council to debate what is appropriate. He fully agrees however that it is appropriate to look at our own circumstances and our own failings over the last few years in which the way the code has been abused and to decide about what is appropriate for us at FDC.

Councillor Tanfield thanked Council Boden but said if there are late updates in future, maybe these items should be put back to the next full council meeting to allow everyone a chance to discuss them properly. She does not believe there is any difference in bullying between one authority and another and so the conduct committee is not unique; it is about making sure that people feel comfortable and have some redress. This is a serious issue across the country, and she does not understand why our conduct should be so flimsy on some of the most important things we have to deal with, especially online.

Councillor Tanfield quoted James Palmer, Mayor of the Cambs and Peterborough Combined Authority (CA), from a statement he made in December 2020, "Local government in Cambridgeshire is massively muddled and costs about £20million more than an area needs". She has brought up on many occasions that we should be looking at devolution, not necessarily for the cost, but for the ease of where people go to, do we really need four tiers of local government in this area? We need to start looking at devolution and it appears that the Mayor of the CA agrees, therefore can Councillor Boden confirm that at some point we will start talking to the Mayor of the CA about devolution for Cambridgeshire.

Councillor Boden responded that at some point discussions about devolution will take place. Government has been producing several publications and made statements about devolution of various powers. However, what they regard as devolution is the passing down of powers to the lowest appropriate level of local government. He believes that it is important that decisions are made as locally as they reasonably can. There are many examples of decision making at government level that should be devolved to local level, and others made locally that could be even more local and it is important that when discussions commence, he would hope Councillor Tanfield would support and agree devolving responsibility for decision making to the lowest possible level of local government. Councillor Tanfield said that we certainly need to modernise local government.

Councillor Tanfield said that she was pleased to see we are looking at funding for cycling with all the benefits it entails. In respect of electric bikes, she wondered if it would be possible to look at bringing in electric charging points, particularly as there is so much funding available coming from central government.

Councillor Boden said we are highlighting six priority schemes across Fenland for which we can

gain funding and implement as quickly as possible and additionally we are creating a Cycling, Walking and Mobility Vehicle policy. Within that policy, whilst a lot is said about cycling and cycling provision, he would ask that consideration is given to the users of mobility vehicles who are not given as much attention but they have rights too and need access to all their local amenities. In respect of cycling funding, more money is available from Government, so we will be looking to expand the series of six schemes to other areas and so enhance cycling facilities and cycling provision in Fenland. He looks forward to a future debate on electric bikes, they have been used in other areas and there has been mixed feelings about them; with particular concerns from the visually impaired. Therefore, he would firstly like us to learn from the problems and successes in other authority areas and make an informed decision at a later appropriate time.

C29/20 **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 Sutton addressed Councillor Boden and said that he had mentioned in response to Councillor Tanfield that there are failings in the current conduct procedure in Fenland. He asked what he felt those failings are.
2. Councillor Boden said some individuals, not necessarily councillors, have abused the current system. It is therefore important to ensure we have a robust conduct process so that the potential for abuse is dealt with.
3. Councillor Sutton addressed Councillor Mrs Laws regarding the five-year land supply and asked why the application number has been changed to a code number because it has made it more difficult to follow. Councillor Mrs Laws explained that Cambridgeshire County Council (CCC) monitors the progress of the housing development sites on behalf of Fenland and also provides this service for a number of other local authorities. Each authority uses a different format for its planning application references, so to manage this the CCC supplies its own case number to provide a consistent format across the authorities. The case number shown in the five-year land supply report merely reflects the content of the data received from CCC. The case number is similar to Fenland's planning application references but with slight differences. However, CCC has agreed to show the case number with the planning application number in future versions of the report. Councillor Sutton thanked Councillor Mrs Laws. He also queried several planning references and whether the number of properties had been double counted. Councillor Mrs Laws thanked Councillor Sutton for bringing this to her attention and that she would investigate this further.
4. Councillor Sutton addressed Councillor Mrs Laws further and said the new local plan is very difficult to find on our website. This is such an important document and he asked if this could be made more visible on the website. Councillor Mrs Laws agreed that she would address this.
5. Councillor Sutton addressed Councillor Hoy and asked that given that Julie Spence, the Queens representative, sent a congratulatory letter to 50 Backpacks Vision, had she also written to them? Councillor Hoy said she had not sent letters to any of the local organisations across the district that had been supporting homeless people.
6. Councillor Sutton said that with the vast amount of money coming into local government it was worth looking at working with 50 Backpacks Vision as they seem to be able to re-house rough sleepers where we sometimes fail, and that is not a reflection on officers but a failing of the system. He asked if Councillor Hoy could work with Councillor Boden and channel some of that money into this organisation, which will help get rough sleepers off the street and into a settled home. Councillor Hoy said we are happy to work with any organisation that wants to work with us but is sure he can appreciate as a council we must have proper checks and balances in place. She believes 50 Backpacks Vision not to be a registered

charity or not for profit organisation and does not believe they are DBS checked so this would all have to be examined as would any organisation, as we are dealing with very vulnerable people. Councillor Sutton thanked Councillor Hoy.

7. Councillor Booth addressed Councillor Murphy on the projects regarding open spaces and play equipment. One of the projects is at Parson Drove and he asked at what point officers will engage with the Parish Council, the charity where the play equipment is placed and the community regarding an understanding of what is requested. If we are going to make applications and put forward bids, we need to have that knowledge. Councillor Murphy responded that we need the money first, so a bid will be submitted and if successful that is when approaches are made to consult on what is required. At Parson Drove we have a third-party bid coming in, which should be received by Spring or Summer next year and we will then consult with the parish council and villagers; unfortunately, we cannot do it the other way around. Councillor Booth said with local knowledge the parish council knows of various other sources of funding, so if officers were able to approach us, we may be able to tap into that. Therefore, he feels there could be more cohesion on these projects going forward in order to be more successful. Councillor Murphy suggested that if other funding is also available than there is no reason why the parish council can make those applications independently. However, he agreed to ask officers to speak to Councillor Booth further on this issue. Councillor Booth thanked Councillor Murphy.
8. Councillor Booth addressed Councillor Clark regarding a situation where a property in one of his village wards has been vacant for some 8/9 months. He approached Clarion Housing but was told they could not use it to provide housing for a variety of reasons. However, after this amount of time it seems ridiculous that the house has not been put back in order to allow people to move in. He wondered if Councillor Clark could take this up and furthermore, investigate how big an issue this is across the district in respect of social housing. Councillor Hoy responded on behalf of Councillor Clark in her absence and said that she was certain Councillor Clark would look into this further having already received information about the property from Councillor Booth. In respect of private properties, our Empty Homes Officer is already doing a lot of work in this area, but Councillor Hoy will ask her to look at this issue in respect of social housing. Councillor Booth thanked Councillor Hoy.
9. Councillor Hay addressed Councillor Boden and asked if, as a representative of the CA, does he have an update on when we can see a route map for the CAM link. Councillor Boden said he has been informed that the Mayor intends to make an announcement in February or March as to how it will be possible to extend the metro to include Fenland. He would hope that there will be further information, if it has not already been provided sooner, at the next full Council meeting in February. Councillor Hay thanked Councillor Boden.

C30/20 **MOTION**

Councillor Cornwell presented a proposed amendment to a motion passed by Full Council on 8 September 2020 in relation to a moratorium of Fenland District Council land in Wisbech in accordance with Rule 14.1 of the Council Procedure Rules, supported by Councillors Sutton, Bligh, Booth, Divine, Meekins, Patrick, Tanfield, Wicks, Wilkes and Yeulett.

FDC has consistently supported the reintroduction of a rail service into Wisbech and has opposed the proposal to build a mega-incinerator in Wisbech. In the near future, both schemes will reach critical milestones.

To help promote the re-instatement of the railway line, and to help defeat the incinerator proposal, Full Council recommends that those exercising delegated authority for decisions connected with the disposal of land within 500 metres of the track of the decommissioned railway line in Wisbech or within 500 metres of any part of the site of the proposed new incinerator) continue to exercise their powers so as to achieve these objectives. Those powers should also be used to promote continued development and opportunity within Fenland provided that this serves the purpose of:

- (a) promoting the re-instatement of the railway line but not the incinerator; and
- (b) assists in the fight to oppose the proposed incinerator but not harm the proposal to re-instate the railway line; and

that in order to achieve that, consideration is given to the use of restrictive covenants and/or retaining strategic parcels/strips of land as part of its overall assessment of the disposal.

The previous moratorium should now be lifted in favour of the proposals set out above with this guidance to remain in place for a period of 12 months again recognising however transactions which FDC are obliged to complete by a Court, or under the terms of a Compulsory Purchase Order, or under threat of legal action against FDC which FDC is unlikely to be able to defend successfully will prevail.

Councillor Sutton seconded the motion and Councillor Miscandlon opened the motion for debate.

1. Councillor Yeulett said that he supports the motion, the knock-on effect of the decision taken at last full Council will be detrimental to the Fenland economy and businesses. The strapline 'Open for Business' will become meaningless. Wisbech businesses will suffer as will employment prospects in the area and this will have a similar effect throughout the rest of Fenland. He said he felt that two Cabinet members had been compromised in their original decision.
2. Councillor Tierney said that he believes 'Open for Business' means we support every attempt to increase all businesses in the Fenland area as best as we can, but it does not mean we will support every business no matter how damaging to the residents. You could argue the incinerator is business, but this Council passed a near unanimous motion not to support the incinerator so clearly that is a type of business we thought differently about. We are stuck between a rock and a hard place; any choice we make regarding the sale of land could go one way or the other so all we can do is the best we can to put in place whatever is possible to frustrate the arrival of an incinerator which our previous motion said we would do and most people agreed to. That motion was put in place so that we would not get into a situation that we would have to sell land that might aide the build of an incinerator or cause a problem the railway line. This is our land and we do not have to sell it to anyone. Therefore, he is surprised to see this motion come forward; the previous motion back in September was just for six months and what business deal will be harmed in the coming weeks over Christmas and during a pandemic. To his mind the motion put forward by the opposition is mischief making and political.
3. Councillor Bligh said she would like to reassure all members and members of the public that she strongly objects to the incinerator and supports the reintroduction of the March to Wisbech rail line. In respect of Councillor Tierney's previous motion, she understands that this was brought before us with a desire to stop the incinerator; a stance she supported with the information provided at the time. However, it has come to light since that meeting that legitimate companies in Wisbech have had their expansion issues hindered and the mantra is 'Open for Business' regardless of whatever that definition may be. Therefore, she feels if we stop the expansion of businesses this could be damaging for FDC which is why she supports this motion. Councillor Bligh added that it not political but helps solve both problems.
4. Councillor Hoy said she does feel this is political and done to cause division; she appreciates the heartfelt sentiments expressed by Councillor Bligh but suggested that not all members had the right motivations. She had no issue with anyone abstaining last time, we are a democracy and we are not all going to have the same views. She agreed with Councillor Tierney's comment about 'Open for Business'; she is hoping that we get the rail line but not the incinerator but bearing in mind both those projects are in the vicinity of our land and so that land could potentially be very valuable. This money will be for the taxpayers of Fenland. She does not know what the impact will be on businesses, but she

does not like ultimatums, and she would ask members to ask how this looks to their electors. Basically, this motion means that members in support want us to sell our land potentially to people who support the incinerator and she finds it disappointing.

5. Councillor Booth said he would be supporting this motion but wanted to address some of the points previously made. This motion does not talk about just selling the land, so it gets into the hands of those who want the incinerator, which he opposes, and he also supports the reintroduction of the rail line. He believes we need to work to the best of our ability, and it is about putting covenants on the sale of land, so it is not used by the company that wants to set up the incinerator. This motion is guidance for the executive of the Council because the way the constitution is structured is that this motion, if successful, and the previous motion are taken under guidance when they decide what they want to do. We are not setting direct policy but giving guidance. There has been speculation in the press about businesses moving out, and the danger we have as a council is that if they do it will have a financial impact because of the new way local government will be funded through business rate retention. We also need to think about what will happen in the future, some of these businesses have announced expansion plans so we would increase the income from these businesses. What will happen to the land that these companies currently occupy, they may seek to dispose of it, and they may seek to dispose of it to the incinerator company. Therefore, the previous motion may end up helping the incinerator company by allowing them to acquire more land which is not what we want. We need businesses expanding onto our land, and this may then leave no land for the incinerator; we also have more information than we did when we voted on the last motion which is why he is supporting this.
6. Councillor Meekins said at the last meeting he seconded Councillor Tierney's motion. At the time he thought it was the best way forward to avoid the incinerator coming to Wisbech. However there have been reports in the press of businesses being offered lucrative deals to move to neighbouring authorities. He feels that if we had some of the information that has come to light since, are we prepared to risk permanent good quality jobs coming to Wisbech and Fenland in general by not selling some of the land to businesses that are already in the Algores Way area. As previously mentioned, there are covenants in this motion to stop people selling it on to the incinerator company. He is strongly anti-incinerator, but he thinks we need to be mindful that what we do need is good quality permanent jobs, which is why he will be supporting today's motion.
7. Councillor Topgood said the current motion only has 6-8 weeks left to run and any company that sells to the incinerator was already going to sell to the incinerator. Councillor Miscandlon said that was possible and is a matter for business.
8. Councillor Booth raised a point of order that this motion is asking to carry on for twelve months, but the original motion was for six months.
9. Councillor Mrs Davis raised the issue of covenants and restrictions and said these are not necessarily a protection and can often fall down in court. She feels that some of the companies are posturing themselves to further their own cause and the rumours circulating are just rumours. Unequivocally we are here to support the residents of Wisbech who have said they do not want this incinerator and if it was in our ward, we would not want it either so she will be voting against the motion.
10. Councillor Lynn said the motion was put in place to prevent the sale of land to people who want to build the incinerator, however it is also wanted by a company that potentially wants to build stuff from the incinerator. It makes no sense to help a business in support of the incinerator and then come to this meeting to say we do not support the incinerator. We are here to represent the residents of Wisbech, and the majority do not want it. We have a motion in place that prevents the sale of that piece of land that makes it difficult for the incinerator. If we now vote to sell this piece of land and the incinerator comes how are these members going to feel.

Councillor Miscandlon invited Councillor Sutton his right to reply.

Councillor Sutton said members have given good representation about how they feel but he is on

public record that he is against the incinerator. The original motion was for six months but the full application for the incinerator will not be submitted until the fourth quarter of 2021 so there was no point to the motion in the first place. It has had an impact on a company or companies but let us hope that we do not see the movement of any company out of Wisbech. If that happens those in support of the motion will need to answer to the electorate.

Councillor Cornwell was given a right to reply and said the amendment does nothing but strengthen what we are trying to do yet it seems to be misunderstood by some.

A Recorded Vote was taken on the Motion.

In Favour: Councillor Bligh, Councillor Booth, Councillor Cornwell, Councillor Divine, Councillor Meekins, Councillor Sutton, Councillor Tanfield, Councillor Wicks, Councillor Wilkes, Councillor Yeulett

Against: Councillor Benney. Councillor Boden, Councillor J Clark, Councillor Connor, Councillor Count, Councillor Davis, Councillor Mrs French, Councillor Miss French, Councillor Hay, Councillor Hoy, Councillor Humphrey, Councillor Mrs Laws, Councillor Lynn, Councillor Mason, Councillor Maul, Councillor Mrs Mayor, Councillor Miscandlon, Councillor Murphy, Councillor Purser, Councillor Rackley, Councillor Seaton, Councillor Tierney, Councillor Topgood, Councillor Wallwork,

The proposed amendment to the Motion approved by Full Council on 8 September 2020 failed.

(Councillor Marks indicated that although he has no pecuniary or non-pecuniary interest in this Motion, he will not take part in any debate or vote on this item and requested that his name be removed as a supporter of the Motion).

C31/20 TREASURY MANAGEMENT STRATEGY STATEMENT & ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW 2020/21

Members considered the Treasury Management Strategy Statement & Annual Investment Strategy Mid-Year Review 2020/21 report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Benney and decided that Council AGREE to note the report.

C32/20 POLLING DISTRICTS AND POLLING PLACES REVIEW

Members considered the Polling Districts and Polling Places Review report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Mrs Laws and decided that Council AGREE to:

- **Note the outcome of the review and the consultation undertaken;**
- **Agree the changes recommended to polling districts and polling places as detailed in the report at Appendix C;**
- **Note that a review of all polling districts will be undertaken at least every five years and delegate authority to the Returning Officer/Electoral Registration Officer to keep polling districts under review in the intervening period between compulsory reviews, and propose any changes which appear necessary to Full Council for its consideration and determination.**

C33/20 MEMBER'S ALLOWANCES SCOPE

Members considered the Members' Allowances Scheme Review Scope Report presented by Councillor Boden.

Members made comments asked questions and received responses as follows.

1. Councillor Booth said in the previous review it was recommended we look at this, but he does not believe there have been many changes since the last review was completed. He would suggest that we postpone this review until the year before the next municipal elections and then go to the electorate with the review. We will also have a better idea of the work of the Investment Board, which has barely started and with everything else officers are dealing with now considering the pandemic, this is something we can do without at the moment.
2. Councillor Boden said there is little point in having an independent review body unless we decide to follow up on their recommendations. They made a conscious decision not to make any changes hoping that in 18 months' time it would be possible for them to make a more rational decision, which he finds perfectly reasonable. Therefore, he feels that we should go ahead with the review, also there does not have to be a cycle of when they take place and it should not be manipulated for political purposes. He proposes we go ahead with the recommendation that came from the independent review panel.
3. Councillor Booth said he did not suggest a delay for political purposes but if we delay it for 18 months the electorate will know what the allowance is. Regulations state that this can be done once every four-year term.
4. Councillor Boden agreed that Councillor Booth is correct regarding the legislation, but we do have the recommendation from the independent panel that they wanted this review to take place after 18 months. He clarified that he meant that political considerations and electoral timetables should not come into the calculation and was not implying that Councillor Booth himself was being political. Nevertheless, we should follow what the panel suggested, and we have no reason not to do so. We must have a very specific reason to go against their recommendations.
5. Councillor Tierney said that it was important to note that just because there is a review pending it does not mean that members are looking to have their allowances increased. It is almost universally agreed within this authority that although members work hard, they do not want any more money and are not seeking a rise in allowances.
6. Councillor Booth thanked Councillor Boden for clarifying his remark regarding political considerations and that it was not aimed at him. He did point out that he was thinking in terms of the work of the Investment Board which was one of the reasons for holding off the review, and as their work had been held up due to the pandemic this was why he had suggested the postponement.

Proposed by Councillor Boden, seconded by Councillor Mrs French and decided that Council AGREE the scope of the Member Allowances Scheme review as set out within the report.

C34/20 STATEMENT OF LICENSING POLICY 2021-2026

Members considered the Revised Statement of Licensing Policy 2021-2026 presented by Councillor Humphrey.

Proposed by Councillor Humphrey, seconded by Councillor Meekins and decided that Council AGREE to adopt the Statement of Licensing Policy 2021-2026 as set out at

Appendix A of the report.

C35/20 REVISED CODE OF CONDUCT FOR MEMBERS

Members considered the Amendments to the Member Code of Conduct Report presented by Councillor Topgood.

Members made comments, asked questions and received responses as follows:

1. Councillor Hoy said she believed the process is abused because people have the right to confidentiality. When she chaired the Conduct Committee some members will be unaware that several investigations were undertaken into complaints against councillors because that confidentiality was respected. However, some members have aired their complaints with the press before the conclusion of any process and this is unfair. The most powerful action that the Committee can undertake is to release a statement to the press about a breach, but this is almost pointless if that name is already public. Although it is a legal requirement, Councillor Hoy personally does not believe we should have a code of conduct and any decision should rest with the local electorate.
2. Councillor Tanfield said that nobody should be bullied but her issue with the code of conduct is that it is watered down too much. Councillor Hoy is correct that the most that the Conduct Committee can do is issue a statement about a councillor, but her concern is who we are trying to protect, and it is important that people do feel protected. She thinks we do not do enough in local government to ensure we are protecting people and that is why she thinks we should choose the LGA version of the Code of Conduct to make the system more robust and ensure that a complaint is substantial and not made on a whim or because of a political difference. It is her opinion that this revised code does not do enough to protect people.
3. Councillor Tierney said he thinks the LGA document is poor; the LGA itself has no authority over local councils and he agreed with the Leader's earlier comment that it is for local authorities to decide their own code of conduct. He feels the document is not watered down but clarifies the code of conduct so the system cannot be abused. Furthermore, people who have a genuine problem will now know what they can do to get the help they need.
4. Councillor Booth agreed largely with Councillor Tanfield; he also wants to know why we are introducing these changes as the whole code of conduct regime is being reviewed by the LGA so there will be further changes down the line. Councillors do have private lives and should be able to live their lives in that manner, but this is tinkering at the edges so why do we not incorporate these changes at a later time.
5. Councillor Mrs French said it was requested 15 months ago that the Code of Conduct be looked at and is something we certainly need.
6. Councillor Maul said he agrees with Councillor Booth and a comment repeatedly made is 'let's see how it goes' - if that is the case then more research and consideration need to be given before the report comes before Council. There is guidance out there and, in his opinion, the current Code of Conduct is too weak.

Proposed by Councillor Topgood, seconded by Councillor Hoy and decided that Council AGREE to the changes to the Member Code of Conduct as set out in Appendix A of the report and delegates to the Monitoring Officer to update the master copy of the Constitution.

C36/20 CONSTITUTIONAL AMENDMENTS

Members considered the Constitutional Amendments Report presented by Councillor Boden.

Members made comments, asked questions and received responses as follows:

1. Councillor Mrs French said she welcomed this report. The alignment of days for Motions on Notice should have been brought in years ago when she first pointed it out. She also agreed with all other aspects of the report.
2. Councillor Sutton said he supported the report albeit he feels there should be some clarification; under the previous administration both he and Councillor Mrs Laws thought it undemocratic that the six or more separate sources were deemed as separate households by officers. For example, Councillor Sutton may have a different opinion to a planning application than his wife and so he is sure that we asked back then that those separate sources be individuals and not households. He would therefore suggest that this report interpret this to clarify matters that individuals from a household have an equal right to submit their own opinion. If it must be separate households then let us clarify that also. He would like that issue clarified certainly before voting on this item, he believes he has given wrong advice to members of the public before now not realising that officers interpreted the rule of six differently, and he would be interested to see what Councillor Mrs Laws thinks.
3. Councillor Booth said he supports most of the changes in the report and he believes he suggested the amendment to the constitution when it was reviewed a couple of years ago regarding minor applications about it being the ward or adjacent ward. He thought that it was left that anyone from across Fenland could comment on major applications because as councillors we do not just represent our wards, but we have the interests of the whole district at heart. He would therefore like to amend the point regarding major applications to say if they are received from within the Fenland District Council area.
4. Councillor Mrs Laws agreed with Councillor Sutton that at the time they believed everyone had the democratic right to submit their own views and their opinion counted and went towards six letters of objection or support. It is right that there is the need for clarification, but her understanding is that moving forward individuals in each household in the ward or adjacent ward would be counted as responses. Secondly, in respect of major developments she would disagree and think that major applications have more impact on ward and adjacent wards and yes they may be of interest to people in the wider Fenland area but will not have the same impact as on more local people therefore she would like to retain and be consistent with the minor and major applications that we just go for any views submitted on the ward or adjacent wards.
5. Councillor Sutton said he is pleased that Councillor Mrs Laws still agrees with him therefore he would propose that the document be amended and at bullet point 3 on page 182 of the report the word 'sources' should be deleted and replaced with 'electors' for clarity.
6. Councillor Boden said he would suggest that this is not the best way of moving forward. He would be unhappy about restricting the right to 'electors' as someone may not be on the electoral register or under the age of 18. Organisations are also entitled to submit a representation; therefore, he feels the term 'sources' is most suitable and should stay in the constitution. However, he would suggest that interested members take this matter up with planning officers to ensure that planning officers are now in agreement with the definitions made by Councillor Sutton and Councillor Mrs Laws so there is no doubt on the interpretation in future.
7. Councillor Miscandlon suggested the words 'individuals or organisations' be used instead of 'sources'. Councillor Boden agreed that this would be a suitable replacement. Councillor Mrs Laws suggested 'individuals, groups or organisations'. Councillor Booth said this change would also therefore have to be made to minor applications under the constitution. Councillor Boden agreed the additional proposal that the word 'sources' be changed to 'individuals, groups or organisations' in the context of all references in the constitution to minor and major applications.

Proposed by Councillor Boden, seconded by Councillor Mrs French it was decided that Council AGREE the constitutional changes as set out in Appendix A and to delegate to the Monitoring Officer to update the master copy of the Constitution.

Councillor Miscandlon announced that a proposed alteration to the original recommendation had been tabled to Members prior to the meeting. The proposed alteration was screen shared during this item to allow members of the press and public to see the proposed amendments.

Members considered the Update on Committees and Panels report presented by Councillor Boden.

Members made comments, asked questions and received responses as follows:

1. Councillor Booth said he was concerned to read in the original report of the external auditors raising their concerns and asked Councillor Boden if they had been advised of this amendment and were happy with the proposed change. Councillor Boden responded that he could only confirm it had gone through our own legal staff to check the legal requirements that exist to ensure the points raised by the auditors will be satisfied by these arrangements.
2. Councillor Tanfield said that with no disrespect to our own legal staff it is difficult to vote on this without confirmation that the external auditors are satisfied; we have received little information and guidance on this amendment and she is not satisfied if we are going to make a major change like this with little notice or discussion and without finding out if CIPFA and our external auditors are in approval. Councillor Boden said he could assure Councillor Tanfield that our legal team have been meticulous in their attention to the detail of what was required by our CIPFA and the external auditors.
3. Councillor Sutton said this was all very well, but our legal officers had approved the previous paper and that was opposed by the external auditors. He asked that this be deferred until the auditors could give their opinion. He does not think we should rush into this and will not be voting for it. Furthermore, there is no statutory requirement to have a Staff Committee so why do we not just end it without trying to amalgamate the two. He also raised an anomaly with the Audit and Risk Management sub-committee stating there was a contradiction within the report regarding who could sit on it. Councillor Boden responded that our legal officers were happy for the first version of the report to be brought forward because it said that this Council recommended both mitigations and additional measures to address the concerns which had been raised. Therefore, it was on that basis that officers were willing to produce the report for the agenda, but those sections were able to be removed once the mitigations and measures were incorporated. Regarding Councillor Sutton's suggestion to abolish Staff Committee, even though it has not met as often as it used to, the committee still fulfils certain functions and those functions still need to be exercised so it is important that they are still allocated to appropriate bodies. Councillor Boden explained that there was no anomaly with the sub-committee and Councillor Sutton had misunderstood the details. This is an ad-hoc sub-committee; members will be determined from the existing members of the main committee when it meets in the same way as members of the ad-hoc meetings of the Licensing Hearing sub-committee are selected from members of Licensing Committee.
4. Councillor Booth said he would suggest that a decision on this item be deferred. He would like to get a view from the external auditors; he appreciates our legal officers have given their view, but the auditors may have a different opinion. It would be prudent to consider that before deciding. Furthermore, item 35 which talks about selection of Chairman and Vice-Chairman seems to be at odds with proportionality.
(Councillor Booth and Councillor Bligh left the meeting).
5. Councillor Yeulett asked if the new committee will have decision making powers. Councillor Boden said it will have the same powers that Corporate Governance Committee currently holds, but no powers in relation to staff. The powers that Staff Committee currently has will be held by the sub-committee. Councillor Yeulett said the importance of the Corporate Governance Committee cannot be overstated and should be kept as independent as

possible from the decision-making process. If it becomes involved in staff matters it is his view that this will not be the case. Currently the O&S Panel makes recommendations on fees and charges and the budget process and he would propose a similar role for O&S advising Cabinet through a portfolio holder if the role of Staff Committee is to be reviewed.

6. Councillor Boden said he is keen to promote the risk management element which currently exists to some extent within Corporate Governance; but in terms of our governance, our member involvement, understanding and challenge on the risk management side is less than he has seen in other local authorities and he wants to see it expanded, strengthened and made more meaningful. Any matters to do with staff are deliberately separated from the committee by being in the determination subcommittee.
7. Councillor Yeulett said he welcomed the strengthening of the risk element, but he was concerned with the relationship between that committee and the decision making process, which is entirely separate to what looks like a scrutiny function on behalf of the governance committee. Councillor Boden said Councillor Yeulett is correct but that is why the subcommittee does not report to the committee.

Councillor Miscandlon advised that the recommendations were as per the revised report.

Proposed by Councillor Boden, seconded by Councillor Connor, it was decided that Council AGREE the amended recommendations to the report as follows:

- **To agree the merger of Staff Committee and Corporate Governance Committee to create a new Audit and Risk Management Committee.**
- **To agree the terms of reference for the new Audit and Risk Management Committee as set out at Amended Appendix A.**
- **To agree the creation of a sub-committee of the Audit and Risk Management Committee called the Audit and Risk Management Determination Sub-Committee.**
- **To agree the terms of reference for the new Audit and Risk Management Determination Sub-Committee as set out at Amended Appendix A.**
- **To agree the political proportionality report set out at Amended Appendix B.**
- **To agree the updated Membership of Committees as set out at Appendix C.**
- **To delegate to the Monitoring Officer to update the master copy of the Constitution with the changes above and to delegate to the Chief Executive appointments to the new Committee.**

(Councillor Clark abstained from voting as Chairman of the Corporate Governance Committee).

(Councillor Mrs French abstained from voting under officer advice that she had an interest).

(Councillor Meeks and Councillor Marks abstained from voting).

On behalf Councillor Kim French as the outgoing Chairman of Staff Committee, Councillor Mrs French thanked members of Staff Committee for their help, support and advice throughout her 18 months on the Committee.

Councillor John Clark said as outgoing Chairman of Corporate Governance he would like to thank the committee for the input and commitment they have shown. He also thanked officers for their professionalism and diligence, hard work and advice they gave him in his 18 months as Chairman. Furthermore, he thanked the external auditors, Ernst Young, saying they had built a good relationship.

Councillor Miscandlon invited Councillor Boden and Councillor Tanfield to make their appointments to the new Audit and Risk Management Committee.

Councillor Tanfield stated she would advise the Monitoring Officer of the FIA appointments to the

Committee in due course.

Councillor Boden nominated Councillor Miss K French as Chairman, Councillor Mrs Davis as Vice Chairman, Councillor Purser, Councillor Skoulding, Councillor Tierney, Councillor Mrs French and Councillor Benney, with substitutes being Councillor Connor, Councillor Mrs Laws, Councillor Hoy and Councillor Humphrey.

Councillor Miscandlon closed the meeting by thanking everyone for attending and wished everyone a Merry Christmas and a Happy New Year.

6.47 pm

Chairman

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Cabinet and Corporate Management Team

Portfolio Holder Briefing Report

January 2021
(For performance in December 2020)

Cabinet Members



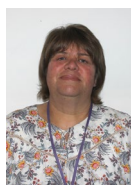
**Councillor
Chris Boden**

Leader of the Council
& Portfolio Holder for
Finance



**Councillor
Ian Benney**

Portfolio Holder for
Economic Growth



**Councillor
Sam Clark**

Portfolio Holder for
Health



**Councillor
Mrs Jan French**

Deputy Leader of the
Council



**Councillor
Miss Sam Hoy**

Portfolio Holder for
Housing



**Councillor
Mrs Dee Laws**

Portfolio Holder for
Planning



**Councillor
Andrew Lynn**

Portfolio Holder for
Licensing &
Community Safety



**Councillor
Peter Murphy**

Portfolio Holder for
Open Spaces, Street
Scene & Waste
Management



**Councillor
Chris Seaton**

Portfolio Holder for
Social Mobility &
Heritage



**Councillor Steve
Tierney**

Portfolio Holder for
Transformation,
Communication &
Environment

Communities

Projects from Business Plan:

Work with landlords to improve housing conditions and management standards in the district's private sector, including using the Council's enforcement powers (Cllr Sam Hoy)

The Council has undertaken 32 positive interventions during the year to date in response to new requests for service for Houses in Multiple Occupation (HMOs) across the district.

The Council has also investigated 163 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:

Town	HMOs investigated	Privately Rented Homes investigated
Wisbech	26	73
March	3	32
Chatteris	0	10
Whittlesey	1	17
Villages	2 Leverington = 2	31 Manea = 3 Leverington = 6 Guyhirn = 2 Wimblington = 2 Murrow = 2 Parson Drove = 2 Christchurch = 2 Coates = 1 WSM = 5 Tydd SG = 1 Fridaybridge = 1 Gorefield = 1 Doddington = 1 Benwick = 1 Elm = 1

Private Sector Housing enforcement 01 April 2020 - 31st Dec 2020

	Served 01/4/20-31/12/20	Notice Amount	Final Amount (Post Review)	Income 1/4/20-31/12/20
Improvement Notices	17	£4,080	NA	£4,180
Prohibition Orders	0	0	0	0
Civil Penalty Notices	8	£71,500	£71,500	£27,758
HMO Applications	14	NA	NA	£10,500
Health Checks	4	£264.00	NA	£264.00

Support property owners to bring long-term empty homes back into use, helping to address the district's housing needs (Cllr Sam Hoy)

Case Study

A property was previously owned and occupied by a very vulnerable elderly couple and their son, who were living in unsafe and insanitary conditions due to the lack of funds to repair, maintain and modernise. The case was referred to Private Sector Housing team as it was attracting the attention of the local community and the team were able to engage with social services and the absent extended family to facilitate a very sensitive and challenging move for the family into social rented accommodation.

As a result of this move the property became a long-term empty and the end of terrace had been empty since Feb 2019. The property was purchased by a developer in the late summer of 2020. Since renovations began in Sept 2020 an extensive refurbishment programme has been undertaken; the roof has been replaced, the chimney repaired, the staircase replaced with the interior having been completely gutted and stripped back to bare brick. The exterior has also undergone a full transformation with a large-scale clearance now giving way to a more aesthetically pleasing appearance. The Empty Homes Officer has supported the new owner in ensuring that, whilst meeting the charges expected from being empty, the financial situation was handled in a way to help his cash flow in order to carry out the work alongside meeting other financial commitments linked with the property.

The collaboration of a multi-team approach has been a success for not only the former owners, their family, and the community, but through providing good quality and safe accommodation in our district.

As a result of the learning from the first year of work by the Empty Homes Officer, there is a proposal to offer an incentive to when there is a change in title for who owns a property so that the premium council tax charge can be suspended if a plan of action to bring the home back into use is developed and approved by the Council. If the plan is delivered and the property occupied the premium element can then be withdrawn. This proposal is for consideration in another report to this meeting.

Prevent homelessness and reduce rough sleeping through working with individuals, families, landlords, housing associations and providers to meet the housing needs of residents in crisis (Cllr Sam Hoy)

The Housing Options team has prevented 174 households from becoming homeless since April 2020. The service is anticipating an uplift in approaches once current financial support ceases along with the easing of the extended notice periods and court action.

The team continues to work closely with households, landlords and other partners to resolve issues before notices are served. One area of focus has been our partnership working with Clarion Home Group to undertake early prevention work with cases that they have identified. We are also encouraging early engagement with a number of other partners.

Number of enquiries - 1340

Advice only given - 673

Preventions achieved this year - 174

In response to the pandemic, the Council have been working in partnership to tackle rough sleeping with Ferry Project and Change Grow Live (CGL) outreach. Currently there are 28 people residing in temporary accommodation under the Government's initiative 'Everyone In'. The "Everyone In" programme has been helped recently through securing £50,000 of funding from government for a Severe Weather Emergency Plan. As a result, we offer emergency accommodation every night no matter what the temperature is until March 31st. If the community see a rough sleeper it is important to contact the Council on 01354 654321 or email housingadvice@fenland.gov.uk. This is even if they say they are "banned" as we continue to look at new ways to support these individuals. Each individual has a plan which includes support required and a plan of their accommodation move on. There are currently 7 people who do not have full settled status that we continue to work with and offer our support.

The Council continues to support all these individuals with accommodation, food, mobile phone and support to meet their needs.

The Council has been proactive in leveraging in funding to assist with move on accommodation under the Next Steps Accommodation programme (NSAP) in a joint partnership with Clarion Housing, Ferry Project and Amicus Trust. It will provide places

and support for 40 rough sleepers, or those at risk of rough sleeping. Accommodation has already been secured for over 20 of the 40 units and these properties are being prepared to be fit for occupation as soon as possible.

Deliver four Golden Age Fairs across the district (Cllr Sam Clark)

Due to the pandemic, no events have taken place. However, Golden Age partners are continuing to receive up to date communications to ensure the over 60's gain access to support necessary for them to stay safe.

Increase the use of local open spaces and collaborate with local activity providers and other partners to address health inequalities (Cllr Sam Clark)

Due to the pandemic and lockdowns, parks remain open, but initiatives such as Active Fenland sessions, club and community group use has been limited due to social distancing and then lockdown requirements.

Parks remain well presented and looked after – welcoming the community to take exercise when the weather permits. Nationally, it is clear that open spaces have been valued throughout the pandemic, with use increasing. Studies have been completed using mobile phone data to evidence that this is the case. Fenland is likely to follow the national trend with our open spaces accessible to most of the population.

Other Projects:

Leisure Update (Cllr Sam Clark)

Freedom Leisure Centres remain closed due to lockdown.

The Active Fenland Team continues to post useful physical activity and health information for the 3,357 Facebook followers that Active Fenland has. The team is also putting up online exercise sessions and using recorded sessions that were successful in previous lockdowns.

FDC has applied to the National Leisure Retention Fund for £221,000 financial support for the leisure centres. It is anticipated that we will receive feedback on funding allocations in late February, with any payment being made in March.

I Love Wisbech Update (Cllr Andrew Lynn)

The I Love Wisbech collaboration of the Community and Voluntary Sector and the public sector is meeting regularly to look at delivering projects against the priorities that came out of a community conversation in 2019.

Several collaborative initiatives are underway. As an example, £5k of funding has been secured to pay for a counsellor to offer therapy to patients as part of a Mental Health Care initiative. A possible 6 sessions will be offered but this will be at the therapist's discretion. The patient will be given the option to wait for Community Mental Health Team or see the counsellor.

The brief is for residents suffering any form of loss from COVID-19, such as lifestyle, death/bereavement, anxiety or depression.

Pride In Fenland Awards (Cllr Sam Clark)

Due to the COVID-19 pandemic, the Pride In Fenland Awards were delayed in March 2020. An online event was launched on 12th January 2021 in partnership with the Fenland Citizen and at time of writing has received over 600 views on You Tube. The categories included:

- Volunteer in the Community
- Sports in the Community (Sponsored by Freedom Leisure)
- Group, Club or Association benefitting the Community
- Young Person in the Community
- Special Judges Award

Although we were unable to meet physically, the online event was a great way to still celebrate our volunteers that go above and beyond to help our communities thrive.

To access the online event, please click on the link below:

<https://www.fenland.gov.uk/article/15632/Pride-in-Fenland-Awards-goes-virtual-to-celebrate-district-s-unsung-heroes>

Health & Wellbeing Update (including COVID-19 Outbreak Plan implementation) (Cllr Sam Clark)

Since November, the COVID-19 Outbreak Plan continues to be the focus of health and wellbeing activity.

The Council's action plan is refreshed weekly following a data presentation by Public Health colleagues.

The actions focus on a number of priority areas including regular communication messages, track and trace services, workplace outbreak management, compliance assurance and community support.

Of note this month is the increased number of cases being followed up by the track and trace service locally. Initially the team was set up to respond to between 25 and 30 cases each day. These are cases that have been difficult to contact by the national track and trace service. Since November the number of local cases has increased to more than 200 a day. The track and trace team has increased staffing numbers and should launch a bigger service with additional teams in January.

In order to support our action plan, the Council applied for just over £152,000 in Contain Outbreak Management Funding from the County Council for resources and community support projects. The implementation of this fund will be taken forwards through consultation with relevant portfolio holders.

Key PIs:

Key PI	Description	Baseline	Target 20/21	Cumulative Performance	Variance (RAG)
ARP1	Council tax support – days to process new claims and changes	8 days	8.0	6.49	-1.51
ARP2	Housing benefit – days to process new claims and changes	8 days	8.0	5.01	-2.99
CELP1	Total number of private rented homes where positive action has been taken to address safety issues	602	400	195	105
CELP2	Number of people prevented from becoming homeless	390	300	174	51
CELP3	Number of empty properties brought back into use	NEW	Baseline	224(56)	N/A
CELP4	Amount of New Homes Bonus achieved as a result of bringing empty homes back into use	NEW	£43,618	£79,217	£35,599
CELP5	Customer satisfaction with Golden Age events (as per event)	298	200	0	150
CELP6	Number of Active Health local sessions per year that improve community health	NEW	600	N/A	N/A
CELP7	Customer feedback across Freedom Leisure facilities in Fenland	NEW	80%	N/A	N/A

Key:

	Within 5% of target
	5-10% below target
	10% or more below target

Comments

ARP1 – The time taken to assess Council Tax Support new claims/changes Target 1 has been achieved this month, the target has been exceeded by 1.53 days. The time taken to assess claims and changes target for the year has also been achieved, target has been exceeded by 1.51
ARP2 – The time taken to assess Housing Benefit new/claims Target 2 still exceeds the target for this month by 2.27 days. The time taken to assess Housing Benefit claims and changes has exceeded target for the year by 2.99 days.
CELP 1 – Effect of ability to inspect through 3 lockdowns
CELP6 – ability to hold events affected by pandemic
CELP 7 – effect of ability to hold events with older residents in light of pandemic

Other comments:

- Fenland has managed to spend 49.20% of Discretionary Housing Payment (DHP) funds.
- Benefits staff continue to work from home other than two staff who have elected to return to office

Environment

Projects from Business Plan:

Continue to deliver environmental enforcement using fixed penalty notices and the court process for serious offences (Cllr Peter Murphy)

Fly Tipping statistics for December to date are:

Total fly tips – 59

Chatteris 2

March 7

Whittlesey 5

Wisbech 13

Villages 32

The main type of fly tipped waste was household waste in the form of a collective amount of bulky single items. Numbers were considerably lower over the festive period which historically is a pattern of behaviour. Unfortunately followed by a rise again in the new year.

During these months, officers have attended more than half of these sites to try and find any evidence amongst the rubbish. Evidence was found at 6 of these sites which is not a high conversion rate and maybe due to an awareness of removing identifying information from rubbish before dumping it.

Officers have sent out 4 postal interviews under caution documents relating to waste where evidence was found.

Enforcement work undertaken during this time includes 3 fixed penalty notices for fly tipping and waste offences including:

- 1 Fixed Penalty Notice issued to a chip shop in Peterborough for failing to ensure they disposed of their waste legally. Several old white goods from this premise ended up being fly tipped in Chatteris and as a result of failing to provide officers with details of who the waste was passed to (an presumably was then responsible for the fly tipping) the business was issued with a £300 fine for waste offences.
- 1 fixed penalty issued for fly tipping waste in a Wisbech open space.
- 1 fixed penalty notice for a fly tipping offence in March where evidence was found at the scene.

The Council are taking the next steps towards prosecution for a fly tipper who has not paid their fixed penalty notice. The fine which was issued in September remains unpaid and will be heard for its plea hearing at Peterborough Magistrates Court.

4 parking tickets have been issued to a car parked on March Market on a market day. All have now been paid.

58 abandoned vehicles have been reported to us during this time and a further 23 nuisance vehicles. Upon investigation, this required our contractor to remove 5 vehicles from the highway.

Deliver the Four Seasons events programme in partnership with our four market towns (Cllr Peter Murphy)

As a result of COVID-19, the four seasons events programme for 2020 was postponed.

Due to the Wisbech Christmas Fayre not being able to go ahead in its usual format on Sunday 13th December, the fayre committee were keen to provide the community with an alternative and support the 'shop local' campaign, and so pulled together the 'Wisbech Christmas Crackers' calendar, showcasing all the different festive events and activities that took place throughout the town from December 1 through to Christmas Eve.

This included online craft activities and a cracker colouring competition from Wisbech Library, 'Countdown to Christmas Markets' operated by Wisbech Town Council and static stands at supermarkets by Wisbech Lions where children could say a socially distanced hello to Santa.

'Wisbech Christmas Crackers' was promoted via the Fayre's Facebook page. It was great to see that there was an increase in number of 'likes' to the page, from members of the community who engaged with this alternative.

Review the current arrangements for parking enforcement in Fenland (Cllr Jan French)

Following approval of the Civil Parking Enforcement (CPE) paper at Cabinet on 21st October, a specialist CPE consultant has been appointed to undertake detailed feasibility works in line with the report recommendations. The initial focus shall be on, but not be limited to:

- 1) Production of a CPE feasibility report for the Fenland area with fully costed enforcement options for on and off street parking areas for Member consideration.
- 2) Undertaking a review of all FDC car park parking places orders for the implementation of a new district wide parking places order for all FDC car parks to enable CPE enforcement to off street areas.

Following receipt of the feasibility works report to include detailed costings (estimated January/February), a further report will be brought before Cabinet Members for consideration and a decision on whether to proceed with an application for a designation order to the Department for Transport (DfT) for the introduction of Civil

Parking Enforcement. The report will include estimated capital and operational/revenue costs, together with the costs of professional fees along with a proposed timetable for implementation. The report would also be used to support the development of a detailed business case for an application to the DfT.

An application to the Cambridgeshire and Peterborough Combined Authority (CPCA) for capital funding for the implementation of CPE was submitted in December under the Growing Fenland programme. It was approved at the CPCA Board's meeting in January.

Member approval will now be sought for a 'signing & lining' review to be carried out of all the existing Traffic Regulation Orders in Fenland in support of a CPE application to the DfT. These works will be undertaken by Cambridgeshire County Council in partnership with Fenland District Council.

Deliver the CCTV shared service with Peterborough City Council (Cllr Andrew Lynn)

The CCTV shared service has maintained its 100% service function across a 24/7 period – the CCTV service is the only council service that is delivered across 24 hours a day, 365 days a year, and even with the pressures of the COVID-19 pandemic has been able to maintain this vital service delivery for both councils with no loss of service to date.

Since April 2020, the CCTV service has been able to respond to 876 incidents across our four market towns including incidents relating to criminal damage, COVID-19 breaches, violent crime, illegal drug use, possession of weapons and theft. As a result of CCTV intervention and support, this has led to 70 arrests being made by Cambridgeshire Police. This highlights the work CCTV services do to support the Council and partners in responding to crime and disorder and helping to make our communities safer whilst also reducing the fear of crime.

The CCTV service also continues to be pro-active in delivering services that helps reduce crime and disorder and anti-social behaviour by delivering regular camera patrols of our four market towns and other key locations. Since April 2020 the CCTV team have delivered 4,859 patrols. All patrols are conducted across the 24/7 period ensuring that, no matter what time of day or night, our local communities are being protected and any issues or concerns are being identified as early as possible.

The CCTV service also provides the Councils 'out of hours' telephone contact services for services dealing with homelessness, stray and lost dogs, cleansing incidents, dangerous buildings and structures, environmental complaints, to name but a few. During April 2020, the CCTV service has responded to over 581 calls for services from our telephone contact service, including supporting our local community with COVID-19 advice and signposting for support where callers identified as vulnerable or shielding.

In November 2020, our Town Council partners were contacted to allow consideration on the renewal of CCTV Service Level Agreements (SLA) which are in place for each market town. The funding provided through the SLA's is essential to support the running costs of CCTV within the town centres. All of the Town Council partners have agreed to continue to commit to CCTV and on the renewal of the SLA's at the agreed financial rate for the period from 1st April 2021 – 31st March 2024.

The CCTV service continues to operate under its Business Continuity Plan (BCP), which has been in operation since mid-March 2020. The local BCP protective measures continue to be reviewed and adapted to changes in the virus and the local infection rates. As such, the CCTV service is operating under a heightened level which includes the wearing of face coverings when operating during double crew periods. This approach will continue forward with guidance and support from PCC health and safety officers and Public Health to ensure the operators and service delivery is protected as much as possible during the COVID-19 pandemic.

Other Projects:

Open Spaces and Grounds Maintenance Contract Update (Cllr Peter Murphy)

FDC's open spaces team and Tivoli have continued to deliver a full service for our communities this year. Core works, the bulk of which is grass cutting (Mar-Oct), have been delivered on time. Quality and standards have been good and the level of complaints from the community are at an all-time low.

Substantial amounts of new trees have been planted in Whittlesey and March cemeteries, along with much clearance of vegetation and hedge-lines.

Play areas, apart from one enforced period during lockdown, have remained open.

In November the contract with Tivoli was renewed for a further 5 years.

The Council has also delivered a new and popular skate park in West End Park, March and recently opened the much-extended play area at Snowley Park in Whittlesey. Projects in the pipeline include play areas in Doddington, Parson Drove, Chatteris and Wisbech.

A number of successful funding bids will help to improve our Parks and Open Spaces areas. This include funding from the CCC's £5m Capital Communities Fund as shown below:

- £75,000 for improvements to West End Park (improving the Park Run surface, tarmacking the path from park entrance to the bandstand, enhancing the junior play area and installing a skate park fence). Tenders were received in December and work commenced in January 2021.
- £240,000 for the Wisbech Pavilion project in Wisbech Park.

Burial rates in the Council's 5 open cemeteries have remained relatively stable but additional resources have been acquired in the event of a possible spike due to COVID-19.

FDC remains a member of the Cambridgeshire Future Parks Scheme. Useful work from this project includes Open Space information to assist with the Local Plan preparation, with more nuanced information expected in the coming months.

Street Lighting (Cllr Jan French)

Street Light Repairs & Maintenance

During the months of November and December, 77 street light faults were reported to the Economic Growth & Assets (EG&A) Team and forwarded onto FDC's street light contractor for rectification. In addition, 41 street light quotation requests were received from various Parish Councils for street light replacement or upgrade works.

The Council's street light contractor has continued to maintain a service for all street light emergency, and routine repair and maintenance works during the COVID-19 restrictions. A reduced service was, however, in place for a 2 week period during the Christmas holiday period whereby attendance was limited to emergency call outs.

The number of street light faults reported to the EG&A team saw an increase at the start of the winter period as anticipated, coinciding with the clocks going back in October. However, the number of District Council street light faults reported so far has still been lower than would ordinarily be expected for this time of year. This is likely to be attributed to both the current capital street light replacement works and the recent local COVID-19 restrictions.

Capital Street Light Replacement Works

The replacement of the Council's defective street lights has been ongoing. However, progress has been much slower in recent months than anticipated or than would ordinarily be expected. The Coronavirus outbreak has certainly played a big part in this as the manufacturing and supply chain has been forced to operate a reduced workforce and in some cases, furlough staff. This has subsequently seen material lead-in times increase significantly as production rates have reduced. In addition, more recently Brexit has impacted on manufacturers who are awaiting luminaire components from Europe as suppliers implement the new transition arrangements.

Whilst these extraordinary circumstances have impacted greatly on both the delivery of materials and the way in which the installation works are being undertaken, fortunately there has been little impact so far financially or in terms of operative health and safety. It is anticipated that this position is unlikely to change until the furlough scheme comes to an end and the vaccine roll out enables the safe return of the manufacturing industry's workforce.

Since commencing the replacement works in March 135, of the 275 identified

defective FDC street lights have now been replaced and a further 60 replacements are scheduled for completion before the end of March. It is anticipated that the replacement works will be ongoing until the Summer.

Deliver the Recycling Action Plan (Cllr Peter Murphy)

In readiness for Christmas, all households in Fenland received the winter calendar via their green bin. This set out the Christmas collection arrangements along with how to access collection reminders via the smart phone app, advice on improving the quality of recycling and advertised the coming season's garden waste service.

The Fenland Bin App has proven to be popular with customers, downloaded more than 100,000 during 2020 and more than 160,000 times overall. Listening to customers we have added links to key waste services such as reporting a missed collection, booking a bulky waste collection and the [Getting It Sorted website](#), where customers can check what can be recycled locally.



The recycling message has also been shared online and via social media. A planned series of posts have ensured that customers are provided with up to date recycling information and links to relevant online resources.

The Getting It Sorted volunteers have helped our teachers and home schoolers by developing a teacher pack for each of the Key Stages which have been sent to 41 schools and are available on the council's [website](#).

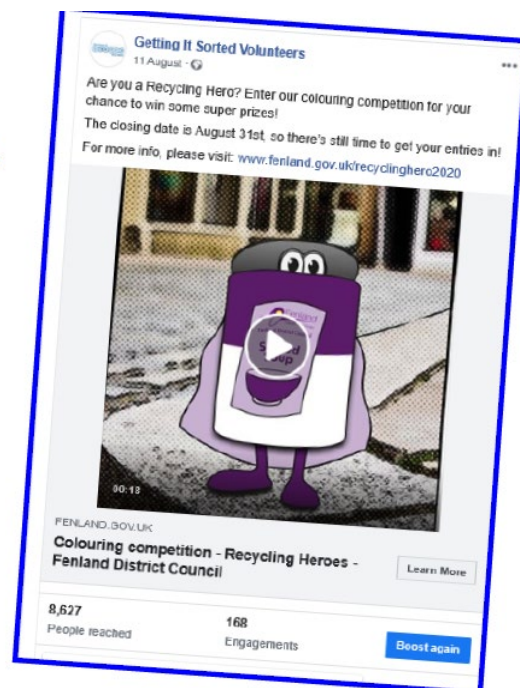
Overall, the quality of the recycling is increasing slightly, but food waste remains the largest issue within the blue bins and communications remain focussed on this issue to help customers continue to improve the materials they present.

Getting it Sorted Volunteers Update (Cllr Peter Murphy)

The volunteers have continued to encourage the local community to recycle, but throughout the pandemic this has had to be through virtual means. They developed online resources for parents and teachers, competitions, refined the Getting It Sorted website and created a series of social media posts and videos.

Since April, the 32 volunteers have worked hard to continue to promote recycling and as a result there have been:

- 64,000 contacts through the programmed social media posts;
- 13,000 new website hits to www.gettingitsorted.org;
- 2,600 orders for additional recycling sacks;
- regular emails to the network of 1,450 registered recycling pledgers;
- 1,060 activity boxes to local families;
- 800 downloads of the summer recycling competition;
- teacher recycling lesson packs shared with 41 local schools;
- 2 online recycling tutorials;
- started working with Cambridgeshire Skills on accredited recycling training;
- and completed more than 1,200 hours of volunteering completed to support all this.



Garden Waste Service Update (Cllr Peter Murphy)

The garden waste service continued in a reliable and consistent fashion throughout the pandemic, creating higher than ever waste tonnages at times and the highest levels of subscribers, at just over 22,750.

As a result, the recently performed customer satisfaction survey shows that 99% of the 642 customers responding (from the 3,300 contacted), said they were satisfied with the garden waste service provided this year.

This year, 77% of the 22,750 subscriptions were purchased by direct debit and these will renew automatically in February 2021. Customers who have in previous years paid by cash have been supported with direct communications as part of the annual communications plan to make their payment at their local shop or Post Office, via the PayPoint system, this year. Card payments and direct debit remain available online and by telephone to allow customers to pay in the most suitable fashion for them.

Cambridgeshire & Peterborough Waste Partnership (RECAP) (Cllrs Peter Murphy & Steve Tierney)

The RECAP Partnership continue to work together to ensure continuity of waste collection and disposal across the area, diverting resources to key areas and coordinating communications to assist customers and deliver these key services in the most appropriate and responsive way.

Regular member board meetings have taken place virtually and business has continued to progress, including shared marketing via social media and the development of a [local circular economy](#) project.

Community Safety Partnership Update (Cllr Andrew Lynn)

Essentials by Sue Project

Academies and colleges report that 'Essentials by Sue' continues to be used to support their students. Through donations from their school community, they are mostly at a point of self-sustainability to fulfil the needs of their individual projects.

With the on-going COVID-19 pandemic, the development of academies and colleges becoming more self-reliant has enabled the projects to continue as donations from the community coming into the external donation points significantly reduced if not stopped all together.

During the last quarter, academies and colleges have also reported some link-up with foodbanks. Families who use the Foodbank, can opt in to allow Foodbanks to share information with schools connected to Foodbanks, and this has enabled their young people to receive support through Essentials by Sue in school.

Community Engagement Session - Domestic Abuse & Coercive Control

Community Engagement Event



On the 10 November, the Community Safety Partnership held an online Domestic Abuse & Coercive Control awareness engagement event. It was held in partnership with Refuge and Cambridgeshire & Peterborough Domestic Abuse and Sexual Violence Partnership. Questions were answered on identifying domestic abuse and coercive control and the options available for reporting and accessing further support. The description that accompanied the published video made available a number of website links and there is an option for translation to a wide range of different languages.

The finished video was made available on the Fenland Council YouTube Channel and shared amongst partners through the Councils Comms Team and Partnerships social media account. The video has registered 150 views in 6 weeks.

This event was published during the national '16 days of action 2020 Domestic Abuse Awareness' campaign.

CSP Workforce Development

Training themes for CSP workforce development are linked to the priorities within the CSP action plan. Frontline staff from statutory partners and the voluntary sector are invited to attend these free training sessions.

Those attending include staff from housing providers, FDC teams, police, probation, traveller teams, young people workers, family workers, children centres, food banks, volunteers, schools, healthcare workers, faith groups, community organisations and citizens advice.

On 24 November, the partnership held a Domestic Abuse development session which was delivered via MS Teams. Topics covered were Coercive Control and recommendations from a Domestic Homicide Review. Refuge and Cambridgeshire & Peterborough Domestic Abuse and Sexual Violence Partnership once again worked with the Partnership to deliver the session. It was attended by 24 front line professionals and staff from third sector organisations.

Loan Shark Awareness

A loan sharks engagement session was held on 21 January. Questions and enquiries were invited from Fenland residents via the FDC Facebook page and using Survey

Monkey prior to the event.

Fenland Op Grippled – Loan Shark awareness Project 2021

Fenland Community Safety Partnership were successful in a funding application to the national Illegal Money Lending Team to deliver an awareness project during the summer of 2021.

There will be some specific work conducted in areas of high deprivation and three local primary schools have agreed to participate in the project. Those schools are Orchards and Ramnoth in Wisbech and Burrowmoor in March.

It is also intended to deliver a Fenland wide awareness and education campaign. The third and final element of the project is a workforce development session which will be delivered by key staff from the Illegal Money lending Team. This is intended to improve the knowledge of front-line professionals and volunteers to help identify victims of loan sharks and how to sign post for support and reporting.

Community Safety Partnership Newsletter - Edition 5

The CSP newsletter provides an update on the partnership activity of the Fenland CSP, along with useful information and links to reporting options. The latest edition was published in November 2020 and shared through CSP and FDC communications and partners. To read this edition please follow the link: <https://www.fenland.gov.uk/csp>

New CSP Volunteering Webpage

Development is underway to create a webpage directory of organisations that offer volunteering opportunities in the Fenland area. It's intended to categorise the opportunities into subject areas for example: -

- Children & Youth
- Environmental
- Historical Interest
- Road Safety
- Community Safety

Details of any Fenland voluntary organisations that could feature on this webpage should be emailed to rcooke@fenland.gov.uk

Support

Fenland CSP has worked with both East Cambs CSP and Littleport Council to help them develop a community survey for Littleport.

The Council also supported the delivery of Cambridgeshire & Peterborough Against Scams Partnerships virtual booth at the Cambridgeshire's Local Councils Conference in October. The event was able to provide a wide range of information and advice to the attendees, recruiting 'friend against scams' and new recipients of the CAPASP newsletter.

Partnership meetings continue to provide a focus on street drinking and associated ASB. The COVID-19 pandemic has led to a reduction in the number of incidents being reported by the community and observed occurrences of street drinking by partners. This reduction is very likely to reflect the COVID-19 accommodation support provided to vulnerable people.

The fewer street drinkers being observed and the need to comply with social distancing requirements has meant the delivery of some on the ground support services has been reduced, for example CGL substance misuse outreach service.

Key PIs:

Key PI	Description	Baseline	Target 20/21	Cumulative Performance	Variance (RAG)
CELP8	Rapid or Village Response requests actioned the same or next day	95%	90%	96%	
CELP9	% of inspected streets meeting our cleansing standards (including graffiti and flyposting)	99%	93%	100%	
CELP10	% of household waste recycled through the blue bin service (1 month in arrears)	28%	28%	28%	
CELP11	Customer satisfaction with refuse and recycling services	99%	90%	96%	
CELP12	Customer satisfaction with our garden waste service	94%	85%	99%	
CELP13	Number of Street Pride, Green Dog Walkers, and Friends Of community environmental events supported	204	204	69	
CELP14	% of those asked who are satisfied with FDC's events (May, July, October, January)	96%	96%	N/A	N/A

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments
CELP 13 - Due to COVID-19 restrictions, volunteers have not been able to undertake as many events this year. Most of these events were undertaken during the summer months.
CELP 14 - The four seasons events calendar has been postponed so this indicator is not being measured.

Economy

Projects from Business Plan:

Continue to review council land and property assets to ensure they are fit for purpose and optimised to deliver better public services, improve efficiency and release surplus land for residential and commercial development as outlined in our Commercial Investment Strategy (Cllr Ian Benney)

The surplus asset disposal programme will be reviewed in line with the now adopted Commercial & Investment Strategy. Whereupon sites with development potential will be evaluated against a set of criteria which will assess whether such sites are likely to produce greater returns if they are developed by the Council.

Of the surplus sites approved for sale by Cabinet, there are 6 sites remaining to be sold either at auction or by private treaty. Currently these are on hold, however the EG&A Team have been able to successfully appoint a new temporary member of staff to take this work forward and the disposal project should begin again in February.

Further disposal of surplus sites may also include transfers to Fenland Future Limited where there is an opportunity to take forward a viable development site, which is likely to lead to an enhanced outcome, over and above receiving a capital receipt.

Continue to lobby for improvements to our transport infrastructure, including the A47 economic corridor (Cllr Chris Seaton)

Wisbech Access Strategy

There is no specific update on this project for January 2021

This is a CPCA funded project being delivered by Cambridgeshire County Council. The latest information about the project can be found on the County Council website from the following link:

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-funding-bids-and-studies/wisbech-access-strategy>

A Wisbech Access Strategy Phase 1 delivery report was presented to the County Council Highways and Transport Committee on 7 July 2020. A copy of the agenda, minutes and accompanying papers can be found from the following link:

https://cambridgeshire.cmis.uk.com/ccc_live/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1529/Committee/62/Default.aspx

Key points to note are as follows:

- Projects at Broad End Road (BER2), Elm High Road A47 Roundabout (EH1) and Weasenham Lane/Elm High Road roundabout (EH7b) are fully funded

- Construction of the above three projects are due to start on site in 2021. The projects are due for completion in 2021 and 2022.
- Land acquisitions and utility diversions are key current areas of work for the CCC Project team. Commencement of Compulsory Purchase Orders (CPO) have been given approval by CCC Highways and Transport Committee should they be needed.

Kings Dyke Level Crossing

This is primarily a CPCA funded project being delivered by Cambridgeshire County Council. The Project is currently in its construction phase. The new road will be open to the public by the end of 2022.

An update information paper went to the CPCA Transport and infrastructure Committee in early January 2021. This can be found at the website link below.

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1972/Committee/67/SelectedTab/Documents/Default.aspx>

The above-mentioned paper included a latest update on the construction process in the form of a drone video. Here is a link to the video on You Tube.

<https://www.youtube.com/watch?v=JpfZkEtIYRk&feature=youtu.be>

The County Council website includes significant detail about this project including technical reports and questions and answers. This webpage can be accessed from the following link. [Kings Dyke Crossing](#).

March Area Transport Study

This is a CPCA funded project being delivered by Cambridgeshire County Council.

In early November 2020 a report was tabled at the CPCA Transport and Infrastructure Committee. The Committee agreed to go forward to construction with the quick win schemes. The timetable for which is set out below as an extract from the CPCA paper. Outline Business Case work for the larger schemes that make up this project will be ongoing during 2021. A copy of the paper which includes the quick win scheme details and a construction timetable can be found from the following website link:

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1971/Committee/67/SelectedTab/Documents/Default.aspx>

Table 1: Quick Win Construction Delivery

Quick Wins	Construction Start	Construction End
QW1A - Improve safety for pedestrians. Provide a zebra crossing	January 2021	March 2021
QW2 - Introduce gateway feature at edge of town, introduce 40mph speed limit buffer and revise deflections on Cavalry Dr roundabout	July 2021	August 2021
QW15 - Improve safety for school children. Provide a zebra crossing	November 2020	December 2020
QW16 - Improve signage for HGV drivers to reduce poor route choice	December 2020	February 2021
QW21 - Complete footway on southern side of Norwood Ave	February 2021	March 2021
QW22 - Introduce traffic calming on three sections of Norwood Rd	August 2021	August 2021
QW23 - Complete footway on eastern side of Hundred Rd including build out feature	March 2021	April 2021

Technical details and feasibility study work associated with this project can be found on the County Council website from the link below

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/transport-funding-bids-and-studies/march-transport-study>

March to Wisbech Railway Line

There is no specific update on this project for January 2021

This is a CPCA funded project being delivered by Cambridgeshire County Council.

The full business case was submitted to CPCA Transport and Infrastructure Committee for its 1 July 2020 meeting. The papers relating to the business case can be found from the following website link. Item 2.7

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1969/Committee/67/SelectedTab/Documents/Default.aspx>

In November 2020 CPCA gave an update to FDC Overview and Scrutiny Panel on the Wisbech railway project. A copy of the report to support the meeting can be found in the link below.

<https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=135&MId=2490&Ver=4>

Key points to note are as follows:

- The full business case concludes that the most commercially viable solution is a heavy rail service serving a station centrally located within Wisbech
- The CPCA Board agreed to continued engagement with the Department for Transport, and other central government departments to explore the future funding of this project through the Restoring Railways Fund
- In June the Mayor met with Chris Heaton – Harris, Minister of State for Transport, to highlight the importance of both Wisbech Rail and Ely Area Capacity Enhancement. The Mayor and Minister agreed that further work would take place between Combined Authority officers and departmental

officials. The Mayor and the Minister are expected to meet again following that engagement between the Combined Authority and the Department for Transport (DfT)

- The Combined Authority has made representation to the Treasury as part of the Spending Review 2020 submission. This includes a case for funding Wisbech Rail as a priority.

A47 Dualling (CPCA Project)

There is no specific update on this project for January 2021

It was reported in the last update that the Highways England Road Investment Strategy (RIS2) announcement did not include the A47 dualling project. Discussions between CPCA and Highways England have since continued and negotiations are ongoing. Highways England have agreed to undertake a review of the stage 0 work completed by CPCA. This review is to determine if there is any further work needed with a view to Highways England adopting the development work into their own programme.

Considering the above mentioned RIS2 announcement, a progress update was provided to the CPCA Transport and Infrastructure Committee in early November 2020. A link to the paper from that meeting is below.

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1971/Committee/67/SelectedTab/Documents/Default.aspx>

A47 Guyhirn (Highways England Project)

The latest information we have been provided with confirms a start on site for this project in February 2021 with the scheme being open to traffic in 2022. Further information can be found in the Highways England [Winter 2020 information leaflet](#).

Full details about this scheme and the latest updates can be found on the [Highways England website](#).

Support the delivery of interventions listed within the four market town 'Growing Fenland' socio-economic masterplans (Cllr Ian Benney)

The CPCA are committed to unlocking economic opportunities in each of our market towns. They have provided financial assistance to draw up masterplans and recently announced that each town will now be able to bid for up to £1m of capital funding to turn these plans into a reality.

Following approval of the four 'Growing Fenland' masterplans at a number of Council meetings in late 2019 and early 2020, Town Teams are continuing to meet to prioritise

projects to be taken forward to bid for funding from the CPCA.

Projects which have so far been approved for funding from the CPCA are as follows:

PROJECT	DESCRIPTION	FUNDING APPROVED BY CPCA
Chatteris Town Centre Renaissance Fund	<ul style="list-style-type: none"> Refurbishment of street furniture & ornate streetlamps Grant funding available for town centre properties to make improvements to visual appearance 	£100,000
Whittlesey Interactive Flood Signs	<ul style="list-style-type: none"> Interactive signs to signal when the B1040 is closed due to flooding 	£56,500
Whittlesey Heritage Walk	<ul style="list-style-type: none"> Heritage walk around the town of Whittlesey Links to Whittlesey Heritage Visitor Centre Provides residents & visitors with background information on the town 	£218,169
Whittlesey Heritage Visitor Centre	<ul style="list-style-type: none"> New visitor centre to showcase local artifacts and tell the story of Whittlesey 	£500,000
Whittlesey Business Capital Grants Scheme	<ul style="list-style-type: none"> Grants scheme for Whittlesey businesses to help mitigate against the effects of COVID-19 pandemic 	£124,331
Wisbech Market Place Enhancement Scheme	<ul style="list-style-type: none"> Modifications to Wisbech Market Place as part of a town centre improvement initiative 	£200,000
Wisbech Business Capital Grants Scheme	<ul style="list-style-type: none"> Grants scheme for Wisbech businesses to help mitigate against the effects of COVID-19 pandemic 	£200,000
Wisbech Footfall Counters	<ul style="list-style-type: none"> Provision of additional footfall counters for Wisbech Market Place 	£19,500
Wisbech Replacement Shopwatch Radios	<ul style="list-style-type: none"> Replacement of existing Shopwatch radio scheme with digital system 	£33,800

Project bids due to be submitted to the next CPCA Board meeting in March are currently as follows:

PROJECT	DESCRIPTION	FUNDING TO BE REQUESTED
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		FROM CPCA
Chatteris Skills Development	<ul style="list-style-type: none"> Funding for ICT hardware and software to support skills development 	£36,178
Wisbech Water Park	<ul style="list-style-type: none"> Build children's water park in Wisbech Park 	£147,500

Continue to prepare a new Local Plan document, which will determine how the district will grow in the future (Cllr Dee Laws)

The Government has confirmed the methodology to be used to calculate the housing requirement for the District. A different method was proposed previously which would have resulted in an unrealistically high figure (844 pa). It has been reduced to a similar level to the existing local plan (538 pa).

The Council recently had it confirmed that we have 'passed' the latest housing delivery test (by achieving 98%).

Following the second round of call for sites, the Strategic Housing and Economic Land Assessment document has been updated and published:

<https://www.fenland.gov.uk/shelaa>

The team are working towards the preparation of a draft local plan for consideration by members prior to public consultation in the spring.

Deliver railway projects with CPCA support through the Manea, March and Whittlesea Stations Project Boards (Cllr Chris Seaton)

Manea Station

Approval for the car park scheme was given by FDC Planning Committee in September 2020. The detailed design work is now complete. The land acquisition is complete. The procurement to select a company to build the scheme is in progress with the winning contractor due to be announced in February 2021. Work is ongoing to discharge the planning conditions for the project with most conditions either resolved or in detailed discussion and nearing completion.

March Station

The tender process to secure a company to build the car parking and platform 1 building scheme is due to complete during January 2021. The winning contractor will be announced in February 2021. The projects are due to be completed in late 2021/early 2022.

Whittlesea Station

Greater Anglia and their consultants are finalising a revised scheme design for the car park. This is expected to be a phase 1 scheme and will use existing railway land. A revised single option design is expected to be reviewed in January 2021. Following any review and feedback from the Project Board it is expected that a timetable to progress the Whittlesea Station car park can be taken forward.

Work with partners to deliver property improvements and the activity plan as part of the National Lottery Heritage Funded Wisbech High Street Project (Cllr Chris Seaton)

Despite the COVID-19 epidemic, the project has continued to progress with the physical works with minimum disruption.

Property Updates

The Gap – 24 High Street

A project manager has been appointed to deliver the revised scheme at No 24 on behalf of the Council. A press release relating to this was released in October 2020. At present we are assessing quotes for architects' services following a competitive tendering exercise. This will allow for a scheme and programme of redevelopment for the site to be finalised and presented to the National Lottery Heritage Fund for approval.

11-12 High Street

The developer has been required to review and reissue the tenders for the main build contract which has added a slight delay to the formal funding application. Once the application for funding has been agreed, the build lease can be signed. The demolition works were completed in December. All remnants of the derelict structure and the façade have now been removed. Hoarding and propping will remain to ensure site safety until building works commence.

13-17 High Street

Following cabinet approval, the legal agreements were signed and exchanged in December. Scaffolding and hoarding were immediately erected on site and internal clearance works commenced. The project manager appointed for the scheme has provided a full schedule of works and significant structural works will commence in January.

18 and 19 High Street

A grant has been agreed for these two properties to assist with extensive roof and brickwork repairs, window repairs and appropriate replacement of some windows and doors as well as a full redecoration of the facades and new signage. Work is anticipated to commence in the Spring when the weather is more suitable.

Other Properties

The project is currently working with owners and tenants of a further 2 properties who

are in the process of applying for a grant for building improvements. Both of these are historic properties. With a generous grant proportion available to assist with the repairs, the owners/tenants are in the process of gathering quotes, applying for statutory consents where applicable and completing their applications. COVID-19 has impacted on the operations of the businesses and the availability of the owners to obtain quotations.

Other Activity

The planning enforcement and legal teams are now preparing to contact owners of buildings who had previously been advised of the Council's intention to serve S215 notices.

Activity Plan:

Due to restrictions on meetings and public gatherings following the outbreak of COVID-19, most of the planned activities have needed to be amended or postponed. However, a number of very successful virtual events have recently taken place.

Wisbech Underground

This has been one of the most anticipated activities and has attracted a lot of public interest. Working with the University of Lincoln, we have recently undertaken 3D surveys of three underground locations in the town (The Rose and Crown Hotel, Market Place and the Sessions House). The surveys, which will be available to access via the project's website will allow virtual tours of these important historic locations which are ordinarily not open to the public. The project also commissioned the university to undertake some historic interpretation of these locations. Despite efforts, other popular locations have remained inaccessible, however there remains time and finances available to survey more locations. Results will be available on the website in January.

Gutter Clean

The annual Gutter Clean was undertaken in November 2020. This Activity offers cleaning of gutters, parapets and downpipes of all High Street properties free of charge. This aims to encourage good maintenance practices.

Construction Training

Due to the impact of COVID-19 on educational establishments, the College of West Anglia are no longer able to commit to their involvement in the conservation/repairs training programme. With the support of the NLHF, an alternative activity has been approved which will involve a series of public training events (online and practical) to be delivered by an appropriately experienced external provider to be appointed in the new year following a competitive tendering process.

Window Wanderland

We were delighted to be able to work in partnership with the Wisbech and Fenland Museum to fund a Christmas event called "Wisbech Wanderland". This COVID-compliant event encouraged local residents and businesses to decorate their windows for an illuminated display over two evenings. The event was hugely successful and over 40 participants signed up to be included on the trail map. Local primary schools were involved in creating decorations for a display in Wisbech High

Street, utilising an empty shopfront.

Heritage Open Days (Sept 2020)

An online exhibition of photos from the Borough Engineers archives was incredibly popular and a physical display in the window of the former Bon Marche shop on High Street attracted a lot of interest. The exhibition comprised around 50 images from a photo album which we believe have never been published or publicly available before now. The photos were taken by the Wisbech Borough Engineers between the 1940s and 1960s and include war damage and new housing development schemes. Dozens of messages were received from residents who wanted to share their stories and memories, making this a really successful event. NLHF were very pleased with the outcomes.

Photo Book

Following on from the popularity of the photo exhibition, it was decided that there was enough interest to publish these images in a book. The book, which contains around 85 images will be available for sale in the new year. This activity has replaced another event which was undeliverable in the current climate and achieves the same objectives of celebrating local heritage and making it available to residents as well as potentially further afield.

Project updates available on the website: www.highstreetwisbech.org.uk

Support local businesses to achieve regulatory compliance through a 'better business for all' approach (Cllr Sam Hoy & Cllr Ian Benney)

The Better Business for All (BBFA) group was established before the COVID-19 crisis and its purpose is to bring Compliance Teams (Environmental Health & Licensing) together with Economic Growth/Development Teams within Councils across Cambridgeshire & Peterborough to engender closer working relationships and improve the interface with businesses.

The BBFA group meet virtually, as regularly as is necessary, but continue to share important intelligence and trend information, enabling FDC Teams to respond where issues are identified.

Other Projects:

Economic Growth Team Activity (Cllr Ian Benney)

Government COVID-19 Grants

Following the Government's announcement regarding a further national lockdown

and requirement for certain businesses in the hospitality, retail and recreation sectors to close, additional grants have been made available. From 26th December, Tier 4 Restrictions grants are available including “wet-led” pubs grant and a Supplementary Winter Lockdown Grant (SWLG).

A significant collaborative effort across a range of Council teams is ongoing to process and make grant payments in as efficient way as possible. The Economic Growth Team has undertaken a key role across all the COVID-19 grants and in particular the creation of the SWLG application process, assessment of applications and, where required, engaging with applicants.

Open For Business

Following the announcement of the national lockdown, the Economic Growth Team commenced the re-marketing of the existing ‘Fenland Open For Business’ webpages on the Fenland for Business website (www.fenlandforbusiness.co.uk). This service promotes businesses who are able to continue to provide a service such as a takeaway service whilst complying with the requirements of the lockdown.

Investment Projects

The Economic Growth Team continue to engage with a number of commercial investment projects with businesses located in the district wishing to expand or consolidate and those outside the district considering moving into the district. The team works closely with agents/business owners to understand timescales, issues and any barriers to ensure that the required support is in place to enable successful delivery.

Commercial Development Forum

The Economic Growth Team have created a forum of private sector developers/agents to discuss the commercial workspace market and specifically how more commercial workspace could be brought forward to meet the existing and future demand. A first virtual meeting has taken place with a number of outcomes:

- I. To consider the existing portfolio of land available for commercial development and the potential cost of infrastructure to create 2/3 “ready to go” sites.
- II. To consider how it might provide online an up to date list of all the currently available commercial land and property and include what has been proposed through the local plan.
- III. To bring together two sector groups to facilitate discussion around the attraction of business expansion and new investment into Fenland from those sectors such as the farming/agri-tech sector and engineering sector.
- IV. To consult with planning colleagues on the support provided by Middle Level Commissioners on planning applications
- V. To provide an update of the role and remit of Fenland Future
- VI. To co-ordinate a quarterly meeting of developers and agents to discuss commercial land and property.

MHCLG announced in-principle funding for the March Future High Streets Fund (FHSF) Project on Boxing Day.

FDC bid for a sum of £9.3m to transform March, supported by £2m of additional funding from the Combined Authority. Realistically, given the very competitive nature of this fund, our expectation was a grant in the region of £5m - £6m from MHCLG.

The in-principle offer received from MHCLG is £6.447m - exceeding expectations. This sum will allow the Council to achieve most of the workstreams from our proposal including;

- Transformation of Broad Street
- Opening up the riverside area
- Market place redevelopment
- Vacant units activation programme
- Elements of Acre Road improvements

This will be the biggest transformation in March for generations, ensuring that the town remains vibrant for the future.

The next steps to secure the funding are to finalise project streams to fit them with the revised funding envelope, whilst also changing the delivery schedules (initially funding was expected to be confirmed in September). This work is progressing and, with support from MHCLG officials, moving the funding offer from in-principle to confirmed should take place in March.

FDC has submitted formal bids to the Combined Authority Board for confirmation of the £2m match funding support. The CPCA Board approved these bids at their board meeting in late January.

When both sets of funding are confirmed, FDC will work with the March Area Transport (MATs) team and CCC Highways to deliver the FHSF workstreams. The FHSF and MATs projects are closely aligned, with FHSF work taking place adjacent to public highways, with CCC being best placed to push this work forwards.

Skills Update (Cllr Chris Seaton)

Internally, the Council offers a range of development opportunities to its workforce. This includes apprenticeship qualifications. We already have:

- 1 x HR Apprentice;
- 3 x Management Apprenticeships;
- 1 x Accountancy Apprenticeship (Finance);
- 1 x ICT Apprentice;
- 1 x GDPR Apprentice (Member Services);

3 x Planning Apprentices

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

We are currently exploring further opportunities, as part of the My Fenland Programme, to develop a wider apprenticeship offer to maximise apprentice posts being offered by the Council.

Integration with the [CPCA's Skills Strategy](#)

The Skills Strategy will be delivered by the new CPCA Growth Service. It was expected that the winning bidder for the service would be announced on 1 February 2021 but, at the time of writing, the announcement has not yet been made. CPCA will arrange a virtual meeting with the winning bidder as soon as they are established.

In the intervening period the Council are working with a number of partners to develop and promote skills and apprenticeships. These partners are either funded by the CPCA or are part of the CPCA Skills Pillar. Proposed actions include:

- Virtual meeting with the new CPCA lead on skills to discuss delivery of the skills agenda via the Growth Service
- Virtual meeting with DWP and DoE Opportunity Area Lead regarding the Fenland and East Cambridgeshire Opportunity Area. A steering group will be established to develop a project to build confidence and motivation for care leavers with the aim of preventing NEATs
- Virtual meeting with the Enterprise Advisor Network regarding Enterprise Advisors. The Fenland and East Cambridgeshire Enterprise Adviser Network is looking for professionals to become Enterprise Advisors, particularly in Wisbech. Advisors visit schools to help students understand employment opportunities and employer expectations. It is a national programme set up by the Careers & Enterprise Company and is funded in Cambridgeshire by CPCA. The vacancy featured in the 'Fenland for Business' newsletter and specific companies have been targeted by personal email.
- Connections made with a company that won the delivery contract for the North Cambridgeshire Training Centre. Working with the company, the Council plans to survey Fenland companies to establish which courses and apprenticeships local companies would like to be delivered at the centre.
- Connection made with the company that will run the skills pillar, Gareth Preece Consulting Ltd, part of the Gately team that won the Growth Service contract. A meeting will be arranged with the awarding of the contract is announced.

Companies are regularly updated on training and skills opportunities both directly and via the 'Fenland for Business' Newsletter. These include national and regional opportunities from providers and universities.

Promote and develop our Business Premises at South Fens, The Boathouse and Light Industrial Estates to encourage investment, business and job creation and skills diversification (Cllr Ian Benney)

The effects of lockdown are continuing. However, all of the remaining businesses operating from our industrial portfolio have continued to operate and remain open.

The office sector has been less resilient and as anticipated some businesses are deciding to release space as homeworking makes the case for keeping an office less robust. Some have been forced to terminate their tenancy due to the effect the pandemic has had on their business sector.

Our two business centres remain closed during lockdown and conferences have ceased. However, as the buildings are designed for tenants to have unimpeded access, we have kept a reception presence in each building. At each business centre a small number of tenants continue to work from their offices, but the majority have not been in attendance as staff worked from home.

The business centre most adversely affected has been South Fens offices in Chatteris. Historic occupation levels of 60% have dropped to 52%. One tenant went into liquidation in December 2020 and this was as a direct effect of the pandemic as they work in the events industry. Another tenant has served notice and is due to leave in March 2021; they are relocating to Huntingdon as travel links are better and they host a number of trade visitors travelling from abroad.

At the Boathouse occupancy levels remain high at 97% with just 3 vacant suites with 2 'under offer'.

The demand for industrial units remains relatively strong and estate occupancy remains high at 91%. Venture Court has 2 empty units, one industrial and one office (Venture House). The industrial unit is under offer with terms agreed but the large office at Venture House remains empty. We are pursuing an interesting lead with a veterinarian who would like to take Venture House for a vet practice, subject to a planning change of use. Although they have a strong interest in the property, terms have not yet been agreed. If Venture House was let, occupancy would increase to over 96%.

Our other industrial estates in Wisbech, March and Chatteris are fully occupied. A tenant is due to leave South Fens Enterprise Park in Chatteris in March 2021 with the business downsizing and relocating to the north of the country to cut costs. This space though will allow an existing tenant in a smaller unit to take on a larger space and free up their smaller unit for marketing.

As reported previously, it cannot be anticipated if more tenants will decide to serve notice. By the nature of the tenancies which promote 'easy in and easy out terms', we are always at risk of tenants leaving on 2 or 3 months' notice. This is likely to affect our office premises more than the industrial premises.

Affordable Homes (Cllr Sam Hoy)

Work has commenced in December on the development of 137 affordable homes near the College in Wisbech. The Registered Provider "Platform" have not developed in Fenland before and a link was made following a shared learning visit made by the Portfolio Holder with Officers to Boston Borough Council.

The breakdown of properties for the community is as follows:

<u>Type</u>	<u>m2</u>	<u>Affordable Rent</u>	<u>Shared Ownership</u>	<u>Total</u>
1b2p Flat	46	6	-	6
2b3p bungalow	57	9	-	9
2b4p house	70	26	20	46
3b5p house	84	46	30	76
	Total	87	50	137

Environmental Health inspection and business support programme (Cllr Sam Hoy)

The Council's statutory food programme has been affected by the Covid pandemic particularly because of the lockdown requirements where premises have been shut. For the first third of the year the direction from the Food Standards Agency was that they did not want the Local Authorities doing any proactive food inspections unless it was urgent, such as following a complaint or intelligence. Since October 2020 inspections could be carried out on a priority basis as they were aware that Local Authorities' Covid response took priority and staff should not be going into premises where the risk is not outweighed by the need to inspect, for example, low risk premises. This has created difficulties in delivering the programme.

To date 108 food interventions have been completed ((these include physical inspections and questionnaires).

There are 81 more businesses to inspect as priority although currently approximately 70 of these are closed due to business closure regulations.

Of 17 businesses recently surveyed all of them reported the inspection was helpful and fair.

Key PIs:

Key PI	Description	Baseline	Target 20/21	Cumulative Performance	Variance (RAG)
CELP15	% of major planning applications determined in 13 weeks (or within extension of time)	100%	75%	100%	
CELP16	% of minor planning applications determined in 8 weeks (or within extension of time)	94%	80%	94%	
CELP17	% of other planning applications determined in 8 weeks (or within extension of time)	99%	90%	97%	
EGA1	% occupancy of the business premises estate	87.8%	89%	86.7%	
EGA2	% of customers satisfied with our business premises estates (quarterly)	100%	95%	98%	
MS1	Number of berth holders / occupancy of berths at Wisbech Yacht Harbour (85 berths)	85	85	83	96%
CELP18	Number of local businesses supported and treated fairly (quarterly)	96%	96%	100%	

Key:

	Within 5% of target
	5-10% below target
	10% or more below target

Comments

EGA1 Cumulative figures not recorded. Historically reported as a year-end figure. For June 2020 the figure is 87.8%

EGA2 Annual figure based on survey Oct 2019

Planning Applications:

The team continue to perform exceptionally well in difficult circumstances, and we are comfortably exceeding our local targets.

In relation to the national targets:

Major applications – 100% of applications were decided on time against a target of 75% (as measured over a 24 month

rolling period)

Minor / Other applications – 96 % of applications were decided on time against a target of 70% (as measured over a 24 month rolling period).

In terms of appeals performance, over the Government's 24 month monitoring period, we lost no appeals relating to major development and in relation to minor / other applications, our performance was 1.4% (the target being not more than 10%).

Quality Organisation

Projects from Business Plan:

Launch our Commercial Investment Strategy (Cllrs Chris Boden & Ian Benney)

The process around the Commercial and Investment Strategy has now bedded in and the Investment Board has met three times in total with two schemes being approved for further due diligence to be carried out. Fenland Future Ltd have appointed, via FDC's Procurement Team, both Design & Architectural Services and Commercial Agency & Development Feasibility Services to work up a full appraisal for presentation at a future Investment Board.

Fenland Future Ltd has held its inaugural Board meeting and the directors are in the process of producing the first draft business plan to be presented to the Investment Board.

Deliver the 'My Fenland' project to modernise customer service arrangements across the district (Cllr Steve Tierney)

The My Fenland programme focuses on modernising the way the Council delivers all aspects of our services to our customers. Current processes, wherever possible, are being streamlined to improve consistency and efficiency across the organisation. Technology is being utilised to improve the process for both staff and customers. The key focus is ensuring we are putting the customer journey first and providing the best possible customer experience.

We have made significant progress with the project, despite the current COVID-19 restrictions. Phase 1 of the programme has been successfully delivered, which has included:

- The successful implementation of Pay Point functionality across the district, which allows our customers to pay their Council bills at an increased number of locations, such as Post Offices, garages, convenience stores and so on. Utilisation of these facilities has been buoyant.
- The creation of new My Fenland team, includes all of the following teams:
 - The Customer, Environment and Leisure administration team
 - The Customer Services teams
 - The Assets and Projects administration team
 - The Business Centre administration team
- In addition to the teams coming together, we have also successfully introduced the teams working together and co-locating where possible and in line with government guidelines around safe working practices and capacity restrictions in some offices.

- A full review, update and relaunch of our website and access points for customers new website.
- Implementation of the telephony upgrade and associated training for employees, which will enable us to provide a web chat service to our customers
- The development of new forms to enable customers to self-serve via our website (e.g. missed bins) removing the need for back office intervention. This has seen a 78% reduction in the manual intervention needed to progress these requests as well as enabling customers to self-serve where possible.
- We have process mapped a number of activities from a number of customer facing and administration teams, including our Licensing functions, our Corporate 3Cs process (complaints, compliments and correspondence), our Freedom of Information request (FOI) process, environmental service requests (e.g. how we process Missed Bins reports), to name just a few. We have streamlined and automated these processes to make them more efficient and customer focused.

The Contact Centre remains open on Saturday mornings and customers are increasingly making use of the Saturday morning Contact Centre facility, with call volumes exceeding the numbers of customers previously seen face to face during the same time.

During August, following the initial national lockdown resulting from the COVID-19 pandemic, we successfully resumed the face-to-face service in all 4 locations via an appointment scheme initially, to ensure we were able to successfully evidence COVID-19 compliance to customers and staff.

The payment machines in all locations remain closed. Since the second national lockdown which commenced on 05 November, we remain open to customers wishing to make urgent appointments and a press release and postings on social media and the FDC website has communicated this to our customers. To date (since August 2020) we have delivered just over 40 face to face appointments, as all other customer queries have been successfully resolved over the phone or by offering a telephone appointment.

Phase 2 of the My Fenland project is now well underway with a proposal for a revised structure and revised job descriptions currently out for formal consultation with staff. The final proposal will be considered by the Sub Committee of the new Audit and Risk Management Committee in March 2021.

Identify and deliver projects that support us to become a 'Council For the Future' (CFF)
(Cllrs Chris Boden & Steve Tierney)

Several projects are in full flow including "My Fenland" which is detailed in full above. Other successful projects include Empty Homes work, Private Sector Enforcement, Civil Parking Enforcement (CPE) and the new website, details of which are contained elsewhere in this report and feature in the draft Business Plan for 2021-22.

Other Projects:

Elections Update (Cllr Chris Boden)

A Polling District Review was successfully completed during the autumn of 2020. The focus of the review was to look forward to the elections scheduled to take place during May 2021, which include County Council, Mayoral and Police and Crime Commissioner elections. All of those electoral events are scheduled to take place whilst the COVID-19 pandemic remains a consideration and therefore the review provided the opportunity to focus on Polling Districts which serve the greatest number of electors, to ensure the locations are COVID secure and electors have confidence about casting their vote in a manner of their choosing. The results of the Polling District Review were endorsed by full Council in December 2020 and the results of the review have now been reflected in the electoral register, which was successfully republished on 4 January 2021. Legislation would ordinarily require the electoral register to be re-published on an annual basis every December, however the timescales for 2020 were revised to reflect the impact of the COVID pandemic.

The annual Postal Vote Identifier refresh has commenced. This proactive project involves writing out to electors who have a registered postal vote, whose signature on record is more than 5 years old. These electors are required to provide a refreshed signature in order to keep their postal vote.

3Cs Update (Cllr Steve Tierney)

Performance for the 3C's service during December 2020 was as follows:

- 100% of correspondence was responded to within the published 10 day response target
- 144 complaints were received during December, 97% of which were responded to within the published timescales exceeding the 90% target
- 0 complaints were referred to the Ombudsman.

Communications Update (Cllr Steve Tierney)

News update:

The number of news stories added to the FDC website and distributed as press releases to local media in November = 12 and December = 7

Monthly update on FDC social media sites:

The number of social media updates added to the FDC twitter and Facebook accounts in,

November;

Twitter = 123

Facebook = 96

December;

Twitter = 126

Facebook = 123

We currently have 4,340 likes on Facebook and 8,634 followers on twitter.

Consultation Summary:

- Local Council Tax Reduction Scheme Proposals – 28 September – 20 December 2020
- Licensing Public Consultation – 20 October to 3 & 5 November 2020
- Polling Districts and Polling Places Review – 20 October to 13 November 2020
- Business Plan and Budget – 5 January – 2 February 2021

COVID-19 comms update:

We continue to follow and publicise national Government and Public Health England (PHE) advice and guidance in respect of COVID-19.

The latest information is being shared through our Council's COVID-19 web page at: www.fenland.gov.uk/coronavirus and the Council's social media accounts. In total, we have had over 70,000 Coronavirus web page views since their launch.

We are also publicising press releases for all key Council news and service information relating to COVID-19.

We also continue to circulate comms to staff via our What's Breaking emails and the intranet.

Better Online Access – CFF Project update

Online form submissions via the council's website www.fenland.gov.uk were at a record high during 2020 (1 January – 31 December) and saw the most significant increase in uptake to date.

In total, we received 14,578 online form submissions (excluding Garden Waste Subscriptions) – a 50% increase compared to 2019 (9,864).

A number of factors have contributed to this – namely the shift to online services during the Coronavirus pandemic, the launch of our new improved corporate website and the development of new online forms. Total website usage has increased by around 30% this year.

Data suggests that people's behaviour is starting to change and that more users are choosing to use our website to access a service as opposed to just browsing. This is a really important step in appropriately moving residents to engage with us via digital channels and provides a good platform for us to build on as part of the My Fenland project.

Our website now offers a total of 53 online forms; 9 new ones were developed this year. Highlights to note include:

- 5 Coronavirus business grant application forms enabled over 900 businesses to apply for funding.
- In December, we launched the new Missed Bin (Bartec integrated) reporting form. This received a total of 300 reports in its first month. The form prevents reports being incorrectly being made through querying data from Bartec. Valid Missed Bin requests are automatically added to operative's in-cab workpacks without the need for human intervention
- Services are increasingly asking for the development in online forms which shows that their confidence in the website (and its associated benefits) is increasing
- Of our existing forms, the biggest increase in submissions has been seen in 'Order Recycling Sacks' and 'Report a Missed Bin'
- Of our existing forms, the three that are used the most are 'Report a Missed Bin' (2,900 submissions), 'Order Recycling Sacks' (2,700 submissions) and 'Contact the Council' (1,847)

Key PIs:

Key PI	Description	Baseline	Target 20/21	Cumulative Performance	Variance (RAG)
PRC1	% of customer queries resolved at first point of contact	95%	Rolling monthly target of 85% per month	96.6%	+11.6%
PRC2	% of customers satisfied with our service (March 2021)	96%	90%		
PRC3	% of contact centre calls answered within 20 seconds	64%	Rolling monthly target rising to 46.5% by March 2021	84.32%	+44.32%
PRC4	% of contact centre calls handled	92%	Rolling monthly target rising to 80% by March 2021	97.77%	+27.77%
ARP3	% of council tax collected	96.84%	96.8%	83.13%	-0.81%
ARP4	Council Tax net collection fund receipts	£58,820,245	£57,913,023*	£48,651,700	-£979,761*
ARP5	% of NNDR collected	97.7%	97.51%	82.30%	0.16%
ARP6	NNDR net collection fund receipts	£24,988,241	£16,182,693*	£14,405,039	£827,948*
PRC5	Number of visits to our website	684,190	718,000	91,000 (Dec) 651,000	
PRC6	% of staff who feel proud to work for FDC (every 2 years)	84%	85%	95%	+10%

*Amended to reflect changes due to COVID-19

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments
COUNCIL TAX

Across the Anglia Revenues Partnership at the start of the month there were 8903 outstanding processes, and this has increased to 8957 based on stats generated on 4 January 2021. These stats generated on 11 January 2021 have reduced to 84840. We continue to see a large volume of moves being received each week.

Council Tax collection is below target but the position at the end of December improved with collection being down 0.81% compared to October has improved compared to down 0.92% at the end of November.

The first Court of the year was held on 2 December.

BUSINESS RATES

The team has worked incredibly hard to reduce processes – there are currently 105 items of post outstanding for Fenland (1605 across ARP). Focus has been on urgent work for grants, which does mean that the % of older work is higher across the partnership than previously. Focus is now turning to the older processes and ensuring that as things begin to stabilise, work is dealt with in a timely manor whatever the process.

Collection remains on track and recovery has commenced. During December the following recovery documents were issued:

- Reminders issued: 65 with a value of £205,242.92
- Final notices issued: 67 with a value of £229,324.84
- Summonses issued: 47 with a value of £200,890.51

At the first court on 2nd December 2020, 39 liability orders were granted.

Work has commenced to introduce individual performance monitoring across the team. This will involve identifying and categorising all types of work, performing an 8 week trial to create baseline for required output and development of appropriate supporting reports from various systems used.

From 1st January, work will also start on the annual billing process. It remains to be seen what reliefs/grants/reductions the Government may put in place for NNDR in 2021/22 depending on how the COVID situation continues to develop.

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**Motion submitted by Councill Chris Boden regarding
the naming of the Kings Dyke Crossing**

Members will be aware of the welcome progress that is being made in relation to Kings Dyke Crossing and the scheme has reached a stage where an official name is required. As the scheme falls within the boundary of Fenland District Council, we have an important role to play in that. In ordinary circumstances it would fall for example to the relevant developer to propose a name in consultation with officers. In this instance however and having regard to the profile of this particular scheme, I am seeking your support in requesting that officers give due consideration, under the delegated authority of the Chief Finance Officer, to a suggestion that King's Dyke Crossing is officially named 'Ralph Butcher Causeway'.

Whilst it is acknowledged that streets named after prominent persons are not normally considered to be suitable in Fenland, it is considered that a departure from that guiding principle would be reasonable and appropriate having regard to the significant and instrumental role that former Councillor Butcher played in securing the delivery of the scheme. Many of you will recall that he had been a tireless proponent of a King's Dyke crossing for decades.

I am therefore proposing that King's Dyke Crossing as it is now known should instead be named Ralph Butcher Causeway.

Proposed: Chris Boden

Seconded: Alex Miscandlon

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Motion submitted by Councill Chris Boden regarding Saxon Pit

1. The former Saxon Pit brickworks in Whittlesey is a site licensed by the Environment Agency for the acceptance and disposal of waste materials.
2. Since the original planning permission was granted by Cambridgeshire County Council in January 2003, only inert materials are meant to have been disposed of there.
3. In late 2007, many local residents in Whittlesey reported an unusual and strong bad smell emanating from Saxon Pit
4. Despite efforts from both local residents and local Councillors, the Environment Agency has been extremely slow in revealing precisely what has been deposited and Saxon Pit.
5. Our Member of Parliament, Steve Barclay MP, has written several times over the last three years to the Environment Agency concerning what is happening at, and what is planned for, Saxon Pit. Local residents and Councillors are very grateful to our MP for the pressure that he has brought to bear upon the Environment Agency.
6. In November 2020, as a direct result of the pressure exerted by Steve Barclay MP, the Environment Agency revealed the following:
 - a. 122,858 tonnes of non-conforming waste was accepted and disposed of by the current operator and this non-conforming waste was unlawfully buried within the void in the pit between October 2017 and February 2018.
 - b. Further waste, in addition to that 122,858 Tonnes, had been unlawfully accepted and buried at the site by one or more previous operators pre-October 2017.
 - c. Formal samples have been taken across the void to varying depths, following investigatory work by the Environment Agency. Borehole drilling, conducted in September 2019, identified significant visual contamination of non-conforming waste down to depths of between 6 and 15 metres. According to the Environment Agency, of the 50 samples submitted for analysis, 43 contained sufficient chemical contaminants to render them hazardous.
 - d. Without any consultation with local residents, the local Town Council or Fenland District Council, the Environment Agency took a decision in June 2020, unilaterally so far as we are aware, to permit all non-conforming waste to remain buried within the excavation void.
7. No details have been provided to local residents or the local Councils of any investigations or analyses to support the Environment Agency's decision not to insist upon the removal of the unlawfully buried waste, nor has any information been provided to give confidence to local residents that the "hazardous chemical contaminants" do not now and may not in the future pose a hazard to the environment in general and to human health in particular. It is only in the last two weeks that a specialist environmental journalist has revealed that Copper, Zinc and Petroleum Hydrocarbons exceed hazardous levels at the site because of the unlawful dumping of "Automotive Shredder Residue". No quantities of these, or any other, hazardous chemicals on site have yet been revealed.
8. Following recent heavy rain, the onsite storage lagoon (which is meant to contain the majority of the runoff originating within the Saxon Pit area) quickly reached its storage capacity. The landowner temporarily pumped water from the lagoon up a nearby embankment and into the King's Dyke watercourse. The Environment Agency have said that they have "formerly sampled outlets into the lagoon" but the detailed results of any analysis of those samples have not been released.
9. A proposal has now been made to build a recycling plant at Saxon Pit which would accept and process in excess of 50 tonnes per day of Incinerator Bottom Ash and inert waste.

FENLAND DISTRICT COUNCIL THEREFORE RESOLVES:

10. That the Environment Agency be requested to provide Fenland District Council, on an open basis, with the full analytic results from the 50 boreholes drilled on the site, with full details of the types and quantities of hazardous chemical contaminants that were found by the Environment Agency.
11. That the Environment Agency be requested to provide Fenland District Council, on an open basis, with full technical specifications of any proposed capping of that waste, together with the calculations supporting their conclusions as to the likely effectiveness of such capping over the short, medium and long terms.
12. That the Environment Agency be requested to provide Fenland District Council, on an open basis, with the full analytic results of the samples they have recently tested from the lagoon, together with their full assessment of the quantity of water and likely level of contaminants which have been released into the local watercourses in the last two months.
13. That Fenland District Council, unless entirely satisfied that the answers to the preceding three points show no danger to the environment or to public health from the hazardous chemical contaminants in Saxon Pit, should (a) make the strongest possible representations to Cambridgeshire County Council's Planning Committee on environmental grounds against any planning permission which is sought to construct a recycling plant at Saxon Pit (b) request Cambridgeshire County Council to take action in respect of the deposition of non-inert waste at the pit, contrary to the County council's planning permission conditions and (c) object to non-inert waste, in the form of Incinerator Bottom Ash, being deposited in future at Saxon Pit.
14. That the Environment Agency be requested to provide Fenland District Council, on an open basis, with full details of how the Environment Agency has handled the complaints made, and unlawful dumping that has occurred, at Saxon Pit since October 2017, with a full explanation as to why, in accordance with the Environment Agency's own Enforcement and Sanctions Policy, effective action in respect of the hazardous waste and in respect of those responsible for its unlawful dumping has not taken place.
15. That this motion, once passed, be forwarded to Steve Barclay MP, Cambridgeshire County Council's Planning Department and the Secretary of State for Environment, Food and Rural Affairs.
16. That any failure by the Environment Agency to explain its actions and/or inactions in respect of Saxon Pit be referred by Fenland District Council to Steve Barclay MP, to the Secretary of State for Environment, Food and Rural Affairs, and to the Secretary of State for Business, Energy and Industrial Strategy with respect to his Department's overview of the Regulator's Code.

MOTION - BUILT ENVIRONMENT CONSERVATION IN FENLAND

Full Council notes that Members of local Councils have responsibility for setting policy, within legal limits, concerning all areas of Council activity, including Conservation.

Members, in determining Conservation policy, need to determine an appropriate local balance between preserving what is good from the past as against providing necessary flexibility to address current and future economic and residential needs. A majority of Members, in seeking to determine that balance, would like to commission an external partner to provide guidance and recommendations on how the Council can amend current Conservation policy and practice in Fenland to achieve this aspiration within the following scope:

1. To provide recommendations as to how we may review the geographical extent of every conservation area in Fenland, including whether each conservation area should continue to be so designated. In respect of each conservation area, no such review should be commenced without the prior agreement of the relevant Town or Parish Council. In respect of each review, no change should be implemented without the agreement of the relevant Town or Parish Council. Involvement and consultation with the relevant Town or Parish Council must be integral to this whole process.
2. To provide recommendations as to how each Town and Parish Council could initiate an external professional appraisal of any conservation area within their area, subject to no such appraisal having taken place within the previous five years, and subject further to the Parish or Town Council sharing the cost of any such appraisal equally with Fenland District Council.
3. To review and provide recommendations as to how the current approach to the local validation list requirements and materials requirements for listed buildings, conservation areas (and buildings that have a relationship with the setting of these) and non-designated heritage assets may most appropriately be changed given the pro-growth agenda of the Council in the context of challenging property values and the changing dynamic of town centres.
4. With respect to materials requirement in conservation areas and for non-designated heritage assets, Members seek guidance and recommendations as to how the Council can be more flexible than at present in requiring specific building materials for the construction and repair of buildings, specifically, but not exclusively, including recommendations as to how the Council may facilitate, in new build, renovations, improvements and repairs, the use of high quality compatibly designed UPVC windows, and a less onerous specificity in the selection of building materials such as bricks and mortar.

5. To provide recommendations as to how the Council can be more flexible than at present in requiring specific building materials for the repair, renovation or improvement of Grade II listed buildings, specifically but not exclusively including the use of high quality compatibly designed UPVC windows, and the selection of building materials such as bricks and mortar.

6. To provide recommendations as to how the Council could legally cease planning-related conservation assessments outside conservation areas, except for Grade I, Grade II* and Grade II listed buildings, and except where any planning application relates to a location immediately adjacent to a listed building or a conservation area.


7. To review the draft conservation policies in the emerging local plan and provide recommendations as to how these policies might be drafted to best serve the Council's pro-growth agenda whilst appropriately conserving heritage assets in the District as envisaged in the recently published Planning White Paper.

8. To provide recommendations as to how the Council can provide enhanced protection for and preservation of Whittlesey's iconic mud walls.

Full Council resolves that an appropriately qualified external person be engaged to consult with Members and others as to how the aspirations listed above may be practically, legally and expeditiously implemented.

Proposed: Dee Laws

Seconded: David Connor

Agenda Item No:	10	
Committee:	COUNCIL	
Date:	23 February 2021	
Report Title:	FINAL BUSINESS PLAN 2021-22	

1 Purpose / Summary

- For Council to consider and approve the Final Business Plan 2021-2022

2 Key issues

- Our Draft Business Plan 2021-22 identifies the key challenges and opportunities for Fenland. Its structure has been updated this year. As well as outlining our key Corporate Priorities (Communities, Environment, Economy and Quality Organisation), it introduces an additional cross cutting 'Council for the Future' section. This outlines the scope and progress of transformation projects chosen by our Cabinet members.
- The impact of Coronavirus has and continues to affect our residents, partners, local businesses and our workforce. Our Covid-19 Recovery Plan and 'Council for the Future' projects will be crucial in supporting the organisation to adapt and reshape to be able to effectively respond to future needs, aims and challenges.
- Despite the challenges posed by Coronavirus and over a decade of continued public sector austerity, the Council remains committed to delivering high-quality services. We continue to lobby for investment to tackle important issues relating to skills, transport, affordable housing and regeneration, with some notable examples referenced within the Leader and Chief Executive's introduction.
- The Draft Business Plan was presented to the Overview and Scrutiny Panel on 11 January 2021. The Panel recommended a small update to the wording of the Covid-19 support hub to highlight the help of volunteers and community groups in supporting around 2,000 vulnerable households (Page 2). This change has been reflected in the final document. It was also subject to public consultation.

3. Recommendations

- For Council to consider and approve the Final Business Plan 2021-22.

4. Public Consultation

- We ran an online public consultation about our Draft Business Plan and Budget 2021-22 between 5 January and 2 February 2021. It was publicised on the front page of our website, through press releases and via social media posts.
- 15 people responded to our survey. 100% said that our Draft Business Plan and Budget clearly explained the services we plan to provide and how we will use our resources over the next 12 months. A small number of comments were received relating to infrastructure and economic development.

5. Risks

Risks associated with delivering the Business Plan are contained within the Council's Corporate Risk Register, Service and Project Risk Registers. The Corporate Risk Register is reviewed by the Audit and Risk Management Committee on a regular basis.

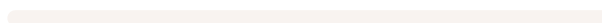
6. Community Impact

The Business Plan's main aim is to improve the quality of life for residents in Fenland.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Chris Boden, Leader of the Council Cabinet Members
Report Originators & Contact Officers	Paul Medd, Chief Executive Peter Catchpole, Corporate Director Carol Pilson, Corporate Director David Wright, Head of Policy & Communications
Background Paper(s)	Budget and Medium Term Financial Strategy Draft Business Plan 2021-22; Cabinet - 14 December 2020

BUSINESS PLAN

2021/2022



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Introduction by the Leader and Chief Executive

Welcome to Fenland District Council's Business Plan for 2021/22.

As we write this introduction, we are living in unprecedented times. Since March 2020, Coronavirus has significantly impacted the world as we know it. Residents and businesses have needed, and continue to need, additional support to make sense of the ever-changing landscape and regulations. We've provided this to the best of our ability, working closely with partners and community groups to signpost residents to the most appropriate form of help.

Although it has proved challenging at times, as an organisation we have adapted well to the restrictions imposed by Coronavirus and have maintained 'business as usual' with minimal impact on performance. With little or no notice, we have created new services to respond to emerging needs. Examples include our multi-agency Covid-19 telephone support hub, which with the help of volunteers and community groups has supported around 2,000 vulnerable households, and the creation of a Discretionary Grants Scheme which has paid nearly £20million to local businesses. However, this has come at a significant and unexpected additional financial cost of £1.3million during 2020/21. This, alongside known budget deficits, means that we must save £4million over the next four years. Whilst financial austerity is not a new concept to us, having saved over £10million since 2010, this will require us to look at things a little differently.

Our Business Plan still sets out the core services and projects we will deliver across Fenland over the next year. However, we have also formally introduced the substantial 'Council for the Future' projects. These aim to tackle particularly important topical issues, transform the way we work and sustainably position ourselves for the future. This forms a separate element of our Business Plan and, like our 'Quality Organisation' priority, will underpin everything that we do.

Despite an ever-changing landscape, we remain an ambitious and forward-thinking organisation. We continue to lobby for investment to help tackle key issues – particularly relating to skills, transport, affordable housing and regeneration. Importantly, the challenges over the past year haven't prevented us from receiving additional funding for a variety of projects, including:

- £943,000 from Cambridgeshire County Council's Communities Capital Fund for eight community facility improvements across March, Wisbech, Gorefield, Christchurch and Friday Bridge.
- A £997,000 grant from the Cambridgeshire and Peterborough Combined Authority towards the construction of a light industrial 'move on' space at South Fens Enterprise Park in Chatteris.
- £150,000 to support the new public health role in managing workplace Coronavirus outbreaks and providing local contract tracing.
- £90,000 from the European Regional Development Fund towards the Wisbech High Street Opening Project.

The adoption of our Commercial and Investment Strategy, and subsequently our trading company 'Fenland Future Ltd', is also another positive step towards delivering growth aspirations and future-proofing the organisation.

We hope that this introduction has provided a valuable context into the current situation and a high-level insight into our strategy for the future. We remain committed to working with all our towns, villages and rural communities to make Fenland an even better place to live and work.



Paul Medd
Chief Executive



Chris Boden
Leader of the Council

About Fenland

Fenland has strong community spirit and pride in its heritage. It is estimated that 101,850 people (ONS: 2019) currently live in the Fenland District, which covers 211 square miles within North Cambridgeshire. 75% of residents live within our four market towns of Chatteris, March, Whittlesey and Wisbech. Our beautiful rural landscape is home to 29 villages and attracts visitors from nationwide.

Fenland has the lowest house prices in Cambridgeshire, with the average house priced at £182,549 (UK HPI: 2020), along with plentiful availability of commercial land. As a result, our population is growing quickly. By 2036, it is predicted that the population will have increased by 9% to 110,700 (ONS: 2019). As outlined within this plan, we have plans in place to maximise the positive opportunities that growth could bring.

Our population is also getting older. 29% of our population are aged 60 or over; above average compared to Cambridgeshire and the UK (ONS: 2019). Alongside partners, we are working to enable residents to access the support they need to live happily, healthily and independently.

We also face some challenges around deprivation, particularly around education and health. We are the 80th (out of 326) most deprived area in the country, with some wards within the top 10% most deprived (IMD: 2019). Nevertheless, we continue to work closely with other organisations to positively overcome these challenges.

Coronavirus and Fenland District Council

The impact of Coronavirus has been significant for residents, businesses and partner organisations. Whilst aiming to deliver business as usual where possible, we are continuing to respond quickly to the ever-emerging challenges and to communicate effectively with our communities, businesses and workforce. Some high-level examples of help that we've provided since April 2020 include:

- Approximately 2,000 vulnerable households supported through our telephone Covid-19 Community Hub
- £19.9 million paid to 1,883 businesses as part of our Discretionary Grant Scheme
- Enabling people to apply online for Government's Self-Isolation payment
- Provided emergency accommodation to 57 vulnerable residents who were rough sleeping or at risk of rough sleeping

This has come at a significant cost to the Council, estimated to be over £1.3million by March 2021.

Coronavirus has also significantly impacted our workforce. Over 60% are now enabled to work remotely, with many redeployed or retrained to meet essential or emerging needs. This has prompted us to begin reviewing our accommodation needs and the most appropriate type of working practices.

We've responded to, and delivered, massive changes in legislation within days. We've quickly created brand new services to respond to residents' needs, as well as creatively providing existing services via digital or alternative channels. In some cases, we have moved to new operating models as our role has changed; moving from the service deliverer or commissioner role to offering referrals to third-party services. Supported by our Covid-19 recovery plan, we'll continue to evolve to meet the ever-changing needs and emerging priorities over the coming months.

Business Plan structure

Our Business Plan sets out the priorities we aim to deliver over the next 12 months. These priorities have been developed to address the most important needs of our communities.

Our priorities are split into three headings: Communities, Environment and Economy. These priorities primarily focus on the statutory and wide variety of core services that we provide day-to-day. In a typical year we empty 3 million bins, clean 210 square miles of town centres and open spaces, answer 78,000 telephone enquiries, determine 1,300 planning applications, enable 75,400 people to vote in elections – and more!

The fourth priority, Quality Organisation, sits alongside everything we do. It aims to ensure that the Council runs effectively, transparently and sustainably. We invest in and support our workforce to ensure they have the skills and resources they need to work to the best of their ability. Our unique 'one-team' culture enables officers, elected members and partners to work effectively together without the constraints of traditional department silos. This approach results in excellent staff satisfaction, with a record 95% of staff saying they were proud to work for us in our latest Staff Survey (2020).

Each priority is underpinned by a series of performance indicators, which is reported to all Members at our Council meetings. These public reports are summarised to provide end of year performance updates in our Annual Report, which is available to download on our website. This explains what the Council has been doing over the previous financial year to achieve its objectives.

This year, we've also added a fifth cross cutting priority: Council for the Future. This priority is formed from a selection of transformative projects which aim to address the future needs of residents and our organisation as a whole.

Summary of our Corporate Priorities structure

Council for the Future	Quality Organisation	Communities	<ul style="list-style-type: none"> • Support vulnerable members of our community • Promote health and wellbeing for all • Work with partners to promote Fenland through Culture and Heritage
		Environment	<ul style="list-style-type: none"> • Deliver a high performing refuse, recycling and street cleansing service • Work with partners and the community on projects that improve the environment and our street scene • Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion
		Economy	<ul style="list-style-type: none"> • Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland • Promote and enable housing growth, economic growth and regeneration across Fenland • Promote and lobby for infrastructure improvements across the district

Council for the Future

Our Cabinet members have selected a number of projects to contribute towards our 'Council for the Future' agenda. These projects have a variety of aims; from tackling areas of particular need within the district, to transforming services and the wider organisation sustainably to be fit for the future. Although these projects are influenced by external factors, most notably Coronavirus and national service disruption, the aim is to have a programme of projects completed by the end of the current Council leadership term.



Building a Commercial Council



Fighting Holiday Hunger



A Modern CCTV Service



Transforming Empty Homes



Safer Homes for Tenants



Clamping down on poor parking



Planning for the Future



Protecting our Environment



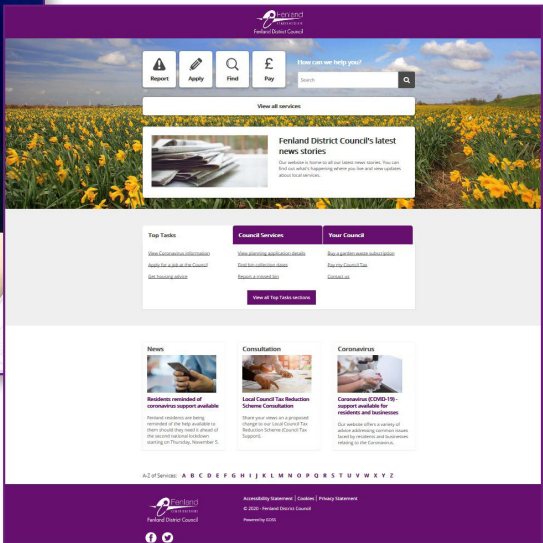
Competitive Trade Waste Service



Better railways for Fenland



My Fenland



Better online access

Council for the Future

Project(s)	Cabinet Lead	Summary	Progress to date
Building a Commercial Council	Cllr Chris Boden Cllr Ian Benney	To maximise efficiency and ensure organisational sustainability, we must look for opportunities to maximise our assets and diversify beyond traditional Council functions. Although this is not a new concept, adopting a Commercial Investment Strategy will enable us to pursue appropriate commercialisation and property investment opportunities. This will also support wider growth, housing and regeneration objectives.	We adopted our Commercial Investment Strategy in 2018, followed by our LatCo (Local Authority Trading Company) Fenland Future Limited in April 2020. We have begun the process of disposing of unwanted assets, with income generated contributing towards investment projects.
Fighting Holiday Hunger	Cllr Sam Clark	To control the holiday hunger of school children who would usually receive free school meals during term time. In 2019, Fenland District Council ran a 'Fit and Fed' Physical Activity and Nutrition project to support parents and children during holidays with sessions combining physical activity, nutrition education, healthy cooking and a meal whilst bringing communities together. Supported by funding from the Department of Education, the aim is to extend the project's scope across a wider area (Fenland, Peterborough and South Holland).	231 participants benefitted from Fit and Fed sessions in 2020. Although some half term sessions had to be cancelled due to Coronavirus, we offered a 'takeaway' model during the summer holidays. We were unsuccessful in a funding bid to the Department of Education, which sought to deliver four sessions a week across a wider area.
A Modern CCTV service	Cllr Susan Wallwork	Our CCTV service is important to the community. However, it is a non-statutory service and requires changes to ensure it can continue to be sustainably delivered in the future. The focus of this project is to make the service more commercial to increase income whilst reducing the cost of service delivery, with the aim of it being cost-neutral at the end of the Council term.	We have been operating a shared CCTV service in partnership with Peterborough City Council since January 2020, which is estimated to save £55,000 per annum. The service is performing well and has maintained full functionality during the Coronavirus pandemic.
Transforming Empty Homes	Cllr Sam Hoy	Empty homes are a wasted resource and, if left in poor condition, can be a blight on the local community. As an initial one-year trial, resource is being dedicated to fully understand the numbers in Fenland and bring them back into use. It is anticipated this will generate a financial benefit outweighing the cost of the post and provide much needed local accommodation.	We have recruited an officer to work exclusively on bringing empty homes back into use. From November 2019 to November 2020, 91 properties that have been empty for 6 months or more have been brought back into use as a direct result of our intervention. Owing to the success of the project, we have extended the officer's post for another year.

Project(s)		Summary	Progress to date
Safer homes for tenants	Cllr Sam Hoy	Whilst many landlords provide good quality housing, some do not, leaving tenants to live in unacceptable conditions. Two-year Government 'Controlling Migration' funding supported us to increase our housing enforcement approach with some success, resulting in 2,121 property inspections and 905 interventions. Despite additional prevention and intervention work, and the introduction of HMO (Houses in Multiple Occupation) licensing, a tougher approach is now needed to tackle non-compliance.	We've adopted a new Housing Enforcement policy. This will allow us to be tougher on non-compliant landlords and recover costs resulting from necessary action. The income generated must be reinvested in improving the management and condition of the district's housing stock and has enabled us to extend our two Housing Enforcement officer posts. Between April and October 2020, the team have undertaken 151 investigations.
Clamping down on poor parking	Cllr Jan French	There are many instances of poor parking in Fenland, specifically when people park where they shouldn't in town centres and breach regulations in privately owned car parks. The parking system is very complex. The Police regulate on-street parking but are often diverted to more pressing matters. Introducing Civil Parking Enforcement (CPE) could enable the County Council or ourselves to take over enforcement and issue Penalty Charge notices for parking contraventions.	In October 2020, Cabinet agreed for a specialist consultant to be commissioned to review the current situation and many implications of achieving CPE powers. They also agreed for a joint capital funding request to be put forward to the Cambridgeshire and Peterborough Combined Authority as part of the wider 'Growing Fenland' project.
Planning for the Future	Cllr Dee Laws	By law, each local authority must have a 'Local Plan' which sets out growth aspirations and the development permitted across its towns and villages. Our current Local Plan was adopted in 2014 and reviewed in 2019, where it was decided that work should commence to develop a new one. This is substantial piece of work, requiring significant public consultation and policy development.	In March 2019, work commenced on a new Local plan for Fenland. An Issues and Options report was consulted on in October 2019, which also included a call for sites exercise. The outcomes of the consultation were published in February 2020. A second call for sites exercise was carried out in summer 2020. Work has progressed on preparing a draft version of the Local Plan and supporting evidence base.
Protecting our Environment	Cllr Peter Murphy	Fly-tipping, littering and dog fouling are just a few examples of behaviour that spoils green spaces and public areas. By reviewing our wider environmental enforcement approach and the way we work with communities, we plan to adopt a new approach to proactively manage these issues.	We launched a new dog control PSPO in October 2020. Our Street Scene team continue to investigate environmental issues. We are in the process of considering the suitability of various environmental enforcement approaches.
Competitive Trade Waste Service	Cllr Peter Murphy	We deliver a competitively priced Trade Waste collection service. By increasing the income we generate through improving the range of recycling services for our network of 500 small to medium enterprises, we would reduce pressure on our budgets and the need for Council Tax rises. This work will be supported by the new developing National Waste and Resources strategy.	This year we have adapted services to support our commercial waste customers and plans are in place to offer to further support during Covid with an improved range of services.

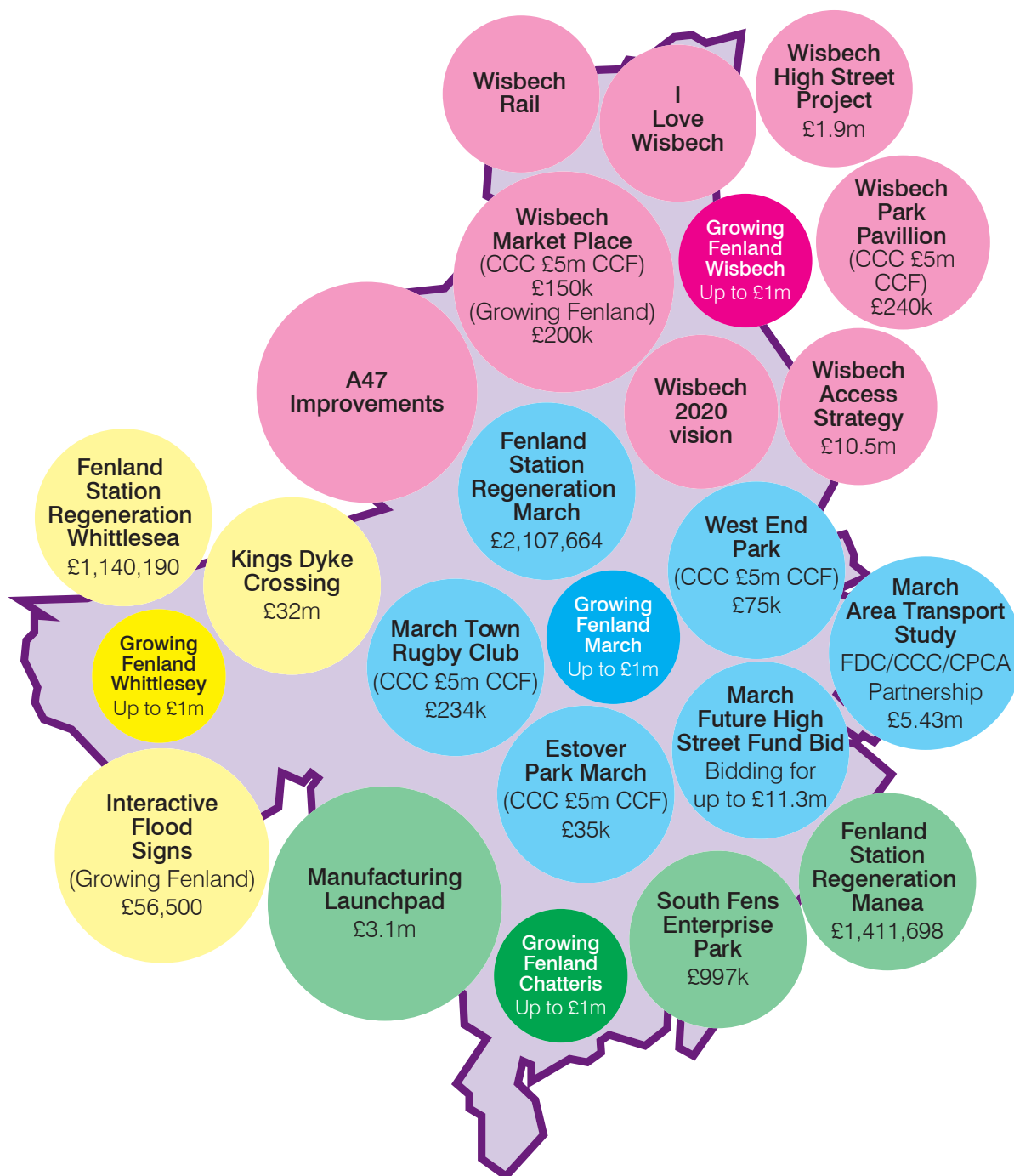
Project(s)		Summary	Progress to date
Better railways for Fenland	Cllr Chris Seaton	Although not a typical district council function, we strongly lobby for railway improvements in Fenland to support economic growth and address accessibility issues. The Fenland Rail Development Strategy project (Phase 2) aims to deliver large-scale improvements to station facilities and wider network connectivity through funding by external partners.	Railway Station Masterplans (for March, Manea and Whittlesea) are in the process of being delivered. This has generated around £15million in external investment into Fenland and has resulted in station improvements including new waiting shelters, lengthened platform and an improved car park.
Better online access	Cllr Steve Tierney	Our website is well used by our residents, receiving over 680,000 hits per annum and 10,300 form submissions (excluding Garden Waste subscriptions). It was last significantly updated in 2012 and requires some work to improve the customer journey and support residents to access services digitally through better integrated online forms. A similar piece of work is needed for the Council's intranet staff site. We also manage a number of external sub-sites which need to be brought back into house to improve consistency and realise efficiencies of scale.	We launched Fenland District Council's new website in August 2020. Its design, content and structure has significantly improved and is receiving positive user feedback. In November 2020, we launched a fully integrated 'Missed Bin' reporting form, with information passed seamlessly to our back-office bin management system without the need for human intervention.
My Fenland	Cllr Steve Tierney	The My Fenland project focuses on modernising the way we deliver all aspects of our services. By reviewing our offer and service delivery, we can look to drive efficiencies through appropriate re-engineering of our processes and organisational structure. Throughout this process, we are putting the customer journey first and will support residents who may find accessing digital services more challenging. As part of its first phase, the project has focused on transforming operational customer facing services through streamlining processes and maximising the use of technology.	As well as making website improvements (see previous project), we have implemented PayPoint. This enables residents to pay their Council bills in cash at Post Office branches and participating shops and garages. Early usage figures are very encouraging, with over 1,450 payments since its launch in July. We have also developed a 'My Fenland' delivery team, encompassing staff previously within our Customer Services, Environmental Support, Economic Growth and Asset Management teams. The My Fenland team are safely co-located in one location, improving intra-team communication and resilience. Process mapping of priority service tasks is underway to understand resourcing needs and areas for improvement. Many of these tasks have been streamlined and are now managed by the My Fenland team.

Place Shaping in Fenland

What is Place Shaping?

Place shaping simply means looking at our area as a whole; listening carefully to everyone's views and then working together to deliver the most important services that make people's lives safer and better.

We're working hard to attract the crucial external funding needed to deliver local service improvements and regeneration projects. The diagram below shows some of the projects in progress across the district:



Although many of these funding schemes are focused on our four market towns, our local villages will also benefit from the schemes. Improvements to our rural communities are equally as important and are included in our place shaping work.

Our Priorities:

Communities

Support vulnerable members of our community

- Enable residents to claim the Housing Benefit and Council Tax Support they are entitled to through our shared service (Anglia Revenues Partnership; ARP)
- Support residents to manage the effects of welfare reform changes and Universal Credit
- Use our housing powers to prevent homelessness, reduce rough sleeping, meet housing needs, improve housing conditions and keep homes safe and accessible
- Help residents to build capacity and resilience so that they can support themselves and their community
- Encourage a range of partners to support the delivery of the Golden Age programme to support older people
- Work with partners and the community to deliver the Wisbech 2020 Action Plan

Promote health and wellbeing for all

- Support our local community by delivering our Leisure Strategy in partnership with Freedom Leisure
- Work collaboratively with partners to deliver our Health and Wellbeing Strategy in order to tackle local health priorities and help people to be healthier
- Create healthier communities through activities developed by Active Fenland and community partners

Work with partners to promote Fenland through Culture and Heritage

- Work with local stakeholders to develop a Creativity and Culture Statement for Fenland
- Support voluntary and community groups to hold public events safely

Performance Indicators

- Days taken to process new claims to changes for Council Tax Support
- Days taken to process new claims and changes for Housing Benefit
- Total number of private rented homes where positive action has been taken to address safety issues
- The proportion of households presenting to the Council as homeless whose housing circumstances were resolved through housing options work
- Number of empty properties brought back into use
- Satisfaction at Golden Age events
- Number of Active Fenland sessions delivered per year
- Customer feedback across Freedom Leisure facilities in Fenland

Our Priorities:

Environment

Deliver a high performing refuse, recycling and street cleansing service

- Work with partners, the community and volunteers to divert at least 50% of Cambridgeshire's household waste from landfill
- Maximise the value of materials collected for recycling, including through Getting It Sorted Recycling Champions
- Deliver our effective, self-funding Garden Waste collection service
- Deliver clean streets and public spaces as set out in the national code of practice
- Work with key stakeholders to deliver an effective waste partnership and update the Cambridgeshire and Peterborough Waste Strategy

Work with partners and the community on projects to improve the environment and streetscene

- Use education, guidance and Council powers to fairly enforce environmental standards and tackle issues such as fly tipping, illegal parking, dog fouling, littering and antisocial behaviour
- Ensure well maintained open spaces by working with our grounds maintenance contractor and through supporting community groups such as Street Pride, In Bloom, Green Dog Walkers and Friends of Groups
- Work with Town Councils and the community to provide local markets, market town events and Four Seasons events

Work with partners to keep people safe in their neighbourhoods by reducing crime and antisocial behaviour and promoting social cohesion

- Deliver projects through the Community Safety Partnership to reduce crime, hate crime and anti-social behaviour
- Support the Fenland Diverse Communities Forum to deliver the Fenland-wide Community Cohesion Action Plan

Performance Indicators

- Rapid or Village response requests actioned the same or next day
- % of inspected streets meeting our cleansing standards
- % of household waste recycled through the blue bin service
- Customer satisfaction with our Refuse and Recycling services
- Customer satisfaction with our Garden Waste service
- Number of Street Pride, Green Dog Walkers and Friends of Community Environmental Events supported
- % of those asked satisfied with events

Our Priorities:

Economy

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

- Work with external stakeholders , local businesses and the Combined Authority to attract inward investment and establish new business opportunities
- Provide responsive business support to encourage business growth, job diversity, skills development and increased grant applications
- Promote and develop our Business Premises at South Fens, The Boathouse and Light Industrial Estates to encourage investment, business development, job creation and skills diversification

Promote and enable housing growth, economic growth and regeneration

- Enable appropriate growth, development and infrastructure through delivering a proactive and effective Planning service
- Drive forward the development and delivery of new homes and commercial space by using our surplus property and land assets to deliver sustainable economic and residential growth
- Identify and bid for external funding that aligns with and supports our housing, economic and growth objectives

Promote and lobby for infrastructure improvements

- Promote sustainable road, rail and concessionary transport initiatives to improve access to employment and local services
- Engage with the Combined Authority and Cambridgeshire County Council on the feasibility and delivery of major road and rail infrastructure projects
- Work with the Combined Authority to influence how housing and infrastructure funding is used to stimulate housing development and economic growth in the district

Performance Indicators

- % of major planning applications determined in 13 weeks
- % of minor applications determined in 8 weeks
- % of other applications determined in 8 weeks
- % occupancy of Business Premises estates
- % of customers satisfied with our Business Premises estates
- % occupancy of our Wisbech Yacht Harbour
- Local businesses supported and treated fairly

Our Priorities:

Quality Organisation

Governance, Financial Control and Risk Management

- Maintain robust and effective financial standards, internal controls and organisational management
- Comply with data protection and General Data Protection Regulation requirements

Transformation and Efficiency

- Sustainably deliver required savings whilst pursuing transformation and commercialisation opportunities to ensure the organisation is fit for the future
- Engage with the Combined Authority's Public Service Reform agenda

Performance Management

- Set relevant and robust performance targets to ensure the effective delivery of Business Plan priorities
- Report regularly on service performance to the Corporate Management Team, Councillors and the public

Consultation and Engagement

- Appropriately consult with residents about our service and proposals as outlined in our Consultation Strategy

Excellent Customer Service

- Maintain our Customer Service Excellence accreditation to ensure we continue to deliver the most effective service to our communities
- Help residents to self-serve and access our services digitally to allow us to provide greater support for vulnerable customers and complex queries

Equalities

- 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 and publication of a statutory Annual Equality Report

Asset Management and Commercialisation

- Ensure our asset base is sustainable, suitable and fully utilised to maximise income opportunities and financial efficiencies
- Deliver our adopted Capital Programme in line with our Corporate Asset Management Plan to maintain the integrity and safety of our assets
- Work jointly with public, private and third sector partners to improve access to our services, including from co-located facilities
- Begin implementation of our Commercial Investment Strategy to make informed decisions about the purchase and management of property assets through Fenland Futures Limited

Workforce Development

- Equip our workforce with the right skills to effectively deliver our priorities
- Support and empower our staff to make effective decisions within a pleasant working environment

Enforcement

- Use a fair and proportionate approach to improve living, working and environmental standards as set out in our Enforcement Policies


Health and Safety

- Maintain effective Health and Safety systems to comply with relevant legislation and local requirements
- Deliver all aspects of the Council's Health and Safety action plan to ensure the safety and wellbeing of our workforce, partners and wider community

Performance indicators

- % of customer queries resolved at first point of contact
- Customers satisfied by our service
- Contact Centre calls answered within 20 seconds
- Contact Centre calls handled
- Council Tax collected
- Council Tax net collection fund receipts
- NNDR collected
- NNDR net collection fund receipts
- Number of visits to our website

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Agenda Item No:	11	
Committee:	Council	
Date:	23 February 2021	
Report Title:	General Fund Budget Estimates 2021/22 and Medium Term Financial Strategy (MTFS) 2021/22 to 2025/26; Capital Programme 2021 - 2024	

Cover sheet:

1 Purpose / Summary

To consider the Cabinet recommendations in relation to:

- the General Fund Budget Estimates 2021/22 and the Medium Term Financial Strategy 2021/22 to 2025/26;
- the Council Tax levels for 2021/22;
- the Capital Programme 2021-2024;
- the Treasury Management Strategy Statement, Capital Strategy and Annual Treasury Investment Strategy for 2021/22.

2 Key issues

- The Final Local Government Finance Settlement was announced on 4 February 2021 and there are no changes to the provisional settlement figures. Business Rates Baseline Funding (Settlement Funding Assessment) Levels will be frozen in 2021-22 due to the business rate multiplier being frozen in 2021-22.
- In accordance with the motion adopted by Council in July 2019, a 0% Council Tax increase has been included in the MTFS for 2021/22 and over the medium term.
- Council Tax Referendum limits for 2021/22 have been set at an increase of 2% or £5 whichever is the higher.
- Projections for 2020/21 are currently forecasting a shortfall of £221k at the end of the financial year, after taking into account all government Covid-19 support packages expected to be received for this financial year.
- Current forecasts for 2021/22 show a shortfall of £842k based on the assumptions detailed in Appendix C. It is proposed that a contribution of £842k from the General Fund Balance be made to achieve a balanced budget. This shortfall increases year on year, reaching £1.670m in 2025/26.
- The forecasts for 2021/22 and over the MTFS include a number of additional resource opportunities (as detailed in paragraph 8.13 of the report).
- An updated Capital Programme for 2020/21 and for the medium term 2021-24 is proposed. This includes the previously agreed £25m for the Commercial and Investment Strategy.
- Given the scale of the challenges and uncertainties faced by the Council, the financial forecasts represent a significant achievement, demonstrating the focus from Members and Officers throughout the Council in delivering the required savings.

- The Council continues to focus on delivering quality services and to minimise the impact on front-line services.

3 Recommendations

- **It is recommended by Cabinet that:**
 - (i) the General Fund revenue budget for 2021/22 as set out in Section 8 and Appendix A be approved;
 - (ii) the Medium Term Financial Strategy as outlined in this report and Appendix B be adopted;
 - (iii) the Capital Programme and funding statement as set out in Appendix D be approved;
 - (iv) the adoption of any additional Business Rates Relief measures announced in the budget on 3rd March 2021 as detailed in paragraphs 5.7 – 5.9 be approved;
 - (v) the expenses detailed in Section 11 be approved to be treated as general expenses for 2021/22;
 - (vi) the Port Health levy for 2021/22 be set as shown in Section 12;
 - (vii) the amendment to the Long Term Empty Property Premium policy detailed in Section 13 be approved;
 - (viii) the Treasury Management Strategy Statement, Minimum Revenue Provision, Treasury Investment Strategy, Prudential and Treasury Indicators for 2021/22 and Capital Strategy 2021/22 as set out in Section 15 and Appendix E be approved;
 - (ix) the Band D Council Tax level for Fenland District Council Services for 2021/22 be set at £260.46, no increase on the current year.

Wards Affected	All
Portfolio Holder(s)	Cllr Chris Boden, Leader and Portfolio Holder, Finance
Report Originator(s)	Peter Catchpole, Corporate Director and Chief Finance Officer (S.151 Officer) Mark Saunders, Chief Accountant
Contact Officer(s)	Paul Medd, Chief Executive Peter Catchpole, Corporate Director and Chief Finance Officer (S.151 Officer) Mark Saunders, Chief Accountant
Background Paper(s)	Final Finance settlement – Ministry for Housing, Communities and Local Government (MHCLG). Spending Round 2020 (HM Treasury) Medium Term Financial Strategy working papers. Government announcements since February 2020.

This report contains the following Appendices:

Appendices

- A. (i) General Fund Revenue Estimates - Summary
(ii) General Fund Revenue Estimates – Individual Services
- B. Medium Term Financial Strategy (MTFS)
- C. Assumptions built into Budget and Medium Term Strategy
- D. Capital Programme
- E. Treasury Management Strategy Statement, Minimum Revenue Provision Strategy,
Annual Treasury Investment Strategy and Prudential Indicators
- E. Annex A Capital Strategy
- F. Parish Precepts
- G. Earmarked Reserves

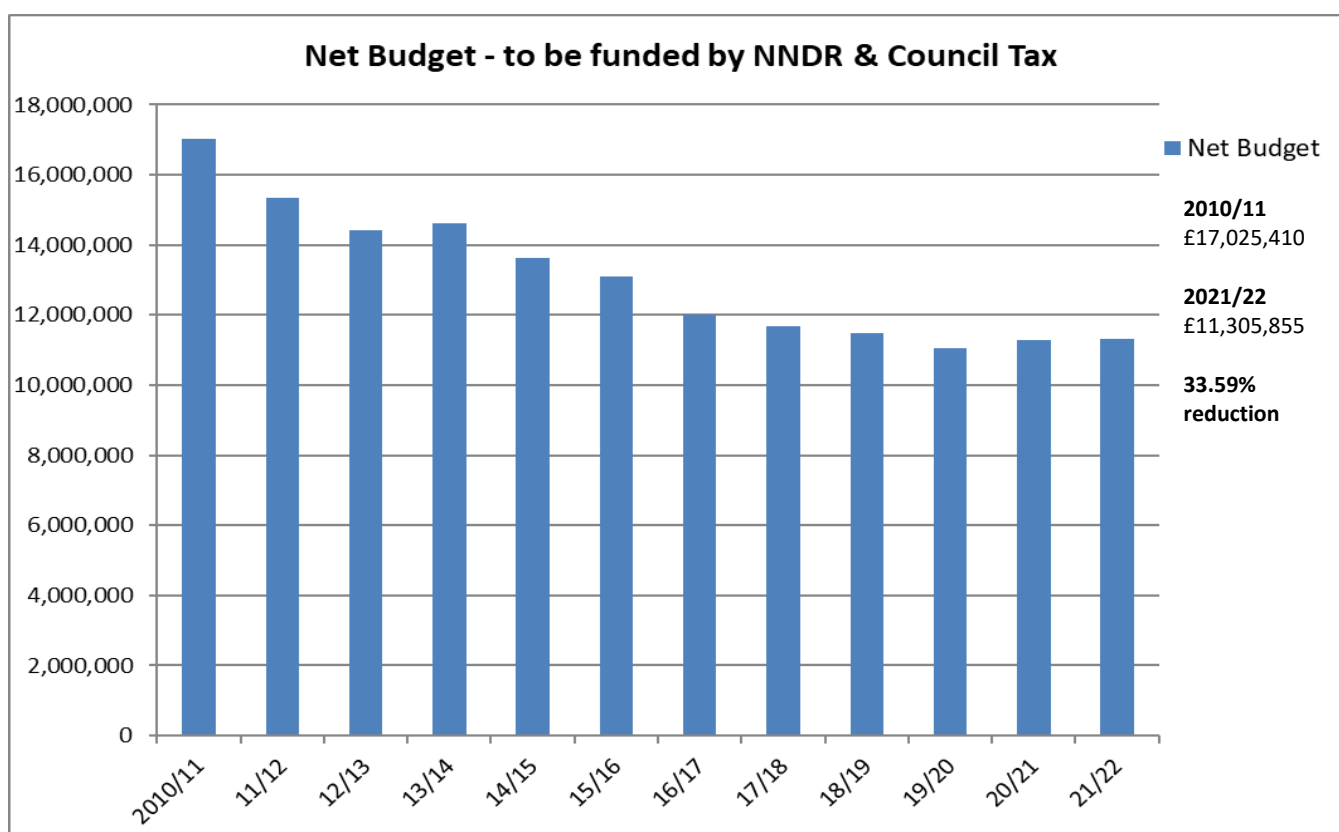
Report:

1 INTRODUCTION

- 1.1 This report sets out the financial implications of the council's priorities described in the draft Business Plan 2021/22. The Revenue budget estimates and the Capital Programme are final at this stage for approval. The draft Business Plan 2021/22 and draft Budget Estimates 2021/22 considered by Cabinet on 14th December 2020 together were subject to a public and stakeholder consultation from 5th January to 2nd February 2021, prior to final budget and council tax setting for 2021/22 on 23rd February 2021. The results from the consultation are published on the Council's website.

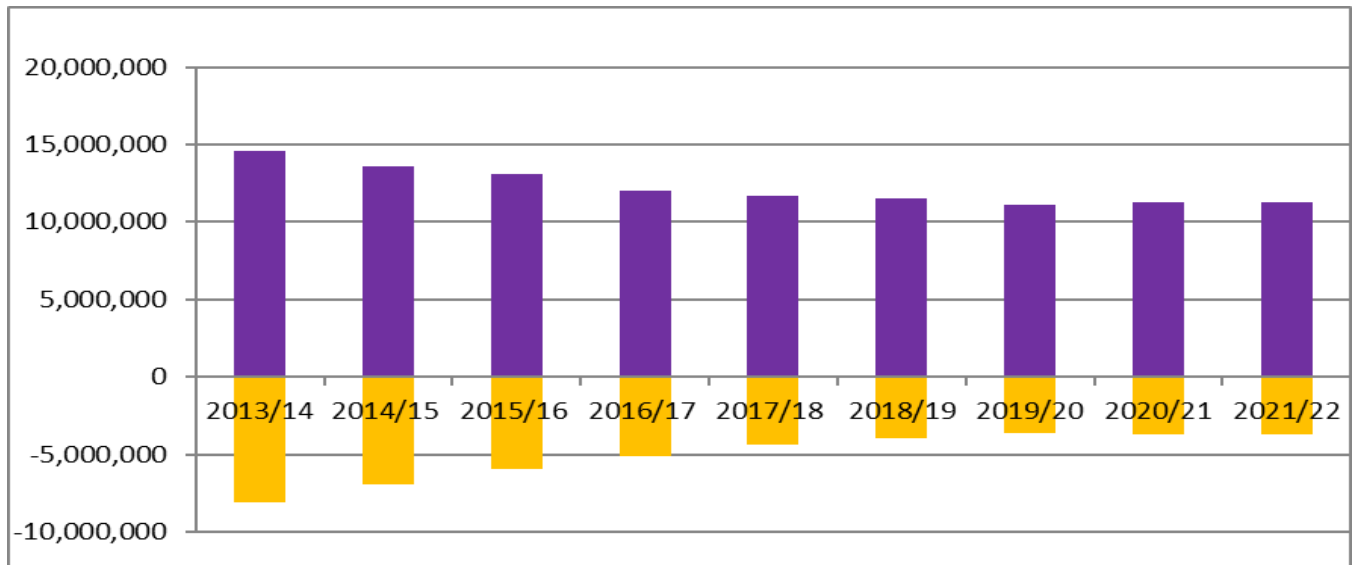
The Overview and Scrutiny Panel considered the Draft Budget 2021/22 and MTFS on 11 January 2021 and made its comments to the Cabinet. Members asked questions, made comments and received responses from Officers and Portfolio Holders. The Chairman thanked officers for their contribution and said that members were satisfied with the advice and information received.

- 1.2 Much of the financial information is necessarily based on a number of assumptions which are wholly or partly influenced by external factors. However, where final and known actual costs and revenue is known then they are included for example the Final Local Government Finance Settlement for 2021/22 was announced on 4 February 2021. Equally, some additional costs and income discussed later in this report became known since the Draft Budget Estimates were prepared; for example allocations of various specific government grant announcements which were summarised in the Overview & Scrutiny Panel report on 11 January 2021 are now included.
- 1.3 Local Government has been at the forefront of the austerity measures introduced by the government to reduce the national deficit following the General Election in 2010. This Council has had to reduce its Net Budget significantly since 2010 and by the end of 2021/22 it will have reduced by 33.59%. This is exemplified in the graph below:

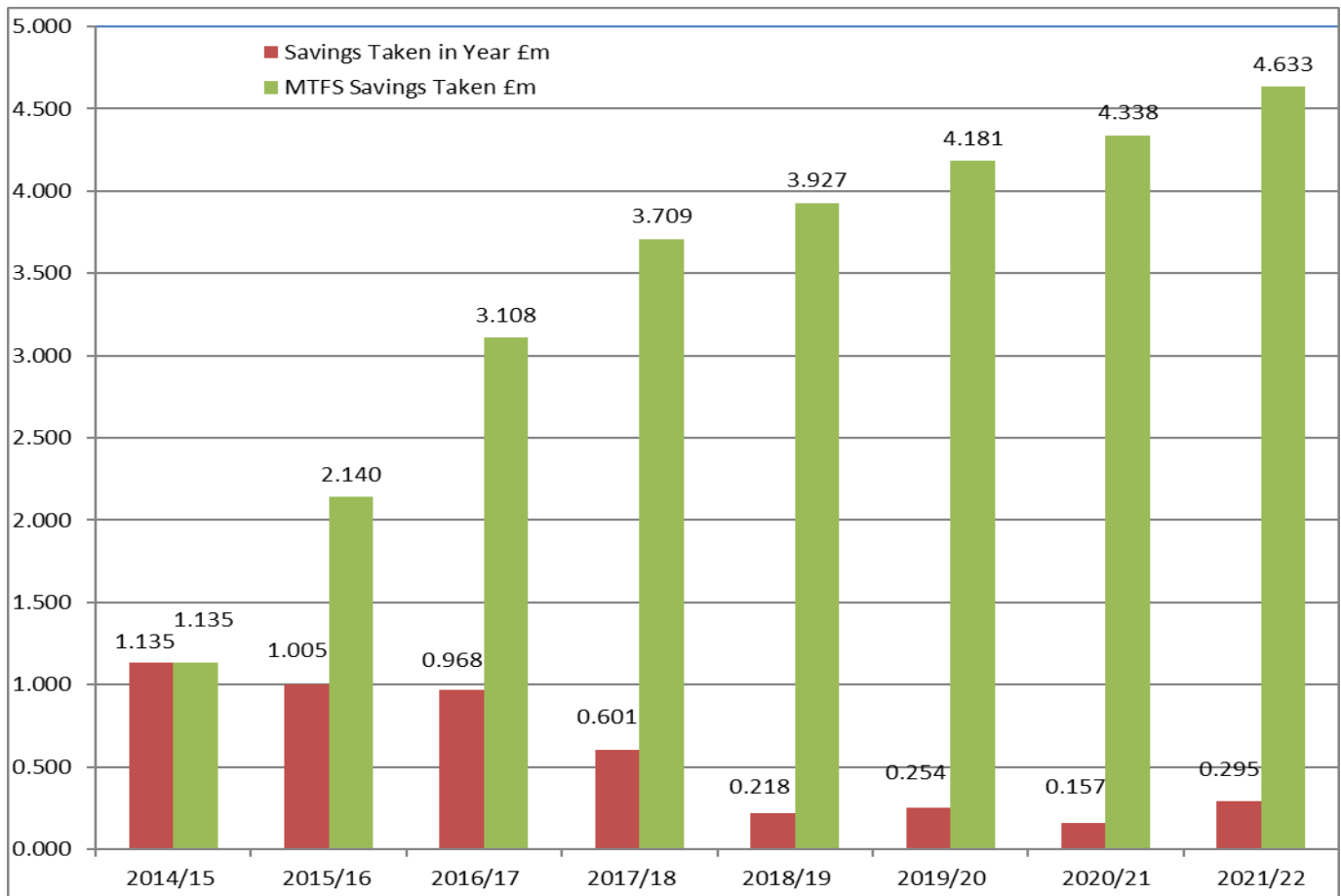


- 1.4 Since 2013/14 government support has reduced by around 54% and the Council's net budget by around 23% as illustrated in the following tables. In addition, Council Tax referendum principles have restricted increases in Council Tax.

	2013/14	2021/22	Reduction	%
Government Grant/Business Rates Baseline	£8,094,919	£3,701,878	£4,393,041	54.27
Net Budget	£14,604,750	£11,305,855	£3,298,895	22.59



- 1.5 The following graph illustrates how successful the Council has been in delivering savings over the last 8 years, enabling it to achieve balanced budgets each year.



During these years, Members have been very clear, that where possible, front line services should be protected. The Council's strategy of identifying savings at least 12 months in advance of the financial year has led to the successful delivery of the required savings targets and means the Council are in a good position to meet the challenges of 2021/22 and beyond. These savings have been achieved through a number of ways, such as Management and Service reviews, shared services, procurement and income generation.

2 2020 SPENDING ROUND AND LOCAL GOVERNMENT FINANCE SETTLEMENT TECHNICAL CONSULTATION

2.1 On 25 November 2020, the Government outlined its' spending plans for 2021/22 by setting budgets for each central government department.

2.2 The relevant points for this Council from these announcements are as follows:

- Local Government's business rate baseline funding levels will remain the same as 2020/21 as a result of freezing the business rates multiplier in 2021/22 (normally this would increase in line with inflation as determined by the CPI rate as at September 2020, ie. 0.5%). Local authorities will be fully compensated for this decision. There were no plans at that time to extend the business rates reliefs given in 2021/22 into 2021/22, although this was to be kept under review. We have recently been advised by MHCLG to delay, where possible, billing for business rates for 2021/22 until after the Chancellor's budget statement on 3rd March 2021. This is a clear indication that there will be additional business rates reliefs for 2021/22 and again, local authorities will be fully compensated for these;
- A proposed Council Tax referendum limit of 2% or £5 (together with an additional 3% increase for Adult Social Care). Police and Crime Commissioners can increase their precept by £15;
- Public Sector pay freeze. Pay frozen ('paused') for public sector workers earning £24,000 and above. Those earning below this will receive a minimum of £250. Although Local Government pay is negotiated separately, it is expected that this will form the basis of the pay award for 2021/22;
- Additional funding to reduce rough sleeping and homelessness;
- The Government is undertaking a fundamental review of the Business Rates system and are due to report on this in Spring 2021.
- The Fair Funding Review previously expected in April 2021 has been delayed with no information about when this will happen in the future;
- Continuation of the New Homes Bonus for 2021/22 with no new legacy payments (ie. the payment for 2020/21 will not be rolled forward) and potential changes to the scheme design and allocations in future years;
- Additional £3bn COVID funding for local authorities in 2021/22 including:
 - additional un-ringfenced grant for spending pressures expected to emerge in the first few months of 2021/22;
 - compensation scheme to fund 75% of irrecoverable losses in council tax and business rates in 2020/21;
 - further support for residents claiming Council Tax Support;
 - the Sales, Fees and Charges income compensation scheme will be extended into the first 3 months of 2021/22;

- 2.3 Details of how this will be converted into specific funding allocations for individual local authorities were announced as part of the final local government finance settlement on 4 February 2021.
- 2.4 It is anticipated that a 3 year Spending Review will be undertaken by the government in Autumn 2021 covering the period 2022/23 – 2024/25.

3 LOCAL GOVERNMENT FINANCE SETTLEMENT

- 3.1 The Final Finance Settlement for 2021/22 was announced on 4 February 2021. The government confirmed the settlement for the Council as was set out provisionally on 17 December 2020.
- 3.2 The Council's Settlement Funding Assessment for 2021/22 is made up entirely of its Business Rates Baseline Funding (Revenue Support Grant was phased out in 2019/20) and is detailed below.

Table 1 – Final Settlement Funding Assessment (Core Funding)

	Actual 2020/21 £000	Actual 2021/22 £000	2021/22 % Increase
Settlement Funding Assessment (Business Rates Baseline Funding only)	3,702	3,702	0.00%

- 3.3 There has been no change to the Settlement Funding Assessment as a result of the government freezing the business rate multiplier. Local authorities will be fully compensated for this decision by way of additional S31 Grant.
- 3.4 Core Spending Power (CSP) for local government has increased by 4.6% overall. Our increase in CSP is 1.9%. CSP is a measure of the revenue funding available for local authority services. This includes council tax; business rates; Revenue Support Grant; New Homes Bonus; adult social care grants and other grants. Assumed Council Tax increases (up to 5% for social care authorities) make up 87% of the increase in CSP. The increased reliance on increasing council tax has been a feature of the finance settlements and CSP over the past few years.
- 3.5 The settlement only provides detail of figures for 2021/22 with future funding announcements dependent on the outcome of the 3 year spending review expected to be undertaken in Autumn 2021. The Medium Term forecasts detailed in Appendix B have assumed a continuation of the current policy of increasing business rates baselines by CPI inflation based on current Treasury forecasts over the medium term.

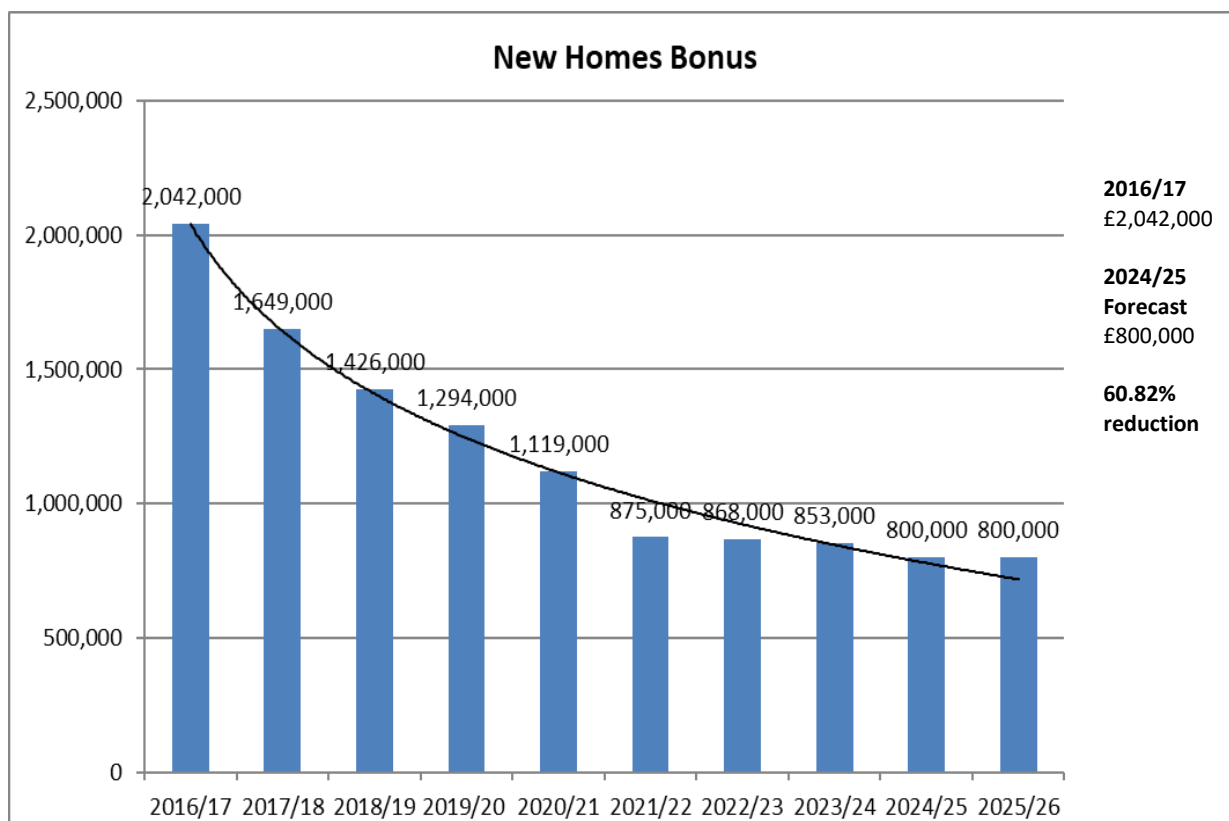
Fair Funding Review

- 3.6 The government announced earlier last year that the Fair Funding Review which was expected to be implemented from April 2021 has been delayed. As detailed in Section 2 above, no announcement has been made regarding when this review is likely to be completed and implemented.
- 3.7 The outcome of this review and the reform of the Business Rates Retention System (also from April 2022) will have a potentially significant impact on the future allocation of resource and represents major risks to the Council's medium term forecasts. It is considered that future funding of local government will be based mainly on the Business Rates Retention system including the new formula based Fair Funding distribution system, Council Tax and locally raised fees and charges. Thus, locally raised revenue will be the prominent element in the amount of resources a local authority will have each year to support its revenue funding compared to what it receives from the government in the form of redistributed Business Rates. Furthermore, this Council does not have adult social care and children's services responsibilities which are the areas where the greatest budget and spending pressures are being experienced by those authorities that have

those responsibilities and which are unlikely to be fully funded in the near to medium term.

4 NEW HOMES BONUS

- 4.1 In 2017/18, reforms to the allocation methodology of the New Homes Bonus (NHB) were made which significantly reduced the total amount available for distribution which consequently reduced this Council's allocation.
- 4.2 The key focus of the reforms was to reduce the payments from 6 years to 5 years in 2017/18 and to 4 years from 2018/19. In addition, from 2017/18, a national baseline for housing growth of 0.4% was introduced, below which New Homes Bonus is not paid, reflecting a percentage of housing that would have been built anyway.
- 4.3 Actual NHB received in 2020/21 is £1.119m. Following the announcement in the spending review, a further payment based on the current methodology (based on additional homes delivered from October 2019 – October 2020) will be made in 2021/22 although no new legacy payment will be made. The actual New Homes Bonus payment in 2021/22 is £875k (a reduction of £173k on original forecasts) with the forecast NHB reducing to £800k by 2024/25.
- 4.4 The graph below shows how the amount received from NHB has significantly changed over the past five years together with forecasts over the medium term.



- 4.5 The New Homes Bonus scheme design and allocation methodology will be subject to review as part of the government's next spending review due in Autumn 2021. To this end, a consultation document on The Future of the New Homes Bonus was published on 10 February 2021 with a deadline for responses by 7 April 2021. Although it is hard to argue against reform of the NHB, the impact on this Council's funding could be significant. We have included £868k of NHB funding in the MTFs for 2022/23 reducing year on year to £800k in 2024/25 and 2025/26. These will be replaced by allocations we receive from whatever the new Housing Incentive system will look like following the consultation exercise. For example, under the current system, a 0.1% increase in the

growth threshold would result in the loss of around £50,000 per annum in NHB, leading to a reduction in NHB of around £200,000 compared to the current MTFS forecasts.

- 4.6 In addition, the national total to be allocated by way of NHB (£622m in 2021/22) will be determined by the outcome of the government's 3 year spending review during Autumn 2021. **This is a significant risk to the MTFS.**

5 BUSINESS RATES

- 5.1 Members will be aware that the Business Rates Retention system was introduced in April 2013. Under this system, authorities would benefit if their actual Business Rates income collected in a year was higher than the baseline funding determined by government.
- 5.2 There has been real business rates growth in Fenland over the last six years, however how this impacts on the resources available to this Council is complex, due to the rules and the operation of the current 50% Business Rates Retention system. The complexity of the system has been exacerbated by the business rates reliefs support given by the government as a result of Covid-19.

Business Rates Pooling Arrangement – 2020/21 and 2021/22

- 5.3 The Council has joined with the County Council, Peterborough City Council, Fire Authority, East Cambridgeshire and South Cambridgeshire to become part of a pooling arrangement for business rates for 2020/21. Unlike the Business Rates Pilot schemes, this is not a bidding process against other pools but is part of the existing system whereby authorities can choose to apply to become a pool with the agreement of the constituent authorities.
- 5.4 The benefit of being in a pool is that authorities will not be liable to levy payments on their business rates growth, which is then shared amongst the pooled authorities by a mutually agreed method. This will be based on where the growth has originated from with an appropriate share allocated to the County Council and Fire Authority.
- 5.5 Depending on actual business rates received in 2020/21, the net effect of the pooling arrangement could be considerable for the authorities in the pool. Current forecasts indicate that this Council could receive up to £280k additional income according to the sharing methodology agreed between the pooled authorities. This is however £90k lower than originally estimated due to lower business rates income as a result of changes in rateable values and refunds given.
- 5.6 The members of the current pooling arrangement have notified MHCLG of their intention to remain as a pool for 2021/22 as there is still expected to be a net benefit to each authority. For the purposes of the 2021/22 estimates, an amount of £300k has been provisionally included as this Council's share of the potential benefit. We are still awaiting final estimated figures as all authorities in the pool will now have completed the annual statutory business rates estimate, the NNDR1 form and returned this to MHCLG by the deadline of 31 January 2021.

Additional Business Rates Relief Measures 2021/22

- 5.7 Although no announcement has yet been made regarding additional business rates relief measures for 2021/22, we have recently been contacted by MHCLG who have requested that billing for business rates be delayed until after the Chancellor's budget statement on 3rd March 2021. This is clearly an indication that additional business rates relief measures will be announced in the budget.
- 5.8 The Government have issued guidelines on the operation of these reliefs and State Aid rules will apply in the usual way. Local Authorities are expected to use their discretionary relief powers (section 47 of the Local Government Act 1988, as amended) to grant these reliefs in line with the relevant eligibility criteria set out in the guidelines. However, the full cost of granting this relief will be compensated through a section 31 grant from Government.

- 5.9 In order for any reliefs which are announced as part of the budget on 3rd March 2021 to be awarded with effect from 1st April 2021, Council is recommended to adopt any reliefs announced as part of the budget on 3rd March 2021.

Business Rates Reform – 2022/23 onwards

- 5.10 Earlier last year, the government announced that it would delay the move to 75% Business Rate Retention. In order to provide further stability to the sector, the government has decided not to proceed with a reset of business rates baselines in 2021/22.
- 5.11 The government is currently carrying out a fundamental review of the Business Rates System and a final report setting out the full conclusions of the review is expected to be published in Spring 2021. This will determine the parameters of any changes to the Rate Retention System and is likely to be implemented from April 2022.
- 5.12 As the content and character of any new system and its effect on Fenland District Council are unknown at this stage, no adjustments have been made to the business rates funding within the MTFS and it has been assumed that from 2022/23, retained business rates will increase by CPI based on current Treasury forecasts.
- 5.13 Nationally, the implementation of any new scheme is meant to be fiscally neutral overall, however any redistribution will create losers and winners and the extent of that is an unquantifiable risk for the Council currently.
- 5.14 Although the forecasts in the MTFS has assumed a 'neutral' funding position regarding retained business rates, previous consultation papers on the proposed 75% Business Rates Retention System identified a range of options which would mean this Council will almost certainly 'lose' some of the business rates growth it's seen since the current system started in April 2013.
- 5.15 In the estimate for 2021/22 and the medium term forecasts from 2022/23, around £1m of business rates above the Council's Baseline Funding Level is being retained. From 2022/23 onwards, the Baseline Funding Level of all Councils will be reset with all 'growth' income being taken into account nationally and redistributed in the new system. This means initially the additional £1m business rates income would be removed and redistributed. What remains unclear, is how much of this £1m will be returned to the Council as part of its recalculated Baseline Funding Level.
- 5.16 In theory therefore, the Council could lose all of this additional £1m in the absolute worst case scenario. However, this is unlikely and would create significant volatility within future funding allocations nationally, which the government does not wish to see. There will also undoubtedly be some kind of transitional arrangements which would also limit the extent of any gains and losses in funding arising from the new system. The national total to be distributed to local authorities will also be dependent on the next government spending review.
- 5.17 Although it is extremely difficult to exemplify the impact of this redistribution, in broad terms, if the Council were to lose 50% of its growth income then this would add a further £500k per annum from 2022/23 to the current forecast MTFS shortfalls. A 20% loss of growth income would add a further £200k per annum to the current shortfalls.
- 5.18 **At the time of writing, the Fair Funding Review, the implementation of Business Rates Reform and the changes to the New Homes Bonus are all major risk areas for this Council over the medium term.**

6 FENLAND COMPREHENSIVE SPENDING REVIEW

6.1 The estimated total net savings generated from the FDC-CSR proposals agreed previously at £1.667m will now amount to £1.8m by the end of 2020/21. During this year several proposals have been implemented together with the full-year benefit of proposals implemented in 2018/19 and 2019/20. These include the following:

- Relocation of March and Wisbech Shops
- CCTV – alternative service delivery with Peterborough City Council

together with the full-year benefit in 2019/20 and 2020/21 of the following:

- Staffing Review of Customer Services, Human Resources, Accountancy and Vehicle Workshop
- Leisure Centre management options (contract commenced 4 December 2018)
- Leisure and Open Spaces Management Review
- Community House closure

6.2 All the above initiatives have been fully implemented and the savings generated from these and other CSR proposals are included within the Medium Term Financial Strategy detailed at Appendix B and have significantly contributed to the required savings target over the medium term.

7 FORECAST OUTTURN 2020/21

7.1 The impact of COVID-19 on the Council's delivery of services and finances in 2020/21 have been and continue to be, significant and challenging. Members will be aware of the Council's response to COVID-19 and reports have been considered by Overview and Scrutiny Panel (on 8 June 2020 and 13 July 2020) on the actions taken by the council to date and also on the future implications and opportunities of the COVID-19 pandemic in relation to service delivery by Fenland District Council.

7.2 In addition, at the Council meeting of 6 August 2020, Members received a detailed report on the additional spending pressures and income reduction pressures the Council was facing this year, together with details of the government support for Covid-19 pressures.

7.3 The total Covid-19 direct grant support received, aimed at addressing the expenditure pressures, since March 2020 is £1,859,459 (£65,197 in 2019/20 and £1,794,262 in 2020/21).

7.4 In addition, the Council has received other grant funding relating to the administration of Business Grants amounting to £188,500, the administration of the Test and Trace Support Payments (isolation payments) of £27,068 and the Next Steps Accommodation Programme (NSAP) for delivering short-term Rough Sleepers interim accommodation and support of £198,000 for 2020/21. Further funding from the NSAP of £622,650 (Revenue funding of £178,250 and Capital funding of £444,120) for move-on funding has also been secured for the period 2020/21 – 2023/24. This will be delivered in partnership with Clarion Housing Association.

7.5 In the December draft budget report, it was estimated that the compensation payment due from the governments co-payment mechanism for irrecoverable Sales, Fees and Charges income, whereby the government covered 75% of losses beyond 5% of planned income, would be around £718k. The current projection is for an income compensation of around £613k. Current projections for income are higher than previously forecast and therefore, although we will receive less in compensation, this is made up by receiving higher actual income.

7.6 An updated projection for 2020/21, taking into account the latest estimate of spending and income reduction pressures and additional government support, was included in the

draft budget report presented to Cabinet on 14 December 2020. At that time, a shortfall of £485k was being projected for 2020/21.

- 7.7 The latest projected outturn for 2020/21 are set out at Appendix A and show the likelihood of a shortfall in the region of £221k by the end of this financial year.
- 7.8 The main reason the shortfall has reduced is due to the expectation that the Council will receive at least its' notional allocation of £210k from the £100m government fund set up to support leisure centres most in need in 2020/21. The Council has bid for £221k and this is currently being considered by the Department for Digital, Culture, Media and Sport (DCMS). We are expecting to be notified of the outcome of our bid by the end of February 2021. There is no certainty that the Council will receive more than its' notional allocation and consequently only this amount (£210k) is included in the projected figures for 2020/21.
- 7.9 One of the measures to assist local authorities in 2020/21, announced as part of the SR2020 in November 2020 was the **Tax Income Guarantee Scheme (£790m)**. This will fund 75% of irrecoverable losses in council tax and business rates. This scheme will run in parallel to the requirement for billing authorities to spread the 2020/21 collection fund deficit over 3 years. We are still working through the details of this scheme but currently it is not possible to estimate any potential benefit to this Council in 2020/21.
- 7.10 There are still many uncertainties around the potential shortfall for 2020/21 and there is no requirement to formally approve an amount to be funded from reserves. At the present time, Corporate Management Team, Senior Managers and the Accountancy Team are managing and monitoring the position carefully and will continue to review spending levels to ensure where possible, the amount to be funded from reserves at the year-end is minimised.
- 7.11 Use of reserves to fund any potential shortfall in 2020/21 will have a consequential impact on the Council's ability to fund the shortfall in 2021/22 from reserves. Details of the Council's reserves are at Section 16 and Appendix E.

8 DRAFT BUDGET ESTIMATES 2021/22 AND MTFS

- 8.1 The Council's MTFS ensures that the commitments made in the Business Plan are funded not only in the year for which formal approval of the budget is required (2021/22) but for forecast years as well, within a reasonable level of tolerance.
- 8.2 The impact of Covid-19 on the Council finances in 2020/21 will to a certain extent continue into 2021/22 and the medium term, particularly regarding spend pressures relating to homelessness, rough sleepers and leisure contract, forecast income levels and the impact on future Council Tax and Business Rates income. The government has recognised this ongoing impact and announced a package of measures in SR2020, as detailed in Section 2 above, to support local authorities in 2021/22.
- 8.3 Details regarding these measures and their impact on this Council have been finalised as part of the Final Local Government Finance Settlement announced on 4 February 2021.
- 8.4 In summary, these are follows:
- **Lower Tier Services Grant (£111m)** is a new grant and has been funded from the NHB returned surplus. Allocations are based on the share of the 'lower-tier' element of the settlement funding assessment and topped-up to ensure no district council sees its CSP reduce in 2021-22 (mainly as a result in changes to NHB payments). Our allocation of this new grant is **£157,697**.
 - **COVID funding (£1.55bn)**, tranche 5 allocations have been announced and our allocation is **£634,010**. The allocations are based on the COVID relative needs formula (RNF) which formed part of the allocation methodology used in tranches 3 and 4. The government has stated that they consider this funding sufficient for

spending pressures in 2021-22 and are assuming there will be no further funding for next year. The funding is to cover the continuing spending pressures faced by local authorities focussed on a similar set of priority pressures as previously set out for the 2020-21 Covid funding.

For this Council, the most significant additional spend pressures are those relating to Homelessness (£100k); Rough Sleepers (£250k) and Leisure Contract support (£155k for first quarter 2021/22 plus £200k contingency for July 2021 onwards) and these additional amounts have been included in the 2021-22 budget.

- **Local Council Tax Support Grant (£670m)** is another new grant for 2021-22 and its primary purpose is to compensate authorities for the expected additional cost of Local Council Tax Support (LCTS) schemes in 2021-22 as a result of an expected increase in working age claimants. It is also intended that it should 'enable councils to continue reducing council tax bills for those least able to pay, including households financially hard-hit by the pandemic'. The grant is not ring-fenced, which will give billing authorities flexibility about how it is used. This Council's allocation is £194k. Each of the major preceptors, County Council (£854k), Police (£146k) and Fire Authority (£45k), will receive their grant payment directly. We are currently assuming that there will be no net benefit/cost to the revenue account as a result of this grant.
- **Sales, Fees and Charges (SFC) compensation scheme** will continue into the first quarter of 2021-22. The scheme remains unchanged and the 2020-21 budgeted income will remain the baseline against which income losses will be measured. We have included income losses of £142k (mainly from loss of Leisure Management Fee and Conference income at business centres), off-set by £100k from the SFC compensation scheme leaving a net budgeted cost of £42k. This has been included for the first quarter of 2021-22 only and further losses from July 2021 onwards are possible.

8.5 With all of the above measures included, the Council's medium term forecasts are shown at Appendix B and summarised in Table 2 below. The table includes a 0% Council Tax increase in 2021/22 and the medium term.

Table 2 - MTFS - 0% increase in 2021/22 onwards

	Estimate	Forecast	Forecast	Forecast	Forecast
	2021/22	2022/23	2023/24	2024/25	2025/26
	£000	£000	£000	£000	£000
Expenditure					
Net Service Expenditure	12,840	13,284	13,569	13,957	14,347
Corporate Items	916	805	847	997	1,025
Renewable Energy Rates Retained	-362	-366	-372	-378	-385
Retained Business Rates (Growth)	-947	-1,013	-1,034	-1,056	-1,081
Business Rates Pool - share of benefit	-300	0	0	0	0
Contribution from Business Rates Reserve	-3,417				
Net Expenditure (before use of balances)	8,730	12,710	13,010	13,520	13,906
Funding					
Business Rates Baseline	-3,702	-3,746	-3,806	-3,871	-3,944
Business Rates Collection Fund Deficit	3,621	184	184	0	0
Council Tax Collection Fund Surplus(-)/Deficit	44	47	47	-50	-50
Council Tax (<i>increases of 0% in 21/22 onwards</i>)	-7,851	-7,949	-8,046	-8,144	-8,242
Total Funding	-7,888	-11,464	-11,621	-12,065	-12,236
Shortfall(+) before use of balances	+842	+1,246	+1,389	+1,455	+1,670
Contribution from General Fund Balance	-842	0	0	0	0
Shortfall(+) after use of balances	0	+1,246	+1,389	+1,455	+1,670

- 8.6 Government support for 2021/22 was announced as part of the final finance settlement. This Council will only be receiving retained business rates from the finance settlement. The projections for 2022/23 onwards are based on the best estimates and information available and are consistent with the announcements on business rates in the Spending Round 2020. However, subject to further clarity on the detailed implementation of the announcements, there remains a degree of uncertainty in these projections.
- 8.7 The figures in Table 2 incorporates the assumptions detailed at Appendix C. With the final funding assumptions and a 0% increase in Council Tax, a shortfall of £842k is forecast. Due to the considerable uncertainties in next years forecast, particularly with regard to any further government support, it is proposed that a contribution of £842k from the General Fund Balance be made at this time to achieve a balanced budget for 2021/22. The net budget requirement for 2021/22 is currently estimated at **£7.888m** (£8.730m less £0.842m use of balances) after all identified savings, contingencies and reserve transfers are included.
- 8.8 The forecasts include all proposed savings from the Phases 1 and 2 of the My Fenland transformation initiative over the next two years and the medium-term, together with assumptions regarding receipts from Council Tax and Business Rates.
- 8.9 The development of the Commercial and Investment Strategy has the potential to generate significant returns over the MTFS. It is difficult to forecast the extent of such returns as much will depend on the type and timing of investment opportunities. Consequently, no allowance for these potential returns have been included in the MTFS at the current time.
- 8.10 In addition, it is not unreasonable to assume that should the impact of Covid-19 continue beyond the first quarter of 2021/22, through additional spend and income pressures arising from for example, Homelessness, Rough Sleepers and Leisure Contract Support, then there would be additional government support available to partly off-set these pressures. However, for the purposes of the 2021/22 budget, we have only included the level of government support already announced.
- 8.11 Taking into account the proposals in the Table 2 above, the estimated net budget requirement in 2021/22 is detailed in Appendix A. The level of forecast resources available to the Council and the estimated levels of expenditure over the medium term are set out in detail in Appendix B. These show a funding gap of £1.670m by the end of 2025/26.
- 8.12 The forecasts for the years 2022/23 – 2025/26 are provisional at this stage and should be considered with extreme caution. Future announcements and consultation outcomes will also determine government policy and therefore the funding in the future years. In addition, the forecasts are dependent on permanently maintaining the savings identified through the FDC-CSR proposals and the MTFS ‘Opportunities’ detailed below.

MTFS ‘Opportunities’

- 8.13 There are a number of additional resource opportunities including potential one-off benefits and also medium term annual benefits, which it is forecast will not only contribute to a balanced budget in 2021/22 (as detailed above and Appendix A) but also make a significant contribution to the shortfalls over the medium term. These are detailed below:
- As detailed in paragraphs 5.3 – 5.6 above, there is a potential benefit of being part of a Business Rates Pooling arrangement in 2021/22 with other Cambridgeshire Districts, County Council and Peterborough City Council. This is expected to realise around £300k of additional income in 2021/22. Future year’s benefit will be dependent on the implementation of Business Rates reform from 2022/23 onwards and consequently no benefit from this is included after 2021/22;
 - This Council is due to receive its’ share of the distribution of Cambridgeshire Horizons funds back to constituent authorities. This is a one-off benefit and could

amount to between £2.25m - £3.3m subject to finalising all the Horizon's statutory liabilities. For the purposes of the budget proposals for 2021/22, no allowance has been made as we are unsure of the exact amount and timing of this receipt;

- Officers are currently evaluating the impact of investing 'surplus cash' in Property Funds with potential for additional annual investment income from 2020/21 onwards, commensurate with the Council's risk appetite. Based on an initial investment of £5m, current projections are that around £250k of additional investment income could be generated per annum from 2022/23 with an additional £150k, net of costs being realised in 2021/22;
- Development of the Commercial and Investment Strategy has the potential to generate significant returns over the MTFS. It is difficult to forecast the extent of such returns as much will depend on the type and timing of investment opportunities;
- Members will be aware that the Council is developing the Council for the Future (CFF) transformation plans which could see further savings/additional income being generated over the MTFS. Included within the MTFS are the potential benefits of the 'My Fenland' transformation project. Phase 2 is expected to generate savings of around £295k in 2021/22 and £366k per annum from 2022/23 onwards and are included in the forecasts. Phase 3 of the project is currently being developed with potential further savings over the medium term.

Significant Risks to MTFS

- 8.14 As detailed earlier in this report, Business Rates Retention Reform, Fair Funding Review and changes to the New Homes Bonus could have a significant impact on the Council's forecast resources over the term of the MTFS. Further to the risks associated with these externally determined funding streams the Council should also ensure that income budgets are achieved and new income streams considered and implemented for medium to long term sustainability in combination with any operational and transformational benefits that the Council realises. The use of general reserves to support revenue expenditure adds to the overall risks to the Council as such reserves can only be used once but the cumulative impact of such use will continue to be felt into the future.

Other Risks

Capital Programme – Future Funding

- 8.15 The Council is increasingly relying on borrowing (Internal and Prudential) to fund its future programme as the amount of capital receipts and the level of reserves available to fund the capital programme are reducing considerably over the next two years. Consequently, any new capital schemes (which do not generate a return to repay borrowing costs) will have to be funded through borrowing which will result in revenue costs and therefore will impact on the MTFS and future shortfalls.
- 8.16 For example, a £1m scheme with a 20 year life, funded by prudential borrowing, would result in around an additional £70,000 per annum in interest (2%) and repayment costs.

Potential Impact of Major Risks

- 8.17 To exemplify the effect on the MTFS of potential additional costs arising from the above risks, Table 3 below details a scenario whereby the Council loses 50% of its business rates growth income following the reforms in 2022/23.

Table 3: MTFS Potential Impact of Major Risks – for illustrative purposes only

	Estimate	Forecast	Forecast	Forecast	Forecast
	2021/22	2022/23	2022/23	2024/25	2025/26
	£000	£000	£000	£000	£000
MTFS Shortfall - Appendix B	0	1,246	1,389	1,455	1,670
<i>(0% CT increase in 2021/22 onwards)</i>					
50% loss of NNDR growth income		500	500	500	500
Increasing NHB threshold by 0.1%		50	100	150	200
Revised Shortfall	0	1,796	1,989	2,105	2,370

- 8.18 As stated earlier, it is important to note that the figures detailed in the above table are purely illustrative as no decisions have yet been made regarding changes to these funding streams and the potential impact on this Council.

9 PARISH PRECEPTS

- 9.1 The levels of parish precepts set throughout Fenland are provided for information at Appendix F. These will be reported to Council as part of the Council Tax setting process.

10 FEES AND CHARGES

- 10.1 The Overview and Scrutiny Panel reviewed fees and charges for 2021/22 at its meeting on 11 January 2021 and these were subsequently considered by Cabinet on 25 January 2021. All of the recommendations from these meetings have been included in the financial forecasts.

11 SPECIAL AND GENERAL EXPENSES

- 11.1 For the purposes of Section 35 of the Local Government Finance Act 1992, the Council needs to pass appropriate resolutions for each financial year to determine how expenses which could legally be regarded as special should be treated.
- 11.2 If expenses are treated as special expenses, then they must be charged against the parts of the Council's area to which they relate.
- 11.3 Parish precepts are special expenses and cannot be treated as general expenses.
- 11.4 Drainage Board and Port Health levies which affect only part of the Council's area are treated as general expenses unless the Council resolves otherwise. These are currently treated as general expenses and it is recommended that this position continues for 2020/21.
- 11.5 Expenses incurred by the Council in performing, in part of its area, a function performed elsewhere by a parish council are special expenses unless the Council determines otherwise. Currently, these are treated as general expenses. To maintain this position, it is recommended that the Council determines that such expenses should not be treated as special expenses for the financial year 2021/22.

12 PORT HEALTH

- 12.1 The Port Health levy for 2021/22, based on expected expenditure, is recommended as shown in Table 4 below for Council to approve.

Table 4: Port Health Levy 2021/22

Description	£
a) Port Health anticipated expenditure	16,209
b) Port Levy	
Fenland District Council	14,345
South Holland District Council	1,135
King's Lynn and West Norfolk Borough Council	729
Total	16,209

13 COUNCIL TAX – LONG TERM EMPTY PROPERTY PREMIUM

- 13.1 Since April 2019 and in accordance with legislation passed at that time, the Council charges the following premiums on long term empty properties;
- From 1 April 2019 an additional premium of 100% Council Tax will be charged from a date two years after the properties first became empty;
 - From 1 April 2020 an additional premium of 200% Council Tax will be charged from a date five years after the properties first became empty;
 - From 1 April 2021 an additional premium of 300% Council Tax will be charged from a date ten years after the properties first became empty.
- 13.2 The main objective of this policy was to bring long term empty properties in Fenland back into use as soon as possible and to incentivise this by adding penalties through the additional Council Tax premium charged.
- 13.3 Through the work of the Empty Homes Officer over the past year, it is clear that the above policy has had some unintended consequences with the premium being particularly onerous on owners of listed buildings, inherited buildings and those renovating or trying to sell.
- 13.4 For owners genuinely renovating or trying to sell where repeated sales have fallen through, the increased rates are causing financial hardship and the premiums are removing valuable funds from renovation projects.
- 13.5 To incentivise owners who are actively taking steps to bring properties back into use, it is proposed that the premium be suspended for an initial period of 6 months from a 'new transfer of title'. The 'normal' Council Tax rate would still be payable. Owners would need to apply for the suspension and provides details of their plans for the property to be occupied within a 6 month period. If the plans are assessed as feasible and approved, the Empty Homes Officer would provide ongoing monitoring of progress. If the property is not brought back into use within 6 months, then the original premium charge will become payable from the date of suspension. However, if good progress has been made but not completed at 6 months, then at the Council's discretion and in exceptional circumstances, a further extension may be granted.

14 FENLAND DISTRICT COUNCIL - COUNCIL TAX 2021/22

- 14.1 As part of the 2021/22 Final Local Government Finance Settlement announcement, the government is again proposing that local authorities will be required to seek the approval of their local electorate in a referendum if they set council tax increases in 2021/22 that exceed the government set limit. This limit has been set at 2% or £5, whichever is higher for 2021/22 for District Councils. A 2% increase on the Band D Council Tax equates to £5.13 per annum (a 1.97% increase due to roundings).

- 14.2 Council at its meeting on 18 July 2019, agreed to re-position the MTFS to show 0% Council Tax increases through to 2023/24. This report extends the MTFS period and 0% increases to 2025/26. The motion agreed by Council emphasised that 0% increases in Council Tax throughout the MTFS period is an ambition and it was recognised that the Council continues to face significant financial challenges and uncertainties that may not allow this ambition to be met. These challenges and uncertainties have been exacerbated by Covid-19.
- 14.3 The motion also stated that Members of the Council need to act responsibly each year when setting the precept to balance the ambition of achieving a 0% Council Tax rise with the legal need to balance the budget. It was agreed that raising Council Tax in any of the next four years will be a last resort in order to minimise the financial effects of Council Tax on all of Fenland's households.
- 14.4 For information, an additional 1% increase in Council Tax in 2021/22 would generate in the region of £78,500 of revenue per annum to the Council. Even with this additional revenue included, the estimates for future years show a significant and increasing shortfall (see Table 2 in paragraph 8.5 above and Appendix B).
- 14.5 After the estimates of expenditure and income have been prepared, and the Final Settlement has been received, the next step is to set the council tax for 2021/22 for Fenland District Council.
- 14.6 In line with the motion agreed by Council on 18 July 2019, assumed Council Tax increases of 0% have been included for 2021/22 and over the period of the MTFS.
- 14.7 At this level of Council Tax there is a requirement for a significant contribution from the General Fund Balance of £842k to ensure a balanced budget for 2021/22. There are also forecast further significant and increasing deficits over the period of the MTFS. Consequently, the Council will need to continually consider its strategy to meet the estimated shortfalls shown at Table 2 and in Appendix B.
- 14.8 The implications of not increasing Council Tax over the MTFS is that the Council would be reducing its financial base permanently as it would not be able to recover potential revenue foregone due to the cumulative year on year impact. The consequences of continually setting zero Council Tax levels and not achieving the necessary savings/additional income have been clearly demonstrated by the events at other Councils. The ability to achieve significant year on year savings (without increasing existing and introducing new revenue streams together with transformational change) to balance the budget becomes progressively difficult without eventually impacting on front-line services and delivery.
- 14.9 Council can of course agree to a higher increase (up to the referendum limit of 2%) and a 1% increase in Council Tax raises around £78,500 revenue per annum. Table 5 shows the implications of increasing the Council Tax in 2021/22 by 1.97% per annum and thereafter compared to freezing the Council Tax in 2021/22 and throughout the MTFS period.

Table 5: MTFS Deficits at Differing Council Tax increases in 2021/22 onwards

Deficits based on different % increases	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000
Deficits at 0% increase (<i>as shown in Table 2/Appendix B</i>)	+842	+1,246	+1,389	+1,455	+1,670
Additional CT with 1.97% increase p.a. from 2021/22	-157	-319	-488	-665	-849
Required Contribution from General Fund Balance	-685				
Deficits at 1.97% increase	0	+927	+901	+790	+821

- 14.10 Table 6 shows the Band D Council Tax for spending at the level proposed, together with Council Tax levels from the major preceptors and Parishes.

Table 6: Band D Council Tax Levels 2021/22

COUNCIL TAX BASE	2021/22 30,143		2020/21 29,815	
	£	Band D £	£	Band D £
Fenland District Council Precept (Appendix A)	<u>7,851,042</u>		<u>7,765,610</u>	
Fenland District Band D Council Tax	0.00%	260.46	0.00%	260.46
MAJOR PRECEPTORS				
County Council	(2.99%)	1,399.77	(4.98%)	1,359.18
Police & Crime Commissioner	(6.42%)	247.59	(12.05%)	232.65
Fire Authority	(2.00%)	73.53	(2.88%)	72.09
Sub Total BAND D TAX		1,981.35		1,924.38
Parish Councils-average (Appendix F)	(-0.84%)	48.05	(-1.19%)	48.46
Total average Band D Tax		2,029.40		1,972.84
Total average increase over 2020/21		£56.56 (2.87%)		

- 14.11 The County Council increase for 2021/22 includes 1% for the Adult Social Care precept (£13.59) and 1.99% on the general council tax (£27.00), giving a total increase of 2.99% (£40.59). For 2021/22, the Police and Crime Commissioner is allowed to increase council tax by up to £15.00 on a Band D property. The actual increase is £14.94 (6.42%).

15 TREASURY MANAGEMENT STATEMENT, ANNUAL TREASURY INVESTMENT STRATEGY AND CAPITAL STRATEGY 2021/22

- 15.1 Full details of the proposed Treasury Management, Annual Investment Strategy and Capital Strategy for 2021/22 are contained in Appendix E. The proposed Treasury Management and Annual Investment strategies were presented to and endorsed by Audit and Risk Management Committee on 1 February 2021.
- 15.2 The key issues relating to the strategies and their impact on the MTFs are as follows:
- The prudential and treasury indicators detailed in paragraphs 2-12 of Appendix E, show that the Council's capital investment plans are affordable, prudent and sustainable.
 - The Capital Strategy, detailed at Annex A of Appendix E, sets out the context in which capital expenditure and investment decisions are made and establishes that the Council has arrangements in place to ensure it gives due consideration to risk, reward, and impact on the achievement of priority outcomes.
 - The MRP policy sets out how the Council will make prudent provision for the repayment of borrowing needs over the medium term forecast.
 - The Treasury Management Strategy has been organised so that the Council will have sufficient cash resources to meet capital expenditure plans and operational cash flows.
 - Due to the Council's long term PWLB debt portfolio (£4.5m at 31/03/20) currently attracting excessive premiums; it is not financially advantageous for the Council to comply with the gross borrowing and capital financing prudential indicator.

- Total external interest which includes finance lease interest payments; revised estimate for 2020/21 is £496,710 and the estimate for 2021/22 is £530,500. Additionally, if the authority were to immediately borrow the full £25M to fund schemes taken forward as part of the Commercial and Investment Strategy this would attract annual interest payments of £287,000.
- Bank rate is expected to remain unchanged at 0.10% throughout the next three years.
- The current Medium Term Financial Strategy assumes that some external borrowing will be required, to fund the Council's Capital Programme, over the four-year period to 31 March 2024.
- The aim of the Council's annual treasury investment strategy is to provide security of investments whilst managing risk appropriately; investment returns are commensurate with the Council's historic low risk appetite although we are in the process of transition as a Council from a low risk policy to an appropriately managed risk policy. The Council achieves these objectives through differentiating between "specified" and "non-specified" investments and through the application of a creditworthiness policy.
- Total investment income is an estimated £55,000 for 2020/21 and £40,000 for 2021/2022. The Council is anticipating that if market conditions improve as expected it should be possible for the Council to invest in property funds during the 2021/22 financial year. The Medium Term Financial Strategy incorporates an estimate that such an investment would yield a return of £150,000 in 2021/22 rising to £250,000 per year in subsequent years.

16 REVIEW OF GENERAL FUND BALANCE AND EARMARKED RESERVES

- 16.1 An important part of any budget strategy is the review and consideration of reserves. Earmarked Reserves are typically held and used in a planned way to deal with issues where it is foreseen that resources need to be set aside to meet a specific need but the exact amount and timing is not known. General Reserves are held to cushion the impact of an event or events that cannot be foreseen whilst maintaining these resources at a consistent and reasonable level over the medium term.
- 16.2 Sufficient levels of reserves are necessary to provide for various contingent and unplanned items that could include:-
- significant increased costs of providing statutory services
 - significant increased contractual costs
 - an unexpected and/or significant event or disaster, e.g. civil emergency
 - an unexpected major liability in law
 - the need to make significant payments in relation to prior year adjustments under the direction of the external auditor
- 16.3 The Council's current uncommitted General Fund Balance is £2m. As part of the budget proposals for 2021/22 detailed in this report a contribution of £842k is required to set a balanced budget.
- 16.4 It is good practice to keep the balance on this reserve under review alongside ensuring that the purposes for which other earmarked reserves were allocated remain consistent with and relevant to the Council's Medium Term Financial Strategy. In light of the proposed use of the General Fund Balance in 2021/22, it will be necessary to re-assess the appropriate level of this balance over the period of the MTFS. It is proposed that this is carried out during 2021/22 taking into account actual use of this balance and updated MTFS forecasts.

- 16.5 The Budget Equalisation Reserve was established in 2019/20 to provide a smoothing mechanism between financial years which could provide resources to help achieve balanced budgets in future years. The current balance on this reserve is £315k and is available to meet potential budget shortfalls.
- 16.6 The analysis of reserves at Appendix G details the projected General Fund and earmarked reserves position as at 31 March 2021 and 31 March 2022 taking account of the proposals detailed in this report.

17 CAPITAL PROGRAMME

- 17.1 Capital Expenditure and Income plans have been prepared through the Council's service and financial planning cycle. The Council's capital resources are dependent on government funding, external grants or through the ongoing disposal of assets.
- 17.2 A fully updated Capital Programme for 2021-24 is presented at Appendix D for approval. The programme has been updated to ensure it adequately reflects the cost and anticipated timing of schemes previously approved.
- 17.3 In June 2019 Members approved a series of recommendations relating to the disposal of surplus assets. These recommendations have been taken forward by officers and the summary of resources available to finance the current capital programme takes account of disposal proceeds the Council expects to generate over the life of the current programme. Whilst it is difficult to determine with certainty the returns the Council might be able to generate such returns are important in the context of the Council's Medium Term Financial Strategy as where capital expenditure can be financed through the application of capital receipts it does not need to be financed from borrowing.
- 17.4 The Council has continued to deliver the schemes set out in its capital programme. The pandemic has impacted on the supply chain and this resulted in some schemes needing to be re-profiled. The impact of these profiling adjustments is not, however, considered to be significant and there are no specific financial implications. The updated capital programme is set out in Appendix D to this report.
- 17.5 The capital programme takes account of two recent government announcements concerning major grant-funded capital schemes. The first relates to the installation of technologies to improve energy efficiency in social housing in Wisbech and the second concerns major infrastructure improvements to March High Street.
- 17.6 On 12 January 2021 Cabinet authorised officers to enter into an agreement with the Department of Business, Energy and Industrial Strategy (BEIS) to enable the Council to participate in a project which forms part of a national Social Housing Decarbonisation initiative. The project will be delivered by Clarion and its partners by 31 March 2022. Clarion is providing match-funding for 50% of the total projects costs and the Council will pass on to Clarion funding for the remaining 50% of project costs by applying the grant provided by government in accordance with the terms of a funding agreement between Clarion and the Council.
- 17.7 On 26 December 2020 it was announced that the Council had been successful in securing funds from MHCLG to deliver a scheme of major improvements to March High Street in line with a bid which had been submitted to the government's Future High Streets Fund. The scheme will be funded from a combination of a grant from MHCLG and an agreed contribution of £2M from the Cambridgeshire and Peterborough Combined Authority (CPCA). A report providing more details relating to this scheme is scheduled to be reported to a future meeting of Cabinet. The scheme is included in the programme based on the value of funding approved and the expected profile of the associated expenditure.
- 17.8 Cabinet was informed on 14 December 2020 that the capital programme had been updated to take account of the final value of the grant awarded to the owners of 13-17 High Street, Wisbech which is one of the properties which forms part of the Wisbech High

Street project which is funded from grant received from the National Lottery Heritage Fund (NHLF). Proposals for redevelopment at 11-12 High Street and 24 High Street are still being finalised and the capital programme will be updated once decisions relating to these schemes have been reached and approval has been obtained from the NHLF.

- 17.9 In February 2020 Council approved the allocation of £25M to take forward the development of schemes identified as part of the approved Commercial and Investment Strategy. During the 2020-21 financial year both the Council's Investment Board and the Council's Local Authority Trading Company, Fenland Future, have met to consider potential opportunities for investment and the associated governance arrangements. An indicative profile of likely spend is included in the capital programme although it should be noted that the facility exists for the allocation to be spent at any time over the period covered by the programme.
- 17.10 Should resources from external funding and/or capital receipts not generate the level of receipts forecast, or there is a delay in disposal of assets, then the capital programme will need re-visiting to ensure funding is sufficient to meet proposed expenditure including through borrowing. Reviews of the programme and resources available are carried out regularly during the year.
- 17.11 The Council's Borrowing Strategy which is incorporated into the Council's Treasury Management Strategy Statement, recognises that some prudential borrowing may be required over the life of the capital programme. The projected additional annual revenue costs for the Council are reflected in the MTFS.

18 RISK ASSESSMENT

- 18.1 There is an element of risk inherent in any process that looks into the future to make forecasts, particularly in the current economic climate and other national and international events now or in the future that may impact on the Council either directly or indirectly. The Council has a strong track record in good financial management as recognised in the recent Annual Audit Letter. This risk is further minimised by adopting the following methodology when preparing the estimates:-
- Service managers and the Accountancy Team working together to define likely service income/expenditure patterns matched with service delivery plans;
 - Maintaining "earmarked" reserves for expenditure that it is known will occur but the exact amount and timing of the expenditure is not known;
 - Maintaining an adequate level of general reserves to meet sudden and or unforeseen expenditure;
 - Adopting clear guidelines and control systems (robust revenue and capital budget management and monitoring procedures, Financial Regulations and Contract Procedure Rules etc.) to alert service managers, and members before variances reach tolerance levels;
 - Using professional and expert advice and economic forecasts where these are available, e.g. treasury management, interest rates;
 - Maintaining a rolling review of forecast estimates beyond the current year.
- 18.2 These assumptions are made with all available information but are necessarily calculated based on broad assumptions. In the current economic climate, some of these assumptions are particularly volatile. The MTFS will be prepared annually on a rolling basis so that as information becomes more certain the figures will be updated and early consideration can be given to any action or changes in direction that may be required.

19 REPORT OF THE CHIEF FINANCE (SECTION 151) OFFICER UNDER SECTION 25 OF THE LOCAL GOVERNMENT FINANCE ACT 2003.

- 19.1 Under Section 25 of the Local Government Act 2003 and CIPFA Code of Practice, the Council's Chief Finance Officer (Section 151 Officer) is required to report on the robustness of the estimates made for the purpose of the budget calculations and the adequacy of the proposed reserves.

Cabinet and Council are required under the 2003 Act to consider and give due regard to the Chief Finance Officer's report as part of the budget approval and council tax setting process.

- 19.2 The proposed budget is set against the context of significant economic uncertainty in a post-Covid-19 world together with considerable uncertainty regarding government funding over the MTFS. In 2022/23 the Government intends to make fundamental changes to the funding system for Local Government through the introduction of a new needs based fairer funding formula and the introduction of business rates reforms and a new system of distributing the New Homes Bonus. The cumulative impact of these changes and lack of visibility on any transition or damping arrangements means that financial planning for 2022/23 is very uncertain.

19.3 The Corporate Director and Chief Finance Officer (Section 151 Officer) makes the following statement:

The robustness of the Budget estimates and the adequacy of the reserves are largely dependent on the levels of risk and uncertainty. There is an element of judgement as budget estimates of spending and income are made at a point in time and may change as circumstances change, particularly given the economic uncertainty in a post-Covid-19 world.

This statement on the robustness of estimates cannot give a 100% guarantee about the budget but should give the Council reasonable assurance that the budget has been based on the best information and assumptions available at the time.

The estimates that support this budget have used all the data and supporting information that the Council has at its disposal at this point in time. The principal financial assumptions made in the Budget are noted in this report and attached at Appendix C. Budget monitoring throughout the year will be an important tool in identifying, at an early stage, potential issues so appropriate action can be taken.

To date, the additional costs/reduced income arising from Covid-19 have largely been funded by additional financial support from the Government. It is therefore not an unreasonable assumption that any additional costs in 2021/22 will also be funded through additional grant over and above that already announced.

The delivery of the planned savings and major business projects **is critical** to the successful delivery of the Council's budget strategy. Current activity provides adequate assurance as to the deliverability of the 2021/22 budget with future year projections representing realistic planning assumptions which will be subject to review as part of the annual budget setting process. The MTFS is currently forecasting a significant financial shortfall for the financial year 2022/23.

The Budget has been prepared reflecting known service pressures and following thorough review by Service Managers of planned savings.

In light of the proposed use of the General Fund Balance in 2021/22, it will be necessary to re-assess the appropriate level of this balance over the period of the MTFS. It is proposed that this is carried out during 2021/22 taking into account actual use of this balance and updated MTFS forecasts.

Given the uncertainties detailed in this report, it is imperative that the Council maintains sufficient resources to cover any in-year unforeseen expenditure. A risk based approach to the consideration of the level of reserves is a component of the Council's overall risk management framework. Operational risks should be managed within Services' bottom line budgets and thus will not normally result in any further call on the Council's General Balances, as detailed in Section 16 above.

My assessment of the process that has been undertaken is that the calculations used in the preparation of the estimates for the Budget for 2021/22 are fair and robust and that reserves are adequate to reflect known circumstances and to be able to manage the stated uncertainties and risks that could realistically be anticipated at this point. All earmarked reserves are held for the purpose for which they are set up and are considered to be adequate to meet the requirements of those purposes when called upon based on the best information available as at the time of writing.

FENLAND DISTRICT COUNCIL

Summary of Revenue Estimates

	Current Approved Estimate 2020/21 £	Projected Outturn 2020/21 £	Estimate 2021/22 £
Service Summary <i>As detailed in Appendix A(ii)</i>			
Growth & Infrastructure	1,826,850	1,847,290	1,561,380
Communities, Environment, Leisure & Planning	6,208,120	5,956,000	4,692,890
Resources & Customer Services	7,149,542	6,890,572	7,220,110
NET COST OF GENERAL FUND SERVICES	15,184,512	14,693,862	13,474,380
Corporate Items			
Contributions to/ (from) Earmarked Reserves	-568,164	-419,062	16,472
Contributions to Business Rates Reserve	3,419,600	3,417,430	-3,417,430
RTB/VAT Sharing Income	-20,000	-20,000	-20,000
Drainage Board Levies	1,499,520	1,499,520	1,539,950
Financing Charges - <i>Interest/Minimum Revenue Provision</i>	844,745	844,745	936,065
Investment Income and Property Funds Income	-55,000	-55,000	-190,000
New Homes Bonus	-1,118,635	-1,118,635	-874,916
A14 Contribution	32,000	32,000	32,000
Vacancy Factor (1.5%)	0	0	-170,000
Business Rates - net additional income above baseline <i>(government grants for reimbursement of reliefs, growth less levy payment)</i>	-1,382,611	-1,410,251	-1,309,135
Business Rates - reimbursement of additional Covid-19 reliefs	-3,301,480	-3,271,670	0
Business Rates Pool - FDC Share of Benefit	-252,191	-280,000	-300,000
Government Grant - Covid-19 General Grants for spending pressures	-1,794,262	-1,794,262	-634,010
Government Income Compensation Scheme Grant	-718,196	-613,244	-100,000
Lower Tier Services Grant	0	0	-157,697
Leisure Contract Support - Contingency	0	0	200,000
Corporate Adjustments	-3,414,674	-3,188,429	-4,448,701
Net Expenditure before CFF savings	11,769,838	11,505,433	9,025,679
<i>CFF Transformation Savings identified not yet implemented</i>	<i>0</i>	<i>0</i>	<i>-295,000</i>
Net Expenditure after CFF savings	11,769,838	11,505,433	8,730,679
Contribution from General Fund Balance	0	0	-842,254
NET EXPENDITURE after use of balances	11,769,838	11,505,433	7,888,425
Core Funding			
Business Rates Baseline Funding	-3,701,878	-3,701,878	-3,701,878
Business Rates Collection Fund Deficit(+)	311,349	311,349	3,620,772
Council Tax Collection Fund Deficit(+)/Surplus(-)	-128,264	-128,264	43,723
Council Tax	-7,765,610	-7,765,610	-7,851,042
Surplus(-)/Shortfall(+)	485,435	221,030	0

GROWTH AND INFRASTRUCTURE			
Service	2020/21 Current Approved Estimate £	2020/21 Projected Outturn £	2021/22 Original Estimate £
Direct Services			
Marine Services	99,350	62,200	105,750
Drainage (District)	6,000	6,000	3,000
Highways	296,300	294,790	128,200
Car Parks	177,100	182,700	184,200
Sewage Treatment Works	47,150	78,850	70,300
Parish Council Concurrent Functions	55,900	55,900	66,800
Miscellaneous (Clocks, Monuments)	7,750	6,750	3,750
Economic Estates	29,600	103,650	-12,550
Transport Development	87,500	64,600	96,100
Economic Development	166,100	145,900	170,550
Regeneration	53,200	54,700	0
HLF- High St Wisbech	36,800	36,800	30,980
Total Direct Services	1,062,750	1,092,840	847,080
Support Services			
Asset & Project Services	362,600	353,250	343,000
Fenland Hall	358,900	359,500	327,500
The Base	122,600	126,700	123,800
Total Support Services	844,100	839,450	794,300
Net Cost of Services	1,906,850	1,932,290	1,641,380
Less Support Services Recharges to Capital Schemes	-80,000	-85,000	-80,000
TOTAL GROWTH AND INFRASTRUCTURE	1,826,850	1,847,290	1,561,380

General Notes for Appendix A(ii):

1. Within all the Service Estimates detailed in Appendix A(ii), Support Services costs have not been reallocated with the exception of recharges to Capital Schemes.
2. Similarly, Capital Charges have not been reallocated as these 'costs' are reversed out within the Corporate Items section of the estimates, thereby having no impact on the Budget Requirement and Council Tax.
3. Estimates for 2021/22 include the assumptions on pay, expenditure and income detailed at Appendix C. In addition, staff cost allocations to services have been reviewed for 2021/22 and have resulted in costs being re-allocated to better reflect time spent on providing those services.
4. In addition, the estimates for 2021/22 include the implementation of the My Fenland transformation project which has moved costs from various services and consolidated them in Customer Services.

COMMUNITIES, ENVIRONMENT, LEISURE & PLANNING			
Service	2020/21 Current Approved Estimate £	2020/21 Projected Outturn £	2021/22 Original Estimate £
Direct Services			
Housing Strategy	145,800	145,800	147,150
Private Sector Renewals	120,720	120,720	121,110
Housing Standards	10,700	10,700	32,400
Care & Repair	29,440	29,440	29,440
CCTV	50,230	40,230	49,660
Safer Fenland	73,590	73,590	80,500
Licensing	-17,390	-22,590	-13,280
Housing Options	688,670	638,740	579,620
Controlling Migration	266,110	209,690	0
Community Development	136,870	159,650	139,610
Travellers Services	-49,750	-34,750	-68,370
Pollution Reduction	164,360	171,040	98,900
Public Health	212,390	206,920	233,390
Food Safety	127,820	112,260	148,780
Health and Safety	64,450	63,280	71,310
Refuse Collection - Domestic	1,297,670	1,307,570	1,339,930
Garden Waste	-64,440	-58,670	-176,690
Refuse Collection - Trade Waste	-45,430	-57,630	-140,460
Street Cleansing	833,400	834,930	830,410
Streetscene	196,500	191,560	206,430
Public Conveniences	23,180	22,980	14,910
Arts Development & Culture	4,090	4,090	12,000
Planning Policy	207,800	207,800	94,600
Development Management	-33,900	-36,500	-115,700
Building Control	54,000	54,000	54,000
Conservation	39,900	39,900	38,800
Planning Compliance	90,600	90,600	93,250
Technical Support	189,750	189,150	194,100
Leisure Centres	803,270	587,990	-34,700
Sports Development	68,480	104,260	83,630
Parks and Open Spaces	442,590	466,330	493,170
Cemeteries	-16,350	-11,800	-34,800
Markets and Fairs	8,740	10,090	-6,440
Community Events	53,710	48,080	76,490
Vehicle Workshop	30,550	36,550	19,740
TOTAL COMMUNITIES, ENVIRONMENT, LEISURE & PLANNING	6,208,120	5,956,000	4,692,890

RESOURCES AND CUSTOMER SERVICES			
Service	2020/21 Current Approved Estimate £	2020/21 Projected Outturn £	2021/22 Original Estimate £
Direct Services			
Miscellaneous Central Services	157,050	157,050	157,040
Unfunded Pension Costs/Apprenticeship Levy	916,000	916,000	999,000
Corporate Management	924,682	868,992	916,090
Council Tax Cost of Collection	380,900	316,880	209,320
Business Rates Cost of Collection	8,080	9,320	-3,950
Housing Benefits	479,060	477,110	220,870
ICT Direct Service Costs	749,190	703,790	711,150
Policy	241,800	240,900	248,600
Land Charges	-45,000	-50,200	-52,000
Elections & Electoral Registration	181,150	172,200	195,250
Democratic Services	491,750	472,000	530,050
Emergency Planning	118,840	119,450	71,060
Total Direct Services	4,603,502	4,403,492	4,202,480
Support Services			
Accountancy	546,730	550,740	552,370
Information & Communication Technology	444,200	418,700	529,570
Customer Services	785,350	761,230	1,109,990
Post & Reprographics	180,800	180,800	134,350
Internal Audit	60,900	58,200	109,200
Legal Services	258,750	248,050	265,650
Corporate Health & Safety	600	580	1,210
Human Resources	268,710	268,780	315,290
Total Support Services	2,546,040	2,487,080	3,017,630
TOTAL RESOURCES AND CUSTOMER SERVICES	7,149,542	6,890,572	7,220,110

APPENDIX B
(0% Council Tax increase)
Medium Term Financial Strategy

	Projected 2020/21 £000	Estimate 2021/22 £000	Forecast 2022/23 £000	Forecast 2023/24 £000	Forecast 2024/25 £000	Forecast 2025/26 £000
Expenditure						
Service Expenditure/Income						
Gross Service Expenditure	24,378	22,329	21,835	22,201	22,660	23,128
Fees and Charges	-5,130	-5,994	-6,252	-6,336	-6,417	-6,498
Grants and Contributions	-5,405	-2,456	-1,252	-1,239	-1,219	-1,206
Recycling Credits	-943	-1,039	-1,047	-1,057	-1,067	-1,077
Total Net Service Expenditure	12,900	12,840	13,284	13,569	13,957	14,347
Corporate Items						
Corporate Expenditure/Savings						
Drainage Board Levies	1,500	1,540	1,571	1,602	1,634	1,667
Financing Charges - Interest on External Borrowing	496	531	565	565	565	565
Financing Charges - Current Capital Programme - MRP	349	405	513	513	513	513
Vacancy Factor (1.5%)	0	-170	-174	-178	-183	-188
A14 Upgrade - contribution	32	32	32	32	32	32
Leisure Contract Support - Contingency	0	200	0	0	0	0
CFF Transformation Savings identified not yet implemented	0	-295	-366	-366	-366	-366
	2,377	2,243	2,141	2,168	2,195	2,223
Corporate Income Items						
Contribution to(+)/from(-) Earmarked Reserves	-419	16	0	0	90	90
Contribution to Business Rates Reserve	3,417	-3,417	0	0	0	0
RTB/VAT Sharing Income	-20	-20	-20	-20	-20	-20
Investment and Property Fund Income	-55	-190	-290	-290	-310	-310
New Homes Bonus	-1,119	-875	-868	-853	-800	-800
Business Rates - net additional income above baseline	-1,410	-1,309	-1,379	-1,406	-1,434	-1,466
Business Rates - reimbursement of additional Covid-19 reliefs	-3,272	0	0	0	0	0
Business Rates Pool - FDC Share of Benefit	-280	-300	0	0	0	0
Government Income Compensation Scheme	-613	-100	0	0	0	0
Lower Tier Services Grant	0	-158	-158	-158	-158	-158
Contribution from General Fund Balance	0	-842	0	0	0	0
	-3,771	-7,195	-2,715	-2,727	-2,632	-2,664
Total Corporate Items	-1,394	-4,952	-574	-559	-437	-441
Gross Service/Corporate Expenditure	26,755	24,572	23,976	24,369	24,855	25,351
Gross Service/Corporate Income	-15,249	-16,684	-11,266	-11,359	-11,335	-11,445
Net Budget Requirement	11,506	7,888	12,710	13,010	13,520	13,906
Funding - NNDR/CT						
Business Rates Baseline Funding	-3,702	-3,702	-3,746	-3,806	-3,871	-3,944
Business Rates Collection Fund Deficit	311	3,621	184	184	0	0
Council Tax Collection Fund Surplus(-)/Deficit	-128	44	47	47	-50	-50
Council Tax <i>(increases of 0% in 20/21 onwards)</i>	-7,766	-7,851	-7,949	-8,046	-8,144	-8,242
Total Funding - NNDR/CT	-11,285	-7,888	-11,464	-11,621	-12,065	-12,236
Surplus(-)/Shortfall(+)	+221	0	+1,246	+1,389	+1,455	+1,670

Summary						
Total Gross Expenditure	26,755	24,572	23,976	24,369	24,855	25,351
Funded by:						
Fees and Charges	-5,130	-5,994	-6,252	-6,336	-6,417	-6,498
Grants and Contributions	-5,405	-2,456	-1,252	-1,239	-1,219	-1,206
Recycling Credits	-943	-1,039	-1,047	-1,057	-1,067	-1,077
New Homes Bonus	-1,119	-875	-868	-853	-800	-800
Investment Income, VAT/RTB	-75	-210	-310	-310	-330	-330
Contribution to(+)/from(-) Earmarked Reserves	2,998	-3,401	0	0	90	90
Income Compensation Scheme	-613	-100	0	0	0	0
Lower Tier Services Grant	0	-158	-158	-158	-158	-158
Contribution from General Fund Balance	0	-842	0	0	0	0
Retained Business Rates	-8,353	-1,690	-4,941	-5,028	-5,305	-5,410
Council Tax	-7,894	-7,807	-7,902	-7,999	-8,194	-8,292
Total Funding	-26,534	-24,572	-22,730	-22,980	-23,400	-23,681
Surplus(-)/Shortfall(+)	+221	0	+1,246	+1,389	+1,455	+1,670

Assumptions built into Budget and Medium Term Financial Strategy (MTFS)

Within the forecasts are a number of assumptions which are necessary to produce the overall budget strategy. However, there is an element of risk associated with this process although the aim is to mitigate these risks as detailed in section 18 of the main report.

The main assumptions are as follows:

- 0% Council Tax increase for 2020/21 and thereafter (1% increase generates around £78k of resources and 1.97% around £154k of resources);
- 1.10% increase in Council Tax base in 2021/2022 (Tax-base 30,143) and 1.20% thereafter (increase of 375 Band D equivalent properties per annum);
- Inflation (CPI) increases in Retained Business Rates income (0% for 2021/22, and in line with Treasury assumptions for 2022/23 onwards, 1.2% for 2022/23 rising to 2% for 2025/26);
- Inclusion of this Council's share (£300k) of the potential benefit arising from the continuation of the Cambridgeshire Business Rates Pool in 2021/22 only. Potential benefit from the Pool in future years will be dependent on the scheme design of the new Business Rates Retention System expected to be implemented from 1 April 2022.
- 0% pay award for 2020/21 with the exception of a minimum of £250 increase for those earning less £24,000. 2% increase in 2022/23 (£230k cost) and thereafter together with an allowance for pay increments of around 1% p.a. (£115k cost) reflecting the continuing impact of the pay grades re-modelling following the national pay award agreement effective from April 2019;
- Employer's Pension Contributions – following the triennial valuation as at 31.03.2019, the rate for 2021/22 is to remain the same as 2020/21 (17.4% of salary with additional past deficit lump sum payment of £896k). For 2022/23 the contribution rate remains at 17.4% with a lump sum payment of £978k, representing an overall increase of 1% p.a. in total contributions. For 2023/24 onwards, following the next triennial valuation, further increases have been assumed in line with the current triennial valuation;
- Inclusion of a vacancy factor for 2021/22 onwards, equivalent to a reduction in staff costs of 1.5% (£170,000 in 2021/22);
- 0% general inflation for the period of the MTFS;
- Specific allowance for inflation where required eg: business rates, external contracts, energy and water, drainage board levies;
- Investment interest rates to stay at current rates until first quarter of 2024 when market rates are forecast to begin rising slowly;
- Investment income includes an assumed £5m investment in property funds during 2021/22 (additional £150k income net of costs) with the full year impact from 2022/23 onwards (additional £250k income per annum);
- Assumptions regarding forecast income levels from fees and charges have been included. The base position for 2021/22 has been initially set at pre-Covid-19 levels. In addition, fee increases (where applicable) together with a review of activity levels have determined the current estimates;
- The New Homes Bonus for 2021/22 onwards has been included as detailed in paragraph 4.3 of the report.

- For 2021/22, additional support for the Leisure Management contract has been included. This consists of no Management Fee being received for April-June 2021 (£114k) off-set by the appropriate recovery from the Income Compensation Scheme (-£81k) which the government has announced will continue into the first quarter of 2021/22. In addition, a sum of £155k has been included for additional cash support for April-June 2021 with a contingency of £200k included for the period July 2021 onwards.
- In addition, for 2021/22, additional provision has been included for a continuation of the high demand for bed and breakfast (£100k) and temporary accommodation (£250k) for the homelessness and rough sleeper's service.
- For 2021/22 onwards, an amount of £50k has been included as a recharge to Fenland Future Limited to reflect the use of FDC officer time on the company's behalf. This amount could vary depending on the amount of time and types of activities being carried out for the company.

CAPITAL PROGRAMME AND FUNDING 2020 - 2024

	2020/21	2021/22	2022/23	2023/24
	£000	£000	£000	£000
Capital Programme (excluding Commercial and Investment Strategy Schemes)	4,519	17,970	6,306	1,635
Commercial and Investment Strategy Schemes	0	10,000	10,000	5,000
CURRENT FORECAST EXPENDITURE	4,519	27,970	16,306	6,635

FORECAST RESOURCES AVAILABLE

Capital Grants	2,619	14,449	5,443	950
Usable Capital Receipts - In Year	60	265	100	100
Reserves used in year to fund Capital	353	508	100	0
Section 106s and Other Contributions	207	108	12	0
Borrowing (Internal and Prudential)	1,280	12,640	10,651	5,585
Total Forecast Resources	4,519	27,970	16,306	6,635

CAPITAL PROGRAMME SUMMARY 2020/21 - 2023/24

	2020/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	Total Cost £000	FDC Funding £000	External Funding £000	External Funders and FDC Reserves/S106
Leisure Centres								
1 Condition Survey Improvements	95	365	75	75	610	610		£172k R&M Reserve
Regeneration Programmes								
2 Fenland Renaissance and Place Shaping	16				16	16		
3 Heritage Lottery Fund - Non-FDC Properties	269	369			638	81	557	£557k HLF Grant. £63K S106
4 Heritage Lottery Fund - 24 High Street, Wisbech	31				31	31		
5 Railway Station Master-Planning	748	3,834			4,582	82	4,500	£4,500k CPCA Grant, £82k S106
6 Whittlesey Flood Warning Signs	66				66		66	CPCA £58k, Whittlesey Town Council £8k
7 Future High Street Fund, March		3,954	4,493		8,447		8,447	£2,000k CPCA, £6,447k MHCLG Future High Streets
Cemeteries								
8 Manea Chuchyard		15			15	15		
9 Remedial Works in Closed Cemeteries		53	25		78	78		
Highways								
10 Category 2 Street Lights - FDC Lights	200	120			320	320		£13k Invest to Save Reserve
11 Street Name Plates/District Facilities Signage	30				30	30		
Street Light Improvements - Parishes (Contribution to Cat 2								
12 Replacements)	38				38	38		£38k Capital Contribution Reserve
Car Parks								
13 Church Lane, Chatteris	20				20	20		
Office Accommodation								
14 Fenland Hall - Repairs and Renewals	120	100	100	100	420	420		
Environment								
15 Replacement Littter Bins	88	83			171	171		
Port								
16 Boat/Vessels - Replacement Deck, Hull and Engines	54	30			84	84		
17 Yacht Harbour Improvements	17				17	17		
18 Wisbech Port Structural Works	265				265	265		
19 Wisbech Port Fender Piles	100				100	100		
Sub Total	2,157	8,923	4,693	175	15,948	2,378	13,570	

	2020/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	Total Cost £000	FDC Funding £000	External Funding £000	External Funders and FDC Reserves/S106
Brought Forward	2,157	8,923	4,693	175	15,948	2,378	13,570	
Parks and Open Spaces								
20 West End Park, March - Replace Skate Ramps	21				21	21		
21 West End Park, March - Park Improvements	50	35			85	8	77	£75k Cambs CC, £2K March TC
22 Parks, Play Areas and Open Space - Chatteris		60	40		100	100		£6k S106 money
23 Parks, Play Areas and Open Space - Doddington		45			45	45		£21k S106 money
24 Parks, Play Areas and Open Space - Parson Drove		30			30	30		£30k S106 money
25 Parks, Play Areas and Open Space - Whittlesey	136				136	92	44	£92k S106 money £44k FCC Grant
26 Parks, Play Areas and Open Space - Wisbech		20	20		40	40		£32k S106 money
Vehicles and Plant								
27 Vehicles	203	337	141	260	941	941		
ICT System Replacement Programme & Upgrades								
28 Replacement & Upgrade Programme	269	550	250	100	1,169	1,169		£700k Management of Change Reserve
Improvement of Assets								
29 Sewage Treatment Works Refurbishment	70	520	200	150	940	940		
30 Birch Fen Silt Removal and Outfall Maintenance		25			25	25		
31 March Moorings Renewals		12	12		24	24		
32 Hostel Roof Renewal		28			28	28		
33 Lattersley Nature Reserve - Capping Layer		40			40	40		
34 Energy Efficiency Improvements to Clarion Properties	125	4,368			4,493		4,493	£4493k BEIS Decarbonisation Fund Grant
Economic Estates								
35 Replacement of AV Equipment at Business Centres		50			50	50		
36 South Fens Business Park Expansion	20	1,977			1,997	1,000	997	£997k CPCA 'Business Space' Funding
Community Safety								
37 Camera Replacements	38				38	38		£38k CCTV Reserve
Private Sector Housing Support								
38 Private Sector Renewal Grants	50	40	40	40	170		170	£170k Govt Grant
39 Disabled Facilities Grants	1,380	910	910	910	4,110		4,110	£4110k Govt Grant
Total - Approved Programme	4,519	17,970	6,306	1,635	30,430	6,969	23,461	

FENLAND DISTRICT COUNCIL
CAPITAL STRATEGY 2021/22-2023/24

1. OVERVIEW AND CONTEXT

- 1.1 The Council has established statutory and regulatory responsibilities for the management of its financial affairs. These responsibilities encompass revenue and capital expenditure. The specific responsibilities of full Council, the Cabinet, the Investment Board, Corporate Management Team (CMT) and the Council's appointed Section 151 Officer are defined within the Council's constitution.
- 1.2 The Council regularly updates its Medium Term Financial Strategy (MTFS). The MTFS provides a framework for setting the Council's annual revenue budget and updating the Council's three-year capital programme. The MTFS sets out the primary assumptions underpinning the assessment of the resources available to the Council and anticipated service budgets over the coming five financial years.
- 1.3 Whilst local authorities are required to set a balanced revenue budget, legislation permits local authorities to obtain credit and therefore fund their capital programmes from borrowing. Individual authorities are required to have regard for the Prudential Code published by the Chartered Institute of Public Finance and Accountancy. The Prudential Code requires authorities to ensure:
- all capital expenditure and investment plans are affordable;
 - all external borrowing and long-term liabilities are within prudent and sustainable levels;
 - treasury management and other investment decisions are taken in accordance with professional good practice; and
 - authorities can demonstrate themselves to be accountable by providing a clear and transparent framework.
- 1.4 Historically, this Council has discharged its responsibilities under the Prudential Code by ensuring that the Treasury Management Strategy, which is approved annually by full Council, is prepared with reference to the latest capital programme. The Capital Programme is itself developed with explicit consideration of the extent to which proposed capital investment is affordable, prudent and sustainable given the resources available to the Council as set out in the MTFS.

- 1.5 Following an update to the Prudential Code in December 2017, local authorities are now required to have a Capital Strategy. The introduction of this requirement acknowledges that individual authorities will each have their own approach to assessing priorities for capital investment, the amount the Authority can afford to borrow and the Authority's appetite to risk.
- 1.6 This strategy sets out in a single document the long term context in which capital expenditure and investment decisions are made and establishes that the Council has arrangements in place to ensure it gives due consideration to risk, reward, and impact on the achievement of priority outcomes. The Strategy is updated annually and reviewed by the Council's Corporate Governance Committee prior to being approved by Full Council alongside the annual budget.

2. CAPITAL EXPENDITURE

- 2.1 Capital expenditure incorporates a range of different types of financial transaction which the Council might enter into. What these transactions have in common is that they relate to investments decisions which impact on the Council and its stakeholders over a period which extends beyond the financial year in which the transaction is entered into. The Council's appointed S151 Officer ultimately has responsibility for determining whether expenditure is capital in nature in accordance with relevant regulation and statute.

Role and Purpose of the Asset Management Plan

- 2.2 The Council has developed an Asset Management Plan in accordance with acknowledged best practice. This document provides a strategic framework for managing the Council's current portfolio of land and buildings ensuring that officers and elected members can have confidence, in the long-term, that the Council has the land and property needed to fulfil the pledges set out in the Council's Business Plan.
- 2.3 The Asset Management Plan incorporates oversight of operational and non-operational property owned by the Council. Operational assets are those assets held by the Council to enable the Council, or its partners, to deliver those services which are either statutory in nature or provided on a discretionary basis to the extent that providing those services is consistent with the strategic objectives of the Council. Non-operational assets are those assets which are not directly used for the purposes of service delivery but are held to either provide the Council with a return on investment, either through rental income, appreciation in the value of the asset or the potential contribution that holding the asset makes to the Council's wider corporate objectives, e.g. taking forward opportunities to regenerate and develop the local economy.
- 2.4 Responsibility for the Asset Management Plan rests with the Council's Assets and Projects team which reports to the Council's Corporate Director (Growth and Infrastructure). The Assets and Projects team regularly appraise the condition of the Council's property portfolio to determine the revenue and capital resources required to ensure the portfolio continues to meet the needs of Service Managers. When the needs of services managers change the Assets and Projects team will assist in determining the impact on the property portfolio, including the resources required to meet those needs. The Assets and Projects team recognise that the Council's property needs are unlikely to remain static and the past cost of maintaining a Council asset is not necessarily a reliable indicator of future costs. Forward projections regarding the resources to be allocated to asset management recognise the

interaction between revenue and capital expenditure in determining the Council's cost base.

- 2.5 The capital resources required to meet investment needs identified as part of the Asset Management Plan are routinely assessed and anticipated capital expenditure is profiled over the financial years when it is expected to be incurred. On at least an annual basis capital schemes identified as part of the Asset Management Plan are presented to a meeting of the Council's Corporate Asset Team to determine when and if they should be incorporated into the Council's Capital Programme.

Investment in Vehicles, Plant, Equipment and IT

- 2.8 The Council has nominated service managers who are responsible for the vehicles, plant and information technology assets in use within the Council. These assets all have an expected useful economic life informed by an assessment by the nominated manager. The need to allocate capital resources to fund the replacement of these assets at the end of their useful life is assessed annually by the Council's Corporate Asset Team. There is also an annual appraisal of business cases relating to proposals to invest in additional equipment not reflected in the programme of rolling replacements.

Role and Function of the Corporate Asset Team

- 2.9 The Corporate Asset Team is an officer-led group which meets bi-monthly under the Chairmanship of the relevant Corporate Director. On behalf of the Council's Corporate Management Team, the Corporate Asset Team assumes responsibility for providing a strategic oversight in respect of all matters pertaining to asset management.
- 2.10 All proposed changes to the Council's three-year capital programme are subject to review by the Corporate Asset Team prior to being considered by Corporate Management Team, the Cabinet and Full Council. Any scheme which is not already incorporated into the Council's Asset Management Plan will only be considered for inclusion in the Capital Programme if the Officer proposing the scheme can demonstrate, with appropriate evidence, one or more of the following:
- there is a statutory obligation for the Council to incur the capital expenditure proposed;
 - the proposed capital expenditure relates to works deemed necessary on the grounds of health and safety;
 - capital expenditure is proposed to protect a Council asset and reduce the risk of excessive revenue expenditure being incurred in upcoming financial years;

- the proposed capital expenditure will generate income, either of a revenue or capital nature, in excess of the capital expenditure which is expected to be incurred including any financing costs; and/or
 - the proposed capital expenditure will (after including financing costs) reduce revenue expenditure incurred by one or more of services in future financial years.
- 2.11 The capital financing regulations permit the Council to treat as capital expenditure certain types of transaction which do not result in the acquisition of a physical asset by the Council. These transactions can be high-volume, small value transactions such as the awarding of Disabled Facilities Grants which are currently funded from monies received as part of Cambridgeshire County Council's Better Care Fund allocation. Such transactions do not require specific approval providing the nature and purpose of the expenditure has been approved as part of the Capital Programme.
- 2.12 Any proposals to incur capital expenditure which do not lead to the recognition of a physical asset where the expenditure proposed exceeds £10,000 but does not fall within the scope of the Council's Commercial and Investment Strategy will be considered at a meeting of CMT. If approved by Cabinet, approval will be sought at a meeting of Cabinet before being considered at full Council if necessary. Possible examples include, but are not restricted to:
- granting loans to third parties (for reasons not linked to the objectives of the Commercial and Investment Strategy);
 - providing grant-funding to a third party which enables that third party to undertake expenditure which would have been capital in nature had it been undertaken by the Council.

Role and Function of the Investment Board

- 2.13 During the 2019-20 financial year the Council initiated the development of a Commercial and Investment Strategy for the Council. The current version of the Strategy was approved by full Council on 9 January 2020.
- 2.14 The Commercial and Investment Strategy was developed in recognition of the investment opportunities available to the Council acknowledging that utilising the Council's powers to invest could bring substantial benefits not only to the Council but also to the wider District and its residents. The Capital Strategy has been updated to take account of the changes in the Council's arrangements for determining its capital priorities which arise from the implementation of the Commercial and Investment Strategy. This is explained in more detail in section four of this document.

- 2.15 Following the approval of the Commercial and Investment Strategy Cabinet approved the establishment of a sub-committee known as the Investment Board. The Investment Board has initially been allocated a maximum budget of £25M to take forward capital schemes which facilitate the achievement of the objectives set out in the Strategy.
- 2.16 The Investment Board undertakes its own appraisals of proposed capital schemes. The appraisal of such schemes will be separate from and in addition to the proposals for new capital schemes considered at meetings of Corporate Asset Team which follow the process outlined in paragraph 2.10 of this strategy. The Investment Board has delegated powers to approve schemes providing the maximum budget is not exceeded.
- 2.17 Capital schemes which fall within the remit of the Investment Board include the acquisition of share capital or the granting of loan funding to companies and/or partnerships in which the Council has an interest. The decision about whether to establish a company or enter into a partnership rests with Cabinet. The Investment Board is responsible for the approval of the business plans of any entities created as a result of a decision taken by Cabinet. Approval of the relevant business plan will precede the allocation of capital funds.
- 2.18 On 9 June 2020 Cabinet approved a business case for the establishment of a Local Authority Trading Company. Following that meeting the Council formally registered Fenland Future with Companies House (Company No. 12659496). Directors have been appointed to the Board of Fenland Future and the Board has held its first meeting.

3 DEBT AND BORROWING AND TREASURY MANAGEMENT

- 3.1 Day-to-day responsibility for the Treasury Management function rests with the Chief Finance Officer. This section of the strategy reproduces key information taken from the Treasury Management Strategy Statement. The profile of borrowing linked to the Commercial and Investment Strategy shown below is indicative. The operational boundary and authorised limits shown in Tables 3 and 4 have been determined with reference to the budget allocated to the Investment Board referred to in paragraph 2.15 above. This recognises that the Investment Board could invest the entirety of the £25M in one financial year if this were deemed to be appropriate.

Key Considerations relating to Treasury Management

- 3.2 The tables below set out the Council's Investment and Debt positions with forward projections.

Year End Investments	2020/21 Revised Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate
	£000	£000	£000	£000
Fund balances / reserves	11,315	5,860	5,750	5,750
Expected investments	25,000	15,750	15,300	15,300

Table 1: Year End Investment Balances projected over the period 1 April 2020 – 31 March 2024

Year-End Debt	2020/21 Revised Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate
	£000	£000	£000	£000
Debt at 1 April	7,800	7,800	21,060	30,775
Expected change in debt to fund capital programme (excluding Commercial and Investment Strategy schemes)	0	3,260	(285)	(285)
Borrowing to fund Commercial and Investment Strategy schemes	0	10,000	10,000	5,000
Other long term liabilities (OLTL)	406	243	106	23
Expected change in OLT	(163)	(137)	(83)	(23)
Actual debt at 31 March	8,043	21,166	30,798	35,490

Table 2: Year End Debt and Net Investment projected over the period 1 April 2020– 31 March 2024

- 3.3 At 1 April 2020 the Council's Debt position comprised other long-term liabilities relating to finance leases of £406k and external borrowing of £7.8m. These loans were taken out at prevailing market rates between 1994 and 2004. The term of these loans is between 25 and 50 years.

Following the transfer of the Council's Housing Stock in 2007, which generated a significant capital receipt for the Council, the Council has retained investment balances which exceed the amounts borrowed. However, changes in prevailing interest rates since the loans were taken out mean that a high premium would be payable by the Council if it were to seek to repay any of the loans early. The premiums to be applied are considered to be prohibitively high for early redemption to be regarded as a reasonable treasury management decision. The Council continues to keep this situation under review with the support of its appointed treasury management advisors. However, for the purposes of this strategy, it has been assumed that external borrowing of £7.8m brought forward, as at 1 April 2020, will continue to be carried forward due to the current historically low interest rates.

3.4 Regulation requires the Council to determine, as part of the Treasury Management Strategy, the maximum external debt position for the upcoming three financial years. This is known as the Council's authorised limit. Additionally, the Council is required to set an operational boundary. The purpose of the operational boundary is to set a threshold for external borrowing which the Council would not expect to exceed in the ordinary management of its affairs. Sustained breaches of the operational boundary would be indicative that the Council could be at risk of exceeding its authorised limit.

3.5 The current authorised limits and operational boundaries for the period covered by this strategy are set out in the table below

Operational Boundary	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Debt	12,000	12,000	12,000	12,000
Other long term liabilities	1,000	1,000	1,000	1,000
Commercial Activities/ Non-Financial Investments	25,000	25,000	25,000	25,000
Total	38,000	38,000	38,000	38,000

Table 3: Operational Boundary over the period 1 April 2020 – 31 March 2024

Authorised Limit	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Debt	17,000	17,000	17,000	17,000
Other long term liabilities	1,000	1,000	1,000	1,000
Commercial Activities / Non- Financial Investments	25,000	25,000	25,000	25,000
Total	43,000	43,000	43,000	43,000

Table 4: Authorised Limit over the period 1 April 2020 – 31 March 2024

- 3.6 Table 2 above indicates that the Council's Actual Debt position is expected to increase over the period covered by this strategy. This reflects an anticipated decision to undertake external borrowing to fund the expenditure commitment set out in the capital programme. In accordance with the Council's constitution, any decision about when, how much and from where to borrow will be made by the appointed S151 Officer.
- 3.7 Regulations prevent the Council from borrowing in advance of need. However, there is no requirement for the Council to draw on investment balances to fund its capital commitments prior to undertaking external borrowing. To manage interest rate effectively, the Council will continue to consider medium and long-term forecasts of interest rates provided by its Treasury Management advisors to project likely returns from the investment of surplus funds and the financing costs associated with external borrowing. This approach recognises that postponing long-term borrowing to future years could be more expensive over the life of the loan if interest rates were to increase.
- 3.8 The Council is required by statute to make arrangements to ensure that there is provision to repay as part of the Council's revenue budget any borrowing undertaken to finance the capital programme. This is known as the Minimum Revenue Provision (MRP) and the Council is required to approve its MRP policy on an annual basis:

	Projected Minimum Revenue Provision £000
2020/21	349
2021/22	436
2022/23	582
2023/24	610

Table 5: Projected Minimum Revenue Provision over the period 1 April 2020– 31 March 2024

- 3.9 Regulation requires the Council to ensure that its MRP policy results in prudent levels of MRP. The Council's MRP policies are explained in full as part of the Treasury Management Strategy Statement which is approved by Full Council annually. Specific provisions are in place to explain the approach taken to determine MRP for schemes taken forward as part of the Commercial and Investment Strategy.
- 3.10 At the present time no assumptions have been made regarding the MRP which would be due on schemes taken forward as part of the implementation of the Commercial and Investment Strategy. These assumptions will be updated as schemes are taken forward.
- 3.11 In recognition of the inherent volatility of commercial investment the Council has established an Investment Strategy reserve. One of the purposes of that

reserve is that it should hold surpluses in respect of those years where actual income generated from commercial investments exceeds budget estimates. This can help reduce the impact on the General Fund of any unanticipated shortfall which might arise in future years.

4. COMMERCIAL ACTIVITY

4.1 The Council has a long-standing portfolio of non-operational assets which it manages to secure a rental income and income from fees and charges earned from providing facilities for conferences and meetings. The main non-operational assets held by the Council are:

- Boathouse Business Centre, Wisbech – Office Units, Conference and Meeting Space
- South Fens Business Centre, Chatteris - Office Units, Conference and Meeting Space
- South Fens Enterprise Park, Chatteris – Light Industrial Units for Small Business Use

4.2 Rents generated from the lease to third parties of areas of land, buildings and/or infrastructure held by the Council principally for the purposes of service delivery, i.e. premises at Fenland Hall, the Base and Wisbech Port have been assessed by officers to fall outside the scope of commercial activity in the context of this section of the Council Strategy. This reflects the fact that the motive for holding these assets is not principally commercial in nature.

4.3 Responsibility for assessing the need for capital investment in the current portfolio of non-operational assets, reflecting those non-operational assets held as at 31 March 2020 currently rests with the Corporate Asset Team in accordance with the arrangements set out in paragraph 2.10 above.

4.4 During the 2019-20 financial year the Council approved a Commercial and Investment Strategy. The Council has established an Investment Board to take forward capital schemes which deliver against objectives set out in part two (commercial property investment) and part three of the Strategy (commercial investment and regeneration).

4.5 The Commercial and Investment Strategy sets out the assessment criteria to be used for investments undertaken in accordance with part two of the strategy. This requires the Council to determine the net yield associated with each proposed acquisition, after taking account of financing costs, including MRP, and to assess the particular circumstances relating to each acquisition to understand the risks the Council is subject to and possible sources of mitigation. The Council is cognisant of the recent changes to the regulations which govern the basis on which authorities can take out loans from the

Public Works Loan Board and specifically preclude authorities who plan to acquire investment assets primarily for yield from accessing PWLB loans. Reference to the current regulations has been incorporated into the Investment Board's decision-making processes.

- 4.6 The Investment Board is a sub-committee of the Cabinet. The Council's constitution requires that the committee's membership includes the Leader (who Chairs the Investment Board), the Portfolio Holder for Finance, as well as one other member of Cabinet appointed by the Leader or two members of Cabinet if the Leader also has the Finance Portfolio. The constitution requires the Chair of the Investment Board to ensure the Investment Board meets a minimum of three times each year. The Chair of the Overview and Scrutiny Panel will attend the Investment Board's meetings in an observational capacity.
- 4.7 The Investment Board is a decision-making body and its functions include the determination of investment appraisals and business cases submitted for its consideration. A report on the discharge of these functions is provided to the Cabinet twice a year.
- 4.8 The Investment Board also has responsibility for monitoring the performance and financial delivery of those appraisals and business cases it agrees to fund. The Section 151 Officer ensures that reports on the activities of the Investment Board prepared for consideration by Cabinet include details about the impact of the Board's activities on the overall financial position of the Council.
- 4.9 Statutory guidance published by MHCLG requires the Council to:
- assess and disclose publicly the extent to which it is dependent on profit-generating investments to deliver a balanced revenue budget over the life of the medium-term financial strategy; and
 - to set limits for gross debt and commercial income as a proportion of the Council's budgeted net service expenditure over the life of the medium-term financial strategy.

Commercial Income as a proportion of net service expenditure

- 4.10 The current limit for budgeted commercial income as a proportion of net service expenditure has been set at 20% (equivalent to commercial income of £2.313M per year based on 2019/20 budgeted net service expenditure).
- 4.11 The Investment Board was established in January 2020 and it is yet to approve any capital schemes. Consequently, the Council currently only has a very limited reliance on its non-operational assets to generate income to balance the Council's budget. This is shown in the table 6 below:

Budgeted Income from pre-2020/2021 non-operational assets (Economic Estates - Revised Budget 2020/21)	£813,000
Net Service Expenditure	£11,305,000
Commercial Income as a % of Net Service Expenditure	7.2%
Approved Limit	20%

Table 6: Commercial Income as a proportion of Net Service Expenditure

Gross Debt as a proportion of net service expenditure

4.12 The current limit for gross debt as a proportion of net service expenditure has been set at 375% (equivalent to gross debt of £42.393M per year based on 2020/21 budgeted net service expenditure).

4.13 As explained in paragraph 3.3 above whilst the Council has not undertaken external borrowing in recent years it does have £7.8M of external debt which was taken out at prevailing market rates between 1994 and 2004. This impacts on the calculation of gross debt as a proportion of net service expenditure as follows:

Gross Debt expected as at 31 March 2021	£7,800,000
Net Service Expenditure (2020/21)	£11,305,000
Gross Debt as a proportion of Net Service Expenditure	69%
Approved Limit	375%

Table 7: Gross Debt as a proportion of Net Service Expenditure

Commercial Property Investment – Loan to Value Assessment

4.14 An important consideration when appraising the impact of the Council's commercial and investment strategy on the Council is to consider the extent to which borrowing undertaken by the Council to fund investment in property is matched by the underlying value of the assets purchased.

4.15 When assets are first purchased it is common for the directly attributable costs associated with acquiring the asset, including applicable stamp duty, to exceed the realisable value of the asset. Consequently, if a property purchase is funded from borrowing this may mean in the early years of the Council's ownership the fair value of property owned by the Council may be less than the borrowing undertaken by the Council to fund the acquisition. Over time, if property prices appreciate this will have a positive impact on the Council's loan to value ratio.

4.16 The Council will obtain valuations of all its commercial investment properties annually and disclose the Loan to Value ratio as part of each year's capital

strategy. Currently the Council does not hold any investment properties which have been funded from borrowing.

Borrowing in Advance of Need

- 4.17 Statutory guidance on Local Authority Investments and the Prudential Code published by CIPFA requires that authorities must not borrow in advance of their needs purely in order to profit from the investment of the extra sums borrowed. Government has clarified that this requirement extends to the use of external borrowing to fund the purchase of non-financial investments, including investment properties.
- 4.19 As noted in paragraph 2.15 above the Council's Investment Board has been allocated a budget of £25M to take forward the Council's Commercial and Investment Strategy. The Council's Commercial and Investment Strategy provides for two types of investments to be taken forward: part two of the strategy sets out the process to be followed for commercial property investment and part three is concerned with investments for regeneration and place-shaping.
- 4.20 The Council will need to undertake external borrowing if it is to utilise the full budget of £25M which has been allocated by Full Council.
- 4.21 The statutory guidance recognises that the Council can disregard the provisions of the Prudential Code and the statutory guidance providing it explains its reasons for doing so and its policies for investing the extra amounts borrowed and the arrangements in place to manage the associated risks. However, the decision taken by government in November 2020 to preclude Councils from accessing loans from the Public Works Loans Board if they plan to acquire investment assets primarily from yield limits Councils' opportunities to take forward proposals which would previously have been possible.
- 4.22 The launch of the Council's Commercial and Investment Strategy represents a key element of the Council's 20/21 Business Plan. This Council believes that investment in property is an appropriate and proportionate response to the Council's current financial position. Exploiting opportunities presented by commercial property activity, focussing on assets which can be funded from PWLB borrowing, including schemes to increase the supply of housing and facilitate regeneration of the District, could provide this Council with a reliable long-term source of revenue income to fund the provision of Council services. Securing such an income stream could therefore help achieve the reduction in net expenditure necessary to meet the financial gap identified in the Council's Medium Financial Strategy. This approach also further diversifies the Council's sources of income recognising that upcoming reforms to the business rates system and the implementation of the fair funding review could adversely impact on the Council's financial position.
- 4.23 The Commercial and Investment Strategy sets out in detail the appraisal and decision-making approach the Investment Board is required to follow

before any investment in commercial property is undertaken. This ensures that appropriate governance arrangements are in place and the Council has due regard to the risks associated with investments both individually and in the context of the overall level of risk presented by the Council's current portfolio.

- 4.24 Active monitoring of the portfolio will take place throughout the year with reference to the indicators included in this strategy together with appropriate commentary relevant to the particular investments held by this Council.

5. KNOWLEDGE AND SKILLS

- 5.1 The Council has professionally qualified staff across a range of disciplines including finance, legal and property that follow continuous professional development (CPD) and attend courses on an ongoing basis to keep abreast of new developments and skills.
- 5.2 Appropriate external advice will be engaged from suitably qualified professionals as and when required. This will apply particularly in those circumstances when the Council needs to undertake independent due diligence prior to making a decision regarding a proposed investment. Additionally, the Council will continue to enlist the year-round support of external Treasury Management advisors. This support is currently provided by Link Asset Services.
- 5.3 Internal and external training is offered to members to ensure they have up to date knowledge and expertise to understand and challenge capital proposals brought forward for approval and interpret the treasury management policies developed by officers in conjunction with relevant professional advisors.

Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2021/22

1 Introduction

- 1.1 The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's assessment of its risk appetite, providing adequate liquidity initially before considering investment return.
- 1.2 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans or using longer term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.
- 1.3 The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.
- 1.4 Whilst any commercial initiatives or loans to third parties will impact on the treasury function, these activities are generally classed as non-treasury activities, (arising usually from capital expenditure) and are separate from the day to day treasury management activities.
- 1.5 The Chartered Institute of Public Finance and Accountancy (CIPFA) defines treasury management as:

"The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and pursuit of optimum performance consistent with those risks."

2 Capital Strategy Reporting Requirements

- 2.1 The CIPFA revised 2017 Prudential and Treasury Management Codes require all local authorities to prepare an additional document, a Capital Strategy which will provide the following:
 - a high-level long-term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services;
 - an overview of how the associated risk is managed; and
 - the implications for future financial sustainability.
- 2.2 The aim of the Capital Strategy is to ensure that all elected members on full Council fully understand the overall long-term policy objectives and resulting capital strategy

requirements, governance procedures and risk appetite. The Capital Strategy for 2021/22 is attached as Annex A.

- 2.3 This capital strategy is reported separately from the Treasury Management Strategy Statement; non-treasury investments will be reported through the former. This ensures the separation of the core treasury function under security, liquidity and yield principles, and the articulation of the Council's arrangements to identify, pursue and monitor commercial investments in accordance with the approach set out in the approved Commercial and Investment Strategy. The capital strategy explains:
- The corporate governance arrangements for these types of activities;
 - Any service objectives relating to the investments;
 - The expected income, costs and resulting contribution;
 - The debt related to the activity and the associated interest costs;
 - The payback period (incorporating but not restricted to the MRP policy);
 - For non-loan type investments, the cost against the current market value;
 - The risks associated with each activity.
- 2.4 Where a physical asset is being bought, details of market research, advisers used, (and their monitoring), ongoing costs and investment requirements and any credit information will be disclosed, including the ability to sell the asset and realise the investment cash.
- 2.5 Where the Council has borrowed to fund any non-treasury investment, i.e. an investment where the principal motivation for making the investment is to profit from the sums invested there should also be an explanation of why borrowing was required and why the MHCLG Investment Guidance and CIPFA Prudential Code have not been adhered to. If any non-treasury investment sustains a loss during the final accounts and/or audit process, the strategy and revenue implications will be reported through the same procedure as the capital strategy. In addition, on 25.11.20, the Chancellor announced a prohibition was to be introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme.
- 2.6 The Council's Commercial and Investment Strategy was approved in January 2020. At its meeting on 20 February 2020 Council approved the allocation of £25M for the purpose of taking forward schemes linked to the Commercial and Investment Strategy. This allocation continues to be reflected in the Council's capital programme and the Council's plan is to fund the allocation from a combination of reserves and external borrowing. The Council's Commercial and Investment Strategy provides the Council, through its Investment Board, with the flexibility to take forward a range of different types of non-treasury investments, including the facility to deliver projects through the use of Fenland Future Limited, the Council's wholly-owned Trading Company.
- 2.7 The Council's Minimum Revenue Provision policy has been updated so, as required by regulation, Full Council can approve its approach to charging MRP on any non-treasury investments before any transactions take place.
- 2.8 Section 4 of the Council's Capital Strategy explains that, as part of the appraisal process, the S151 Officer will provide the Investment Board with details of how the proposed investment will impact on the Council's financial position. The cumulative impact of approved investments on the Council's medium-term financial position will be reflected in the information presented in future treasury management reports to Audit and Risk Management Committee, Cabinet and Full Council as per the reporting requirements outlined below.

3 Treasury Strategy Reporting Requirements

3.1 The Council is required to receive and approve, as a minimum, three main treasury reports each year, which incorporate a variety of policies, estimates and actuals. These reports are required to be adequately scrutinised by the Audit and Risk Management Committee and Cabinet before being recommended to the Council.

3.2 **Prudential and Treasury Indicators and Treasury Strategy** (this report), the first and most important report is forward looking and covers:

- the capital plans (including prudential indicators);
- a Minimum Revenue Provision policy (how residual capital expenditure is charged to revenue over time);
- the Treasury Management Strategy (how investments and borrowings are to be organised) including treasury indicators; and
- an Investment Strategy (the parameters on how investments are to be managed).

A Mid-Year Treasury Management Report - This will update Members with the progress of the capital position, amending prudential indicators as necessary and whether any policies require revision.

An Annual Treasury Report - This is a backward looking review document and provides details of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

3.3 The Strategy covers two main areas:

Capital issues

- the capital expenditure plans and associated prudential indicators;
- the MRP policy.

Treasury management issues

- the current treasury position;
- treasury indicators which limit the treasury risk and activities of the Council;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;
- the investment strategy;
- creditworthiness policy; and
- policy on use of external service providers.

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, MHCLG MRP Guidance, the CIPFA Treasury Management Code and the MHCLG Investment Guidance.

4 Capital Prudential Indicators 2021/22 to 2023/24

4.1 The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in the prudential indicators, which are designed to assist Members' overview and confirm capital expenditure plans.

4.2 The capital expenditure prudential indicator is a summary of the Council's capital expenditure plans, both those agreed previously and those forming part of this budget

cycle. Commercial activities/non-financial investments relate to areas such as capital expenditure on investment properties, loans to third parties etc.

- 4.3 The table below summarises the capital expenditure plans and how these are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

Capital Programme	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Forecast Capital Expenditure	4,519	17,970	6,306	1,635
Commercial and Investment Strategy Schemes	0	10,000	10,000	5,000
TOTAL	4,519	27,970	16,306	6,635
Financed by:				
Capital Grants	2,619	14,449	5,443	950
Capital Receipts	60	265	100	100
Reserves used in year to fund Capital	353	508	100	0
Section 106 and Other Contributions	207	108	12	0
Total Financing	3,239	15,330	5,655	1,050
Net Financing Need For The Year (Borrowing)	1,280	12,640	10,651	5,585

- 4.4 The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's indebtedness, its underlying borrowing need. Any capital expenditure shown above, which has not immediately been paid for will increase the CFR.
- 4.5 The CFR does not increase indefinitely, as each year the Council is required to pay off an element of the capital spend (including finance leases) through a statutory revenue charge (MRP). In the case of schemes taken forward as part of the Council's capital programme this has the effect of reducing the Council's (CFR) broadly over the asset's life.
- 4.6 In the case of capital expenditure incurred in accordance with the Council's Commercial and Investment Strategy the MRP charge cannot be determined until such time that the Investment Board approves a scheme. Where the projected Capital Financing Requirement is disclosed in this report the figures used reflect the impact of borrowing to fund the full allocation of £25M over the next 3 years but no assumptions have been made regarding how MRP might reduce the CFR attributable to these schemes. This approach is considered reasonable until such time that any schemes are formally approved by the Investment Board.
- 4.7 In this context, it is also important to note that, as well as the statutory MRP charge, the Council is permitted to make additional voluntary payments to reduce the CFR. These voluntary payments will typically reduce the statutory charge that would have been due in future years. Voluntary payments can be funded from capital resources. This is particularly significant in the context of the Council's Commercial and Investment Strategy. As a result of investments undertaken, the Council may receive significant capital receipts and/or repayments of amounts due under the terms of loan agreements

with third parties, including the Local Authority Trading Company. These amounts may be received before the maturity date of the external borrowing used to undertake the initial investment. Any assumptions regarding the anticipated use of capital resources to reduce the CFR will be reported as part of future treasury management reporting.

- 4.8 The CFR includes any other long term liabilities (finance leases). A finance lease is a commercial arrangement between the Council and a lessor (finance company), where in consideration for a series of payments the Council has the right to use an asset (e.g. refuse vehicle) for the lease duration (typically 7 years). The annual lease payment is made up of a capital and interest repayment.
- 4.9 Although legally the Council doesn't own the asset during the lease duration, International Accounting Standards require that the Council capitalise the asset and liability on its balance sheet, much like a loan. Whilst this increases the CFR, the nature of the finance lease agreement doesn't require the Council to separately borrow to fund the asset.

Capital Financing Requirement (CFR)	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
CFR – as at 31 March				
Opening CFR	2,274	3,205	15,409	25,478
Movement in CFR	931	12,204	10,069	4,975
Closing CFR	3,205	15,409	25,478	30,453
Movement in CFR represented by				
Net financing need for the year	1,280	12,640	10,651	5,585
Less MRP and other Financing Movements	(349)	(436)	(582)	(610)
Movement in CFR	931	12,204	10,069	4,975

5 Minimum Revenue Provision (MRP) Policy Statement

- 5.1 The Council is required to pay off an element of the accumulated general fund capital spend each year (the CFR) through a revenue charge (the minimum revenue provision), although it is also allowed to undertake additional voluntary payments if required (voluntary revenue provision).
- 5.2 MHCLG regulations have been issued which require the Council to approve an MRP statement in advance each year. A variety of options are provided to Councils within the guidance. Councils are permitted under the guidance to establish their own approach to setting MRP and different approaches can be applied for different types of assets. The Council's principal responsibility is to ensure that it can demonstrate that whatever approach they adopt across their asset base it is prudent. Given the Council's decision to adopt a Commercial and Investment Strategy it was necessary to revise the MRP policy last year (2020/21) to take account of investments which might feasibly be taken forward in accordance with the Commercial and Investment Strategy. The policy applicable from the 2020/21 financial year onwards is as follows:

- (1) For unsupported borrowing (including finance leases) undertaken to fund the Council's capital programme, excluding any capital expenditure approved by

the Council's Investment Board, MRP will be based on the estimated useful life of the assets to be purchased or acquired. Repayments made under the terms of finance leases shall be applied as MRP.

- (2) For Investment Properties purchased or constructed (following a decision taken by the Council's Investment Board) the MRP charge shall be based on the difference between the value of the asset and the value of any outstanding unsupported borrowing secured to fund the original purchase of the asset. A calculation shall be undertaken at the end of each financial year to identify the difference between the value of the asset and the amount borrowed. Where a difference exists MRP shall be charged over a period commensurate with the period the Council expects to hold the asset as set out in reports presented to the Investment Board.
- (3) For any loans made to third parties, including those made to the Local Authority Trading Company, no MRP shall be charged where the loan requirement requires the third party to make repayments on at least an annual basis over the life of the loan. In the unlikely event of the Council providing a maturity loan to a third party, MRP shall be charged in equal amounts over the life of the loan.
- (4) Should the Council acquire an equity stake in any third party, the MRP charge will be for the lower of twenty years or the scheduled completion date of any projects funded by the third party using the proceeds from selling an equity stake to the Council.
- (5) For investment in Property Funds which the Council, following consultation with its Treasury Advisors, assesses as meeting the definition of capital expenditure MRP shall be charged over the period the Council expects to hold the investment. The period over which MRP can be charged for this type of investment shall not be permitted to exceed 20 years.

6 The Use of Council's Resources and the Investment Position

- 6.1 The application of resources (capital receipts, reserves etc) and temporary use of 'surplus cash balances' to both finance capital expenditure and other budget decisions to support the revenue budget reduces cash investment balances held (see below). Unless resources are supplemented with new sources (asset sales, capital grants, etc) then new borrowing will be required to fulfil the objectives as set in the Council's Business Plan. Detailed below are estimates of the year end balances for each resource.

Year End Resources	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Fund balances / reserves	11,315	5,860	5,750	5,750
Expected Cash investments	25,000	15,750	15,300	15,300

7 Affordability Prudential Indicators

- 7.1 The previous sections cover the overall capital and control of borrowing prudential indicators; also within this framework prudential indicators are required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicators.
- 7.2 This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

Financing Costs to Net Revenue Stream	2020/21 Revised Estimate %	2021/22 Estimate %	2022/23 Estimate %	2023/24 Estimate %
General Fund (excluding Commercial and Investment Strategy Schemes)	7.01	8.19	9.31	9.36
Commercial and Investment Strategy Schemes (£25M allocation)	0	1.02	2.00	2.47
Total	7.01	9.21	11.31	11.83
Net Revenue Stream	£11.285m	£11.305m	£11.464m	£11.621m

8 Treasury Management Strategy

- 8.1 The capital expenditure plans set out in section 4 provide a summary of future level of spend. The treasury management function ensures that the Council's cash is organised in accordance with the relevant professional codes, so that sufficient cash is available to meet service activity and the Council's capital strategy. This will involve both the organisation of cash flow and where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.
- 8.2 The Council's treasury portfolio as at 31 March 2020 for borrowing and investments was £8.206m and £18.3m respectively. As of 31 December 2020, investments are £25.350m and borrowing £8.135m.
- 8.3 The Council's forward projections for borrowings are summarised below. The next table shows the actual external debt, against the underlying capital borrowing need (the Capital Financing Requirement - CFR).

	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Debt at 1 April	7,800	7,800	21,060	30,775
Expected change in debt to fund capital programme (excluding Commercial and Investment Strategy schemes)	0	3,260	(285)	(285)
Borrowing to fund Commercial and Investment Strategy Schemes	0	10,000	10,000	5,000
Other long term liabilities (OLTL)	406	243	106	23
Expected change in OLTL	(163)	(137)	(83)	(23)
Actual gross debt at 31 March	8,043	21,166	30,798	35,490
Capital financing requirement (CFR) at 31 March	3,205	15,409	25,478	30,453
Borrowing less CFR – 31 March	4,838	5,757	5,320	5,037

- 8.4 Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well-defined limits. One of these is that the Council needs to ensure that its gross debt, does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2021/22 and the following two financial years. This allows some flexibility for limited early borrowing for future years and ensures that long term borrowing is not undertaken for revenue or speculative purposes (in the sense of anticipating future upward movements in interest rates), other than where the borrowing fits in with the Council's approved Investment Strategy.
- 8.5 The Council notes that the Prudential Code published by CIPFA prohibits local authorities from borrowing in advance of need. This prohibition has been recently re-affirmed by MHCLG in its Statutory Guidance on Local Authority Investments which states that this prohibition extends to undertaking borrowing to fund the purchase of financial and non-financial investments, including investment properties. This is on the basis that in such circumstances local authorities would be borrowing 'purely in order to profit from investment of the extra sums borrowed'. Section 4 of the Council's Capital Strategy explains how the Council has had regard for this guidance and notes the Council's approach to determining whether the motivation behind any proposed investment is purely to profit from investment of any sums borrowed.
- 8.6 As a result of the Council's long term Public Works Loan Board (PWLb) debt portfolio of £4.5m (31/03/20) currently attracting excessive premiums (£2.965m at the time of writing this report), if it were prematurely repaid and the fixed rate market loan of £3.3m (31/03/2020), attracting a premium charge on application to prematurely repay, it is not financially advantageous for the Council to fully comply with this prudential indicator. This has been the case since the housing stock transfer in 2007 and has been acknowledged and approved by Council since then. In addition, the Council's external auditors have also acknowledged this situation and have not raised any issues with our strategy.

- 8.7 Interest repayments associated with the external debt (including finance leases) above are shown below. The figures in the third column reflect the interest which would fall due if the Investment Board were to approve schemes totalling the full allocation of £25M and borrowing was undertaken over 3 years (£10m in both 2021/22, 2022/23 and £5m in 2023/24) funded by a maturity loan at today's rate.

YEARS	INTEREST DUE (EXISTING CAPITAL SCHEMES) £000	INTEREST DUE (FUNDING OF COMMERCIAL AND INVESTMENT STRATEGY) £000	TOTAL £000
2020/21	497	0	497
2021/22	531	115	646
2022/23	524	230	754
2023/24	517	287	804

- 8.8 The operational boundary is the limit beyond which external debt is not normally expected to exceed. In most cases this would be a similar figure to the CFR but may be lower or higher depending on the levels of actual debt.

Operational Boundary	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Debt	12,000	12,000	12,000	12,000
Other long term liabilities	1,000	1,000	1,000	1,000
Commercial Activities / Non Financial Investments	25,000	25,000	25,000	25,000
Total	38,000	38,000	38,000	38,000

- 8.9 The authorised limit is a key prudential indicator, which represents a control on the maximum level of borrowing. This represents a legal limit beyond which external debt is prohibited and this limit needs to be set or revised by full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term but is not sustainable in the longer term.
- 8.10 This is a statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all council's plans, or those of a specific council, although this power has not yet been exercised. The Council is asked to approve the following authorised limit.

Authorised Limit	2020/21 Revised Estimate £000	2021/22 Estimate £000	2022/23 Estimate £000	2023/24 Estimate £000
Debt	17,000	17,000	17,000	17,000
Other long term liabilities	1,000	1,000	1,000	1,000
Commercial Activities / Non Financial Investments	25,000	25,000	25,000	25,000
Total	43,000	43,000	43,000	43,000

9 Prospects for Interest Rates

- 9.1 The Council has appointed Link Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives Link Assets Service's central view.

Link Group Interest Rate View 9.11.20													
These Link forecasts have been amended for the reduction in PWLB margins by 1.0% from 26.11.20													
	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
6 month ave earnings	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
12 month ave earnings	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
5 yr PWLB	0.80	0.80	0.80	0.80	0.90	0.90	0.90	0.90	0.90	1.00	1.00	1.00	1.00
10 yr PWLB	1.10	1.10	1.10	1.10	1.20	1.20	1.20	1.20	1.20	1.30	1.30	1.30	1.30
25 yr PWLB	1.50	1.60	1.60	1.60	1.60	1.70	1.70	1.70	1.70	1.80	1.80	1.80	1.80
50 yr PWLB	1.30	1.40	1.40	1.40	1.40	1.50	1.50	1.50	1.50	1.60	1.60	1.60	1.60

- 9.2 The coronavirus outbreak has done huge economic damage to the UK and economies around the world. After the Bank of England took emergency action in March to cut Bank Rate to first 0.25%, and then to 0.10%, it left Bank Rate unchanged at its subsequent meetings to 16th December, although some forecasters had suggested that a cut into negative territory could happen. However, the Governor of the Bank of England has made it clear that he currently thinks that such a move would do more damage than good and that more quantitative easing is the favoured tool if further action becomes necessary. As shown in the forecast table above, no increase in Bank Rate is expected in the near-term as economic recovery is expected to be only gradual and, therefore, prolonged.
- 9.3 Gilt yields/PWLB rates. There was much speculation during the second half of 2019 that bond markets were in a bubble which was driving bond prices up and yields down to historically very low levels. The context for that was a heightened expectation that the US could have been heading for a recession in 2020. In addition, there were growing expectations of a downturn in world economic growth, especially due to fears around the impact of the trade war between the US and China, together with inflation generally at low levels in most countries and expected to remain subdued. Combined, these conditions were conducive to very low bond yields. While inflation targeting by the major central banks has been successful over the last thirty years in lowering inflation expectations, the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers. This means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. The consequence of this has been the gradual lowering of the overall level of interest rates and bond yields in financial markets over the last 30 years. Over the year prior to the coronavirus crisis, this has seen many bond yields up to 10 years turn negative in the Eurozone. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession. The other side of this coin is that bond prices are elevated as investors would be expected to be moving out of riskier assets i.e. shares, in anticipation of a downturn in corporate earnings and so selling out of equities.
- 9.4 Gilt yields had therefore already been on a generally falling trend up until the coronavirus crisis hit western economies during March 2020. After gilt yields spiked up during the financial crisis in March, we have seen these yields fall sharply to unprecedented lows as investors panicked during March in selling shares in anticipation of impending recessions in western economies and moved cash into safe haven assets i.e. government bonds. However, major western central banks took rapid action to deal with excessive stress in financial markets during March, and started massive quantitative easing purchases of government bonds: this also acted to put downward pressure on government bond yields at a time when there has been a huge and quick expansion of government expenditure

financed by issuing government bonds. Such unprecedented levels of issuance in “normal” times would have caused bond yields to rise sharply. Gilt yields and PWLB rates have been at remarkably low rates so far during 2020/21.

- 9.5 As the interest forecast table for PWLB certainty rates above shows, there is expected to be little upward movement in PWLB rates over the next two years as it will take economies, including the UK, a prolonged period to recover all the momentum they have lost in the sharp recession caused during the coronavirus shut down period. From time to time, gilt yields, and therefore PWLB rates, can be subject to exceptional levels of volatility due to geo-political, sovereign debt crisis, emerging market developments and sharp changes in investor sentiment, (as shown on 9th November 2020 when the first results of a successful COVID-19 vaccine trial were announced). Such volatility could occur at any time during the forecast period.
- 9.6 Borrowing interest rates fell to historically very low rates as a result of the COVID crisis and the quantitative easing operations of the Bank of England: indeed, gilt yields up to 6 years were negative during most of the first half of 20/21. The policy of avoiding new borrowing by running down spare cash balances has served local authorities well over the last few years. The unexpected increase of 100 bps in PWLB rates on top of the then current margin over gilt yields of 80 bps in October 2019, required an initial major rethink of local authority treasury management strategy and risk management. However, in March 2020, the Government started a consultation process for reviewing the margins over gilt rates for PWLB borrowing for different types of local authority capital expenditure.
- 9.7 On 25.11.20, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme.
- 9.8 Borrowing for capital expenditure. As Link’s long-term forecast for Bank Rate is 2.00%, and all PWLB rates are under 2.00%, there is now value in borrowing from the PWLB for all types of capital expenditure for all maturity periods, especially as current rates are at historic lows. However, greater value can be obtained in borrowing for shorter maturity periods so the Council will assess its risk appetite in conjunction with budgetary pressures to reduce total interest costs. Longer-term borrowing could also be undertaken for the purpose of certainty, where that is desirable.
- 9.9 While this authority will not be able to avoid borrowing to finance new capital expenditure and the rundown of reserves, there will be a cost of carry, (the difference between higher borrowing costs and lower investment returns), to any new borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost.

10 Borrowing Strategy

- 10.1 As noted above in paragraph 8.5 the Council recognises that statutory guidance indicates that whilst the Council has the necessary powers to borrow in advance of need the government and CIPFA state it should refrain from doing so where such borrowing takes place purely in order to profit from investment of the extra sums borrowed. None of the Council’s current borrowing was undertaken in advance of need. Section 4 of the Council’s 20/21 Capital Strategy explains how this Council will have regard for this guidance in future. This section of the strategy explains the process to be followed should the Chief Finance Officer wish to bring forward a proposal to borrow in advance of need purely in order to profit from investment of the extra sums borrowed. Risks associated with borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid-year or annual reporting mechanism.

- 10.2 As a result of the Council's decision not to repay debt of £7.8m at the time of the housing stock transfer in 2007, the Council is currently over borrowed (see paragraph 8.6 above); the Council's gross debt exceeds its CFR over the term of the treasury strategy.
- 10.3 Where the Council has insufficient internal resources to funds its capital programme the difference between available resources and funds required is met through borrowing. The Council is able to borrow internally if it identifies that it has surplus funds currently held in investments which could be used to finance its capital programme. However, any decision to borrow internally has to consider when any funds borrowed might be required to support the day-to-day cash needs of the Council. Unless the Council is able to increase the surplus funds it has available, i.e. through generating surpluses on the revenue account, internal borrowing will only provide a temporary solution to funding the capital programme.
- 10.4 When the Council borrows externally it will ordinarily do so using funds borrowed from the Public Works Loan Board, though this does not preclude the Council considering other sources of lending.
- 10.5 The current Medium Term Financial Strategy assumes that some external borrowing will be required over the four-year period to 31 March 2024. Assumptions about the level of external interest payable are reflected as part of the prudential indicators included in this document. Responsibility for deciding when to borrow externally, together with details of the amount to borrow and the term and type of any loan, rests with the Chief Finance Officer. The Chief Finance Officer's decision will be informed by advice from the Council's treasury management advisors and information regarding the progress of schemes set out in the capital programme. Any borrowing decisions will be reported to Cabinet through either the mid-year or annual treasury management reports.
- 10.6 The Chief Finance Officer will monitor capital plans and interest rates in financial markets and adopt a pragmatic approach to funding the capital programme. Any borrowing decisions and budget consequences will be reported to Cabinet through either the mid-year or annual treasury management reports.
- 10.7 Maturity structure of borrowing. These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing and are required for upper and lower limits.

Maturity structure of fixed interest rate borrowing 2020/21	Lower %	Upper %
Under 12 months	0	20
12 months to 2 years	0	50
2 years to 5 years	0	75
5 years to 10 years	0	75
10 years and above	0	100

Maturity structure of variable interest rate borrowing 2020/21	Lower %	Upper %
Under 12 months	0	100
12 months to 2 years	0	100
2 years to 5 years	0	100
5 years to 10 years	0	100
10 years and above	0	100

11 Debt Rescheduling / Repayment

- 11.1 Rescheduling of current borrowing in our debt portfolio is unlikely to occur as there is still a very large difference between premature redemption rates and new borrowing rates, even though the general margin of PWLB rates over gilt yields was reduced by 100 bps in November 2020.
- 11.2 If rescheduling was done, it will be reported to the Cabinet at the earliest meeting following its action.

12 Annual Investment Strategy

- 12.1 The MHCLG and CIPFA have extended the meaning of 'investments' to include both financial and non-financial investments. This report deals solely with financial investments, (as managed by the treasury management team). Non-financial investments, essentially the purchase of income yielding assets, are covered in the Capital Strategy, (see Annex A to this report).
- 12.2 The Council's investment policy has regard to the following:-
- MHCLG's Guidance on Local Government Investments ("the Guidance");
 - CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 ("the Code"); and
 - CIPFA Treasury Management Guidance Notes 2018.
- 12.3 The intention of the strategy is to provide security and appropriately manage risk. The Council's investment priorities are:
- the security of capital;
 - the liquidity of its investments;
 - return on its investments.
- 12.4 The above guidance from the MHCLG and CIPFA, place a high priority on the management of risk. The Council has adopted a prudent approach to managing risk and defines its risk appetite by the following means.
- 12.5 Minimum acceptable credit criteria are applied in order to generate a list of highly creditworthy counterparties which also enables diversification and thus avoidance of concentration risk. The key ratings used to monitor counterparties are the Short Term and Long Term ratings
- 12.6 Ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Council will engage with its advisors to maintain a monitor on market pricing such as "credit default swaps" and overlay that information on top of the credit ratings.
- 12.7 Investment instruments identified for use in the financial year are listed below under the 'specified' and 'non-specified' investments categories. Counterparty limits will be as set through the Council's treasury management practices – schedules.
- 12.8 **Specified Investments** - These investments are sterling investments (meeting the minimum 'high' quality criteria where applicable) of not more than one year maturity, or those which could be for a longer period but where the Council has the right to repay within 12 months if it wishes. These are considered low risk assets where the possibility of loss of principal or investment income is small. Investment instruments identified for use in the financial year are as follows:
- term deposits with part nationalised banks and local authorities;

- term deposits with high credit criteria deposit takers (banks and building societies);
- callable deposits with part nationalised banks and local authorities;
- callable deposits with high credit criteria deposit takers (banks and building societies);
- money market funds (CNAV) / (LVNAV) / (VNAV);
- Debt Management Agency Deposit Facility (DMADF); and
- UK Government gilts, custodial arrangement required prior to purchase.

12.9 Non-Specified Investments - These are any other type of investment (i.e. not defined as specified above). Investment instruments identified in both “specified” and “non-specified” categories are differentiated by maturity date and classed as non-specified when the investment period and right to be repaid exceeds one year. Non-specified investments are more complex instruments which require greater consideration by members and officers before being authorised for use. Investment instruments identified for use in the financial year are as follows:

- term deposits with high credit criteria deposit takers (banks and building societies);
- term deposits with part nationalised banks and local authorities;
- callable deposits with part nationalised banks and local authorities;
- callable deposits with high credit criteria deposit takers (banks and building societies);
- Debt Management Agency Deposit Facility (DMADF);
- UK Government gilts, custodial arrangement required prior to purchase; and
- Property funds.

12.10 As a result of the change in accounting standards first introduced in 2018/19 under IFRS 9, the Council will consider the implications of investment instruments which could result in an adverse movement in the value of the amount invested and resultant charges at the end of the year to the General Fund. In November 2018, the Ministry of Housing, Communities and Local Government, [MHCLG], concluded a consultation for a temporary override to allow English local authorities time to adjust their portfolio of all pooled investments by announcing a statutory override to delay implementation of IFRS 9 for five years commencing from 1.4.18.

12.11 Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months). Short term cash flow requirements (up to 12 months) include payments such as, precepts, business rate retention, housing benefits, salaries, suppliers, interest payments on debt etc.

12.12 Bank rate is expected to remain unchanged at 0.10% throughout the period of this strategy and consequently budgeted investment earning rates for returns on investments placed for periods of up to about three months are not expected to exceed the bank rate.

12.13 Estimated investment income is £55,000 for 2020/21 and then £40,000 for all future years. These estimates assume that none of the existing cash balances held by the Authority will be utilised to fund schemes approved by the Investment Board.

- 12.14 **Investment treasury indicator and limit** - total principal funds invested for greater than 365 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment and are based on the availability of funds after each year end.

	2021/22 £000	2022/23 £000	2023/24 £000
Maximum principal sums invested > 365 days	10,000	10,000	10,000

- 12.15 For its cash flow generated balances, the Council will seek to utilise its call accounts and short dated deposits (overnight to 180 days) in order to benefit from the compounding interest.
- 12.16 At the end of the financial year, the Council will report on its investment activity as part of its Annual Treasury Report.

13 Creditworthiness Policy

- 13.1 The Council applies the creditworthiness service provided by Link Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moody's and Standard & Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- "watches" and "outlooks" from credit rating agencies;
- Credit Default Swaps spreads to give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

- 13.2 This modelling approach combines credit ratings, Watches and Outlooks in a weighted scoring system, which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will therefore use counterparties within the following durational bands:

- yellow 5 years;
- dark pink 5 years for ultra-short dated bond funds with a credit score of 1.25;
- light pink 5 years for ultra-short dated bonds funds with a credit score of 1.5;
- purple 2 years;
- blue 1 year (only applies to nationalised or semi nationalised UK banks);
- orange 1 year;
- red 6 months;
- green 100 days
- no colour not to be used.

- 13.3 The Link Asset Services creditworthiness service uses a wider array of information than just primary ratings and by using a risk weighted scoring system does not give undue preponderance to just one agency's ratings.

- 13.4 Typically, the minimum credit ratings criteria the Council will use will be short term rating (Fitch or equivalents) of F1 and a long-term rating of A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use
- 13.5 The Council's own bank currently meets the creditworthiness policy. However, should they fall below Link Asset Services creditworthiness policy the Council will retain the bank on its counterparty list for transactional purposes, though would restrict cash balances to a minimum.
- 13.6 All credit ratings are monitored weekly and prior to any new investment decision. The Council is alerted to changes to ratings of all three agencies through its use of the Link Asset Services creditworthiness service.
- If a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
 - In addition to the use of credit ratings the Council will be advised of information in movements in credit default swaps against the iTraxx European Financials benchmark and other market data on a weekly basis. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.
- 13.7 Sole reliance will not be placed on the use of Link Asset Services Creditworthiness policy. In addition, this Council will also use market data and market information, information on any external support for banks to justify its decision making process.
- 13.8 To further mitigate risk the Council has decided that where counterparties form part of a larger group, group limits should be used in addition to single institutional limits. Group limits will be as set through the Council's Treasury Management Practices – schedules.
- 13.9 In relation to financial institutions, the Council currently only invests in UK banks and building societies, which provides sufficient high credit quality counterparties to meet investment objectives. It should be noted that in some cases these banks are subsidiaries of foreign banks but these are of the highest credit quality.

14 External Service Providers

- 14.1 The Council uses Link Asset Services, Treasury Solutions as its external treasury management advisors. The Council recognises that responsibility for treasury management decisions remains with the authority at all times and will ensure that undue reliance is not placed upon our external service providers. All decisions will be undertaken with regards to available information, including, but not solely, our treasury advisors.
- 14.2 It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented and subjected to regular review.
- 14.3 The scope of investments within the Council's operations now includes both conventional treasury investments, (the placing of residual cash from the Council's functions), and more commercial type investments, such as investment properties. The Council will engage specialist advisers for commercial-type investments.

PARISH PRECEPTS 2021/22

TAX BASE (Equated Band D Properties)	PRECEPT 2020/21 £	COUNCIL TAX PER BAND D PROPERTY £	PARISH	TAX BASE (Equated Band D Properties)	PRECEPT 2021/22 £	COUNCIL TAX PER BAND D PROPERTY £	INCREASE FROM 2020/21 %
357	12,852	36.00	BENWICK	350	12,852	36.72	2.0
3,345	151,000	45.14	CHATTERIS	3,364	151,000	44.89	-0.6
274	12,750	46.53	CHRISTCHURCH	275	12,750	46.36	-0.4
838	56,459	67.37	DODDINGTON	843	56,459	66.97	-0.6
1,192	40,367	33.86	ELM	1,193	30,000	25.15	-25.7
390	19,000	48.72	GOREFIELD	397	19,000	47.86	-1.8
1,123	53,000	47.20	LEVERINGTON	1,135	54,000	47.58	0.8
853	55,143	64.65	MANEA	890	61,000	68.54	6.0
6,554	320,000	48.83	MARCH	6,606	320,000	48.44	-0.8
235	13,000	55.32	NEWTON IN THE ISLE	241	13,000	53.94	-2.5
449	20,643	45.98	PARSON DROVE	455	20,560	45.19	-1.7
389	1,000	2.57	TYDD ST GILES	389	12,000	30.85	1,100.0
5,424	171,015	31.53	WHITTLESEY	5,610	171,015	30.48	-3.3
758	65,851	86.87	WIMBLINGTON	787	65,851	83.67	-3.7
6,466	372,270	57.57	WISBECH	6,427	368,885	57.40	-0.3
1,168	80,510	68.93	WISBECH ST MARY	1,181	80,116	67.84	-1.6
29,815	1,444,860	48.46	GRAND TOTAL	30,143	1,448,488	48.05	-0.84

Reserve Name	Balance 01.04.20 £	Capital Funding £	Revenue Contributions to(+)/from(-) 2020/21 £	Revised Balance 31.03.21 £	Capital Funding £	Revenue Contributions to(+)/from(-) 2021/22 £	Estimated Balance 31.03.22 £	Comments / Conditions of Use
Travellers Sites	322,373		10,330	332,703		45,750	378,453	Can only be used for specific future maintenance liabilities.
Station Road, Whittlesey - Maintenance	2,000		2,800	4,800		2,800	7,600	Required for future road maintenance.
CCTV - Plant & Equipment	48,368	-38,000	10,000	20,368		10,000	30,368	Available for future CCTV maintenance & replacement liabilities.
Invest to Save	84,924	-13,000		71,924			71,924	To provide resources for schemes which will deliver future efficiencies. £50k committed to energy efficiency schemes match funded by Salix Finance, as part of the Council's 'Keen to be Green' strategy.
Management of Change	946,468	-169,000		777,468	-431,000		346,468	Available for the effective management of any organisational changes required to meet the Council's future priorities.
Specific Government Grants (received in previous years)	1,070,270		-71,447	998,823		-39,408	959,415	Available to fund specific spending commitments in future years.
Business Rates Equalisation Reserve	721,043		3,196,387	3,917,430		-3,417,430	500,000	Available to assist the Council in smoothing out volatility in the business rates retention system.
Capital Contribution Reserve	340,905	-38,000		302,905			302,905	Available to fund specific spending commitments in future years.
Port - Buoy Maintenance	146,999			146,999		-19,000	127,999	Available for future buoy maintenance to service windfarms.
Repairs and Maintenance	637,064	-95,000		542,064	-77,000		465,064	Available to provide funding for one-off schemes, not covered by the normal Repairs and Maintenance revenue budgets.
Heritage Lottery Fund (HLF) - Wisbech	114,020		-36,800	77,220		-30,980	46,240	To manage the Heritage Lottery Funded scheme in Wisbech.
Solid Wall Remediation	100,000			100,000			100,000	Available to fund potential costs linked to solid wall installations in the District.
Highways Street Lighting	23,314		17,310	40,624		17,310	57,934	Available to fund future repairs and maintenance relating to street lighting.
Investment Strategy Reserve	1,350,168		-10,000	1,340,168			1,340,168	Established to provide future funding for Commercial and Investment Strategy projects.
Budget Equalisation Reserve	315,307			315,307			315,307	Year-end surpluses are transferred to this reserve. If a deficit is forecast this reserve can be used to offset the expected shortfall.
Planning Reserve	496,848		-107,000	389,848			389,848	Available to fund additional planning costs not reflected in the annual budget, including the development of the Local Plan.
Elections Reserve	0		30,000	30,000		30,000	60,000	Available to fund four-yearly District-wide elections. Transfers are made to this reserve each year to fund the cost of the next District-wide election.
Covid-19 Emergency Response Reserve	43,212		-43,212	0			0	Established to hold funding received from central government in March 2020 to respond to the Covid-19 pandemic. Utilised in 2020/21.
TOTAL EARMARKED RESERVES	6,763,281	-353,000	2,998,368	9,408,649	-508,000	-3,400,958	5,499,691	
General Fund Balance	2,000,000			2,000,000		-842,254	1,157,746	Unallocated general reserve required for various and unplanned for contingencies, to mitigate risks associated with future financial planning as well as for general day to day cash flow needs.
TOTAL RESERVES	8,763,281	-353,000	2,998,368	11,408,649	-508,000	-4,243,212	6,657,437	

NB: In accordance with the Council's Financial Rules and Scheme of Financial Delegation (Part 4, Rule 6 of the Constitution), paragraphs B57 - B60 delegates authority to the Chief Finance Officer to approve expenditure from these reserves in accordance with their approved use as detailed above.

AGENDA ITEM NO. 12

COUNCIL TAX RESOLUTION

Council Tax 2021/22

Following consideration of the report to this Council on 23 February 2021 and the setting of the Revenue Budget for 2021/22, the Council is required to pass the resolution below to set the Council Tax requirement.

RESOLVED

- (1) it be noted that the Tax Base for the year 2021/22 has been calculated in accordance with the Local Government Finance Act 1992 and associated regulations as follows:
 - (a) 30,143 being the amount calculated by the Council as its Council Tax Base for the year, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended).
 - (b) Part of the Council's area

Parish	Tax Base
Benwick	350
Chatteris	3,364
Christchurch	275
Doddington	843
Elm	1,193
Gorefield	397
Leverington	1,135
Manea	890
March	6,606
Newton	241
Parson Drove	455
Tydd St Giles	389
Whittlesey	5,610
Wimblington	787
Wisbech	6,427
Wisbech St Mary	1,181
TOTAL	30,143

being the amounts calculated by the Council, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate, in accordance with regulation 6 of the Regulations.

- (2) The Council calculates that the Council Tax requirement for the Council's own purposes for 2021/22 (excluding Parish precepts) is £7,851,042.

- (3) That the following amounts be now calculated by the Council for the year 2021/22 in accordance with Sections 31 to 36 of the Local Government & Finance Act 1992 (as amended):
- (a) 46,651,653 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act **[Gross Expenditure including benefits & Town/Parish Precepts]**
 - (b) 37,352,123 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act **[Revenue Income including reimbursement of benefits, specific & general grants & use of reserves]**
 - (c) 9,299,530 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year **[Net Expenditure, including Parish Precepts]**
 - (d) 308.51 being the amount at 3(c) above divided by the Council Tax Base at 1(b) above, in accordance with Section 31B(1) of the Act, **[basic amount of its Council Tax for the year, including Parish precepts]**
 - (e) £1,448,488 being the aggregate amount of all special items referred to in Section 35(1) of the Act **[Parish Precepts]**
 - (f) 260.46 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by the amount at (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates
 - (g) Part of the Council's area:

Parish	Band D
Benwick	297.18
Chatteris	305.35
Christchurch	306.82
Doddington	327.43
Elm	285.61
Gorefield	308.32
Leverington	308.04
Manea	329.00
March	308.90
Newton	314.40
Parson Drove	305.65
Tydd St Giles	291.31
Whittlesey	290.94
Wimblington	344.13
Wisbech	317.86
Wisbech St Mary	328.30

being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34 (3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(h) Part of the Council's area

		Valuation Band							
Parish of		A	B	C	D	E	F	G	H
		£	£	£	£	£	£	£	£
BENWICK		198.12	231.14	264.16	297.18	363.22	429.26	495.30	594.36
CHATTERIS		203.57	237.49	271.42	305.35	373.21	441.06	508.92	610.70
CHRISTCHURCH		204.55	238.64	272.73	306.82	375.00	443.18	511.37	613.64
DODDINGTON		218.29	254.67	291.05	327.43	400.19	472.95	545.72	654.86
ELM		190.41	222.14	253.88	285.61	349.08	412.55	476.02	571.22
GOREFIELD		205.55	239.80	274.06	308.32	376.84	445.35	513.87	616.64
LEVERINGTON		205.36	239.59	273.81	308.04	376.49	444.95	513.40	616.08
MANEA		219.33	255.89	292.44	329.00	402.11	475.22	548.33	658.00
APRIL		205.93	240.26	274.58	308.90	377.54	446.19	514.83	617.80
NEWTON IN THE ISLE		209.60	244.53	279.47	314.40	384.27	454.13	524.00	628.80
PARSON DROVE		203.77	237.73	271.69	305.65	373.57	441.49	509.42	611.30
TYDD ST. GILES		194.21	226.57	258.94	291.31	356.05	420.78	485.52	582.62
WHITTLESEY		193.96	226.29	258.61	290.94	355.59	420.25	484.90	581.88
WIMBLINGTON		229.42	267.66	305.89	344.13	420.60	497.08	573.55	688.26
WISBECH		211.91	247.22	282.54	317.86	388.50	459.13	529.77	635.72
WISBECH ST. MARY		218.87	255.34	291.82	328.30	401.26	474.21	547.17	656.60

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands
[Council Tax relating to the District Council & Parish expenditure]


- (4) it be noted that for the year 2021/22 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below:

		Valuation Band							
Precepting Authority		A	B	C	D	E	F	G	H
		£	£	£	£	£	£	£	£
Police & Crime Commissioner for Cambridgeshire		165.06	192.57	220.08	247.59	302.61	357.63	412.65	495.18
Cambridgeshire & Peterborough Fire Authority		49.02	57.19	65.36	73.53	89.87	106.21	122.55	147.06
Cambridgeshire County Council		933.18	1,088.71	1,244.24	1,399.77	1,710.83	2,021.89	2,332.95	2,799.54
Total		1,147.26	1,338.47	1,529.68	1,720.89	2,103.31	2,485.73	2,868.15	3,441.78

- (5) having calculated the aggregate in each case of the amounts at 3(h) & 4 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2021/22 for each of the categories of dwellings shown below:

		Valuation Band							
Parish of		A	B	C	D	E	F	G	H
		£	£	£	£	£	£	£	£
BENWICK		1,345.38	1,569.61	1,793.84	2,018.07	2,466.53	2,914.99	3,363.45	4,036.14
CHATTERIS		1,350.83	1,575.96	1,801.10	2,026.24	2,476.52	2,926.79	3,377.07	4,052.48
CHRISTCHURCH		1,351.81	1,577.11	1,802.41	2,027.71	2,478.31	2,928.91	3,379.52	4,055.42
DODDINGTON		1,365.55	1,593.14	1,820.73	2,048.32	2,503.50	2,958.68	3,413.87	4,096.64
ELM		1,337.67	1,560.61	1,783.56	2,006.50	2,452.39	2,898.28	3,344.17	4,013.00
GOREFIELD		1,352.81	1,578.27	1,803.74	2,029.21	2,480.15	2,931.08	3,382.02	4,058.42
LEVERINGTON		1,352.62	1,578.06	1,803.49	2,028.93	2,479.80	2,930.68	3,381.55	4,057.86
MANEA		1,366.59	1,594.36	1,822.12	2,049.89	2,505.42	2,960.95	3,416.48	4,099.78
MARCH		1,353.19	1,578.73	1,804.26	2,029.79	2,480.85	2,931.92	3,382.98	4,059.58
NEWTON IN THE ISLE		1,356.86	1,583.00	1,809.15	2,035.29	2,487.58	2,939.86	3,392.15	4,070.58
PARSON DROVE		1,351.03	1,576.20	1,801.37	2,026.54	2,476.88	2,927.22	3,377.57	4,053.08
TYDD ST. GILES		1,341.47	1,565.04	1,788.62	2,012.20	2,459.36	2,906.51	3,353.67	4,024.40
WHITTLESEY		1,341.22	1,564.76	1,788.29	2,011.83	2,458.90	2,905.98	3,353.05	4,023.66
WIMBLINGTON		1,376.68	1,606.13	1,835.57	2,065.02	2,523.91	2,982.81	3,441.70	4,130.04
WISBECH		1,359.17	1,585.69	1,812.22	2,038.75	2,491.81	2,944.86	3,397.92	4,077.50
WISBECH ST. MARY		1,366.13	1,593.81	1,821.50	2,049.19	2,504.57	2,959.94	3,415.32	4,098.38

- (6) authorise the publication of the amounts
- (7) authorise the appropriate officer to demand the amounts in accordance with the Council Tax (Administration and Enforcement) Regulations 1992
- (8) This Council hereby determines that its relevant basic amount of Council Tax for 2021/22 is not excessive in accordance with Section 52ZB of the Local Government Finance Act 1992, as amended by section 5 of the Localism Act 2011.

Agenda Item No:	13	
Committee:	Council	
Date:	23 February 2021	
Report Title:	Council Tax Support – 2021-22 Scheme	

Cover sheet:

1 Purpose / Summary

To consider the Cabinet recommendations in relation to the Council Tax Support (CTS) Scheme to take effect from 1 April 2021.


2 Key issues

- Each year the Council is required to review its Council Tax Support Scheme. This report advises Council about the conclusion of the 2020 annual review and the resultant Cabinet recommendations for the CTS scheme to take effect from 1 April 2021.
- Cabinet at its meeting on 25 January 2021 considered the outcome of the consultation process and decided to recommend to Council that the current contribution rate for working age claimants of 14% be increased to 20% with effect from 1 April 2021.
- The report detailing Cabinet's considerations is attached.
- A Customer Impact Assessment (CIA) is attached at Appendix B to this report.
- The proposed Council Tax Support Scheme for 2021/22 is set out at the following link : <https://www.fenland.gov.uk/ctss2021>

3 Recommendations

- (i) It is recommended by Cabinet that the contribution rate for working age claimants be increased from 14% to 20% with effect from 1 April 2021;
- (ii) the Council Tax Support Scheme to take effect from 1 April 2021 as set out in the following link be approved:
<https://www.fenland.gov.uk/ctss2021>

Wards Affected	All
Portfolio Holder(s)	Cllr Chris Boden, Leader & Portfolio Holder, Finance Cllr Mrs Jan French, Deputy Leader
Report Originator(s)	Sam Anthony, Head of HR & OD Mark Saunders, Chief Accountant
Contact Officer(s)	Peter Catchpole, Corporate Director and Chief Finance Officer Sam Anthony, Head of HR & OD Mark Saunders, Chief Accountant
Background Paper(s)	None

Agenda Item No:	6	
Committee:	Cabinet	
Date:	25 January 2021	
Report Title:	Council Tax Support – 2021-22 Scheme	

Cover sheet:

1 Purpose / Summary

To consider the outcome of the consultation process on potential changes to the Council Tax Support Scheme for 2021-22 and to recommend to Council the final scheme for implementation with effect from 1 April 2021.

2 Key issues

- Cabinet at its meeting on 6 August 2020 decided on the following with respect to the proposed Council Tax Support Scheme for 2021-22:
 - (i) Note the comments from Overview & Scrutiny Panel of 13 July 2020 (who had proposed that no change be made to the scheme at the present time);
 - (ii) Carry out a consultation exercise on increasing the current contribution rate to 20%, 25% or 30%.
- A consultation exercise was carried out for a 12 week period from 28 September to 20 December 2020.
- The results of the consultation exercise are detailed in Appendix A. The overwhelming reaction to the proposed increases in contribution rates was negative, with the theme being that customers affected would find paying their bills considerably more difficult than now.
- Details of the potential additional income which could be raised from the proposals are detailed in Section 4 of this report.
- Any increase in contribution rates will almost certainly have an impact on the Council Tax collection rate which would require additional resources to ensure collection rates were maintained to at least current levels.
- Government has announced additional funding for 2021-22 to help authorities meet the expected increase in working age Council Tax Support costs. Authorities are encouraged to consider their LCTS schemes in 2021-22 in the light of this additional funding but this is entirely at the discretion of local authorities.

- A Customer Impact Assessment (CIA) will be required if Cabinet recommends any changes to the contribution rate for 2021-22.

3 Recommendations

- It is recommended that members consider the attached report and consultation responses and recommend to Council their preferred option for the Council Tax Support Scheme for 2021-22.

Wards Affected	All
Portfolio Holder(s)	Cllr Chris Boden, Leader & Portfolio Holder, Finance Cllr Mrs Jan French, Deputy Leader
Report Originator(s)	Sam Anthony, Head of HR & OD Mark Saunders, Chief Accountant
Contact Officer(s)	Peter Catchpole, Corporate Director and Chief Finance Officer Sam Anthony, Head of HR & OD Mark Saunders, Chief Accountant
Background Paper(s)	None

Report:

1 Introduction

- 1.1 Before April 2013, Council Tax Benefit (CTB) was a nationally controlled scheme administered by District and Unitary Councils that give reductions from Council Tax to people on low incomes according to set criteria specified by regulations. The maximum reduction was 100% of a person's Council Tax bill.
- 1.2 The costs of CTB were fully reimbursed to the Council by the DWP, so that if demand rose or fell, the Council did not bear the costs of these changes.
- 1.3 CTB was localised and replaced by CTS in April 2013. At the same time, Government funding was reduced and CTS was localised, coming under the control of District and Unitary Councils. Whilst pensioners were protected and regulations specified that they must still receive up to 100% CTS, this protection did not apply to working age people.
- 1.4 Unlike CTB, the costs of CTS are borne by Councils. Funding is given by the Government within the overall finance settlement, but this has reduced significantly over the years so that Councils bear the costs of an increase in demand but gain from reduced demand.
- 1.5 The implementation of CTS left Fenland with a funding gap, that potentially saw working age customers only being entitled to 80% CTS. However, Members considered the options available to help increase CTS and were able to implement a scheme in 2013-14 that saw working age customers be entitled to up to 91.5% of CTS; in two ways.
- 1.6 Members primarily met the funding shortfall by revising Council Tax exemptions on empty properties, permitted by regulations that changed in 2013. This meant that the Council would no longer give a Council Tax reduction for most empty domestic properties.
- 1.7 The funding shortfall was further closed by a one-off transitional Government grant that applied in 2013-14 only.
- 1.8 In 2014-15 this grant was not available. With demand for CTS not growing as much as was predicted for 2013-14, Members were able to revise the CTS scheme to feature a reduction of 14% CTS for working age customers.
- 1.9 Councils are required to review the operation of their CTS schemes annually. They are required to make any revisions no later than 28 February in the financial year preceding that for which the scheme will be revised (i.e. 28 February 2020 for the scheme relating to the 2020-21 financial year).
- 1.10 Further annual reviews determined that the CTS reduction remained at 14% since 2015-16, with further links to Welfare Reform and Universal Credit introduced for 2018-19. That scheme was retained for 2019-20.
- 1.11 For 2020-21 the only change was to introduce a fluctuating earnings rule to the treatment of Universal Credit (UC). A weekly tolerance level of £15 (£65 monthly) was introduced to minimise the number of reassessments imposed by monthly changes in a customer's UC payment. This was intended to reduce customer reassessments by a third.

1.12 Currently, this is working well as we are seeing reassessments reducing by approximately a third, in line with our modelling predictions. Consequently, we are proposing to continue operating the fluctuating earnings rule within the scheme for 2021-22.

1.13 We are now considering our CTS scheme for the 2021-22 financial year.

2 The 2020 review (for CTS scheme for 2021-22)

2.1 Councils are required to review operation of their CTS schemes each year. Where a change is proposed, we are required to undertake customer consultation; the results of which assist in the final decision made by the Council regarding the CTS scheme next year.

2.2 Members will be aware that this Council is one of five partners forming the Anglia Revenues Partnership (ARP). The other four Councils are Breckland, East Cambridgeshire, West Suffolk (formerly Forest Heath and St. Edmundsbury) and East Suffolk (formerly Waveney and Suffolk Coastal). These Councils have maintained the contribution rate in their schemes at 8.5% since 2013. They are not proposing any changes to this rate or any other aspect of the current scheme for 2021-22.

2.3 Currently, apart from a different contribution rate, all other aspects of the CTS scheme are consistent across all of the ARP partners. This aids the efficient administration of the schemes across the partnership. This does not however preclude any of the partners amending their scheme independently of the others.

2.4 Since 2018 the scheme has been harmonised to DWP welfare reforms introduced for Housing Benefit and CTS for Pensioners, and introduced closer links to Universal Credit data share to claims, most notably removing the default stipulation for customers to make a separate claim to the Council. This has been of particular help to all the new customers impacted by Covid-19 needing to make a Universal Credit claim but not needing to make a further claim to the Council for Council Tax Support.

2.5 Since April 2020 we have strengthened our use of DWP Universal Credit data share links to further assist customers.

2.6 Both these initiatives continue to work well for customers, with other Councils either now introducing these changes or looking to do so.

2.7 Customer consultation is central to the review of the CTS scheme for 2021-22 and following Cabinet's decision on 6 August 2020, a consultation exercise on increasing the contribution rate to 20%, 25% or 30% was undertaken. This took the form of a web-based consultation and was widely publicised on the Council's website and on social media outlets.

2.8 Consultation was open for 12 weeks, from 28 September 2020 to 20 December 2020.

2.9 We received 170 responses, which although low, is consistent with the normal response rate to public consultation exercises.

- 2.10 The results of the consultation exercise are detailed at Appendix A. The majority of respondents disagreed with the proposed increases in contribution rates. Approximately two-thirds of the respondents declared that they are currently in receipt of Council Tax Support.
- 2.11 The majority of respondents (66%) disagreed with the Council making cost savings by reducing the amount of Council Tax Support paid to working age people. In addition, 62% of respondents disagreed with increasing the contribution rate to 20%, 75% disagreed with increasing to 25% and 74% disagreed with increasing to 30%.
- 2.12 The survey also asked for any other thoughts or comments on the proposals. This generated 102 responses, the majority emphasising the difficulty in paying additional council tax that these proposals would result in.
- 2.13 The feedback detailed above and at Appendix A shows that the overwhelming reaction to the proposals was negative, with the theme being that customers affected would find paying their bills considerably more difficult than now.

3 The impact of CTS to date

- 3.1 CTS with its associated gap between Council Tax payable and the maximum help working age people can receive has been in operation now for seven full years and we are in the eighth year of operation.
- 3.2 The table below shows how the amount of CTS awarded and numbers of customers claiming it have changed since CTS was introduced in 2013:-

CTS cases and amount awarded			
Date	CTS awarded	Working age claims	Pensioner claims
31/3/13 (CTB)	£8.16m	4,682	4,727
31/3/14	£7.89m	4,755	4,667
31/3/15	£7.45m	4,620	4,431
31/3/16	£7.21m	4,450	4,202
31/3/17	£7.02m	4,228	3,998
31/3/18	£6.91m	4,189	3,827
31/3/19	£6.98m	4,227	3,629
31/3/20	£7.39m	4,244	3,472
Change 2013 to 2020	- £0.77m -9.44%	- 438 -9.35%	- 1,255 -26.55%

- 3.3 The amount of CTS awarded since 2013 to the end of March 2020 has reduced as a result of both the increase in contribution rate to 14% and a significant reduction in claims.

The impact of COVID-19

- 3.4 Compared with last year, since March 2020, we have seen new working age CTS claims increase by up to 500%, which is now settling at up to a 200% increase.
- 3.5 Figures for the amount of CTS awarded and numbers of customers claiming it at the end of December 2020 compared with March 2020 are detailed in the table below:

CTS cases and amount awarded: March – December 2020			
Date	CTS awarded	Working age claims	Pensioner claims
31/03/20	£7.39m	4,244	3,472
31/12/20	£7.79m	4,746	3,360
Change March to December 2020	+£0.40m +5.41%	+502 +11.83%	-112 -3.23%

- 3.6 Whilst we anticipate caseload will increase, it is too early to predict with any accuracy what the full impact will be for this year and the knock-on effect on next year.

Council Tax COVID-19 Hardship Fund 2020-21

- 3.7 To assist working age CTS claimants, the government announced the £500m COVID-19 Hardship Fund at the Budget on 11 March 2020. This Council's allocation is £907,222 and was paid on 3rd April 2020. This funding is to provide all recipients of working age local council tax support during the financial year 2020-21 with a further reduction in their annual council tax bill of up to £150, using their discretionary powers to reduce the liability of council tax payers outside of their formal CTS scheme design.
- 3.8 There is sufficient funding to apply this reduction to existing working age customers but as detailed above, we do not know what the full impact on caseload numbers will be during the remainder of this year. Consequently, there is a risk that applying this reduction to all new working age claims will exhaust the funding available before the end of this year. We are monitoring applications and awards closely to ensure our allocated funding is not exceeded.

Local Council Tax Support Scheme Grant 2021-22

- 3.9 Provisional allocations and methodology for the Local Council Tax Support (LCTS) grant were published by the government on 18 December 2020.
- 3.10 The purpose of the grant is to provide funding to local authorities to help them meet the expected increase in the cost of working age LCTS in 2021-22. There is no expectation from government that local authorities will continue the Hardship Fund (detailed above) into 2021-22 or use the grant to reduce payments from LCTS claimants.

3.11 The government is however, encouraging authorities to consider their LCTS schemes in 2021-22 in the light of this additional funding but this is entirely at the discretion of local authorities.

3.12 The provisional funding for Fenland and the major preceptors is as follows:

	£
Fenland District Council	194,156
Cambridgeshire County Council	854,242
Cambridgeshire PCC	146,220
Cambridgeshire Fire	<u>45,308</u>
Total for FDC Billing Area	<u>1,239,927</u>

3.13 The total funding equates to around a 29% increase in the current cost of working age CTS. This means that an increase in working age claimant costs of up to 29% in 2021-22 would be funded from this grant and would not financially impact the authorities above.

4 Impact of potential changes to CTS for 2021-22

4.1 Members are reminded of the potential impact resulting from any changes to the scheme which affects the amounts paid by recipients (eg. contribution rate). Any savings/additional cost would be shared between the major preceptors in proportion to their Council Tax requirements in the Collection Fund. The proportions based on 2020/21 Council Tax, is detailed in the table below. This shows that any changes (to the contribution rate for example) would generate significantly more savings/more cost to the County Council, as they receives a much higher proportion of Council Tax receipts overall.

How Council Tax allocated is split	
Authority	%
Cambridgeshire County Council	68.90
Cambridgeshire Fire Authority	3.65
Cambridgeshire Police & Crime Commissioner	11.79
Fenland District Council	15.66

4.2 This contrasts to the financial impact of any changes to Peterborough City Council's CTS scheme (whose current contribution rate is 32% which is expected to rise to 33% from 1st April 2021) which is significantly different to this Council. Peterborough as a Unitary Council receives the majority of any savings realised from any changes, around 82%, whereas this Council only benefits from around 16% of any changes.

4.3 Pensioner support is set by the statutory prescribed scheme at 100% support. Local Authorities can set the contribution rate for working age customers. Billing Authorities incur the cost of administering the schemes, as well as the cost of billing and collection.

- 4.4 The table below shows the current scheme and models options at proposed 20%, 25% & 30% contribution rates. It should be noted these are quick calculations based on current expenditure with no regard to uplift in Council tax or benefit rates for next year. The economic downturn due to the pandemic is likely to see increased demand and expenditure as well as associated increases in cost of administration and recovery.

		Option 1	Option 2	Option 3
	14% scheme	20% Scheme	25% Scheme	30% Scheme
	2020/21	2020/21	2020/21	2020/21
Pensioner LCTRS - protected	£3,544,250	£3,544,250	£3,544,250	£3,544,250
Working age LCTRS	£4,240,960	£4,240,960	£4,240,960	£4,240,960
Estimated overall LCTRS discount	£7,785,210	£7,785,210	£7,785,210	£7,785,210
Customer contribution rate	14%	20%	25%	30%
Additional cost to working age customers	Nil	£295,624	£541,974	£788,300
Cost to Collection Fund	£7,785,210	£7,489,586	£7,243,236	£6,996,910

- 4.5 The table below shows the share of potential savings to the each of the major preceptors and recoverability of the options detailed above:

Band D average		Share					
		County		Police	Fire	Fenland	Total
		£1,359.18		£232.65	£72.09	£308.92	£1,972.84
		68.89%		11.79%	3.65%	15.66%	100%
	Savings						
Current 14.5%	£0.00						
20.0%	£295,623.74	£203,655.19		£34,854.04	£10,790.27	£46,294.68	£295,623.74
25.0%	£541,974.10	£373,365.96		£63,898.75	£19,782.05	£84,873.14	£541,974.10
30.0%	£788,300.21	£543,060.01		£92,940.59	£28,772.96	£123,447.81	£788,300.21
Recoverability		Share					
Band B average		County		Police	Fire	Fenland	Total
		£1,057.14		£180.95	£56.07	£240.27	£1,534.43
		68.89%		11.79%	3.65%	15.66%	100%
		Charge	Costs	Weekly recovery	DWP AoB	Deficit	Weeks to recover
Current 14.5%		£214.82	£75.00	£3.75	£195.00	£94.82	77
20.0%		£306.89	£75.00	£3.75	£195.00	£186.89	102
25.0%		£383.61	£75.00	£3.75	£195.00	£263.61	122
30.0%		£460.33	£75.00	£3.75	£195.00	£340.33	143

Considerations

- 4.6 The recovery of Council Tax follows a statutory path of a series of reminders and ultimately a summons to appear at The Magistrates Court at which a Liability Order is obtained. This liability order gives the Council a number of enforcement options to recover the debt: -
- Attachment of Benefit

- Attachment of Earnings
- Enforcement Agent
- Attachment of Members allowances
- Application for Committal to prison (must use Enforcement Agent first)
- Charging Order
- Insolvency

The first four of these options are considered to be the standard recovery options and are used routinely. The final three having far more consequences on the individual.

- 4.7 The amount that can be recovered through the attachment options is limited by regulation. In particular, the amount that can be recovered through an attachment to benefit is currently £3.75 per week. This equates to £195.00 per annum. It should also be noted that only one attachment of benefit can be in place at any one time and another liability order for a different period cannot be placed with an Enforcement Agent reducing options for recovery.
- 4.8 Where an individual is in receipt of Local Council Tax Support (LCTS) often the only recovery option available is an attachment to benefit as often they won't be in employment and due to the level of their income and assets, instructing an Enforcement Agent is unlikely to be any more successful.
- 4.9 As a result of this many of the accounts where the Council Tax payer is in receipt of LCTS cannot be collected within a year meaning that arrears continue to grow.
- 4.10 The above illustrates that Council Tax would not be collected within one calendar year of obtaining the liability order and due to the restrictions described above arrears will continue to grow unless the individual concerned finds employment. This may in turn encourage a culture of non-payment and the Council may need to increase its bad debt provision.
- 4.11 The table below gives an illustration of how arrears on one account will grow based on an average Band B charge and the LCTS percentage at 30% if the only option to recover is by attachment of benefit.

	Year 1	Year 2	Year 3	Year 4	Year 5
B/fwd		265.33	530.66	795.99	1,061.32
Band B charge @ 30%	460.33	460.33	460.33	460.33	460.33
Deductions	195.00	195.00	195.00	195.00	195.00
Arrears @ end of Year	265.33	530.66	795.99	1,061.32	1,326.65

These arrears would realistically only be collected should the debtor find employment.

- 4.12 Furthermore, where the customer is renting their home, due to welfare reform restrictions on the maximum allowance towards their rent charge, typically customers have to meet a shortfall of £180 every month. Increasing council tax contribution rates will exacerbate financial pressures, potentially leading to falling behind with council tax payments and/or risk of homelessness and need to be rehoused by the council

Recovery Resource

- 4.13 Since the introduction of LCTS and the requirement for working age Council Tax payers to pay a proportion of their charge, the number of reminders, final notices and summonses issued each year has increased by 50% on average over pre-LCTS levels
- 4.14 If the amount a LCTS recipient is expected to pay increases, then the number of recovery actions is likely to increase further and subsequently the resource required to manage the administration and recovery of the Council Tax due. This will not only result in an increase in recovery action but also in the number of telephone calls and correspondence to the billing team as well as the recovery team.
- 4.15 The current ARP Fenland resource in these teams is 8.68 FTE. If the LCTS is increased significantly we could expect to see a rise in recovery actions.

Funding additional recovery resource

- 4.16 Any additional recovery resource required would be the responsibility of the Billing Authority (ie. Fenland).
- 4.17 As detailed above, increasing the rate of contribution for working age customers also increases the potential for additional arrears and subsequent recovery action. Additional bad debts provision would be required for non-payment and to help maintain expected collection levels, extra resources (as detailed above) would be required to undertake recovery work in respect of additional arrears that would accrue from working age customers having payment difficulties as a result of the proposed changes. This would significantly reduce the benefits to this Council of increasing the contribution rate, as we are responsible for collecting Council Tax and administering CTS. The net benefit could be reduced by up to 50%.

5 Future Years CTS Review – 2021 for 2022/23 Scheme

- 5.1 The Council Tax Support scheme is complex and includes many areas where potential changes could be made, all of which would have associated savings/cost to this Council and to CTS customers. Last year, it was proposed that several potential options for changes to the CTS scheme be modelled and considered for implementation in the 2021/22 scheme. These include but are not limited to, the following:
 - (i) Options for increasing the current contribution rate of 14% (considered in this report);
 - (iii) Introducing a minimum award level of either £1 or £2 per week;
 - (iv) A restriction to support being provided at up to Band C/D equivalent only (higher bands will be limited to the Band C/D level with their parish);
 - (v) An increase to the non-dependent deduction levels;
 - (vi) An assumed minimum earnings level for self-employed claimants;
 - (vii) Removal of second adult rebate;
 - (viii) Removal of extended payments;
 - (ix) Removing the current disregard of Child Benefit and treating it as income;
 - (x) Reducing the capital limit from £16,000 to £6,000.

- 5.2 Due to the impact of COVID-19 resulting in a significant increase in working age customers during 2020/21 and the continued uncertainty around the impact on 2020/21 and into 2021/22, it is proposed that the modelling on the above options (excluding (i) above) be deferred until next year for consideration of the 2022/23 scheme.
- 5.3 In addition, ARP are intending to embark on a project early this year to initiate a review for the 2022/23 scheme, planning to consider more widely the full year impact of COVID-19 and relevant enhancements to a future CTS scheme.

6 Customer Impact

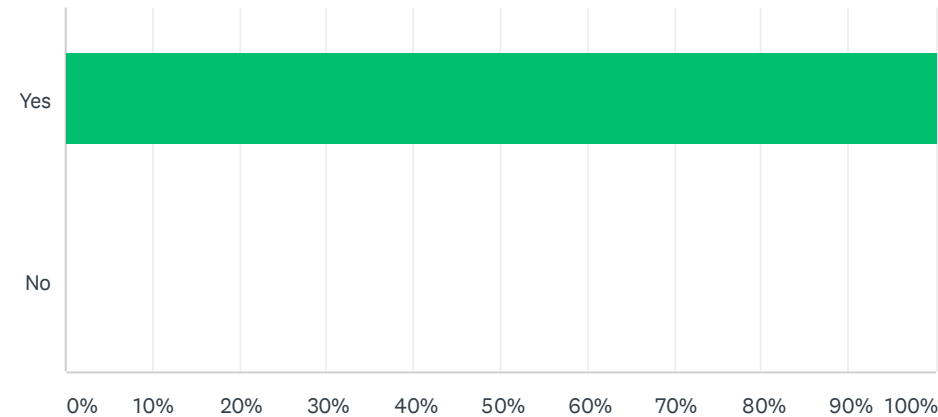
- 6.1 The Equality Act 2010 reminded all public authorities of their duty to have 'due regard' to the need to:
- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act,
 - Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
 - Foster good relations between people who share a protected characteristic and people who do not share it.
- 6.2 Authorities must consider the needs of "protected groups" when making policy decisions, and undertake a Customer Impact Assessment (CIA) to understand the effect of such decisions upon such groups. In doing this, we are required to take the appropriate actions when making changes that may impact negatively on these groups.
- 6.3 A CIA will be required as part of the Council report approving the final CTS scheme for 2021-22 at their meeting on 23 February 2021.

7 Next steps

- 7.1 The recommendations from this meeting will be presented to Council at their meeting on 23 February 2021 who will approve the final scheme for implementation from 1 April 2021.

Q1 Are you a Fenland District Council resident?

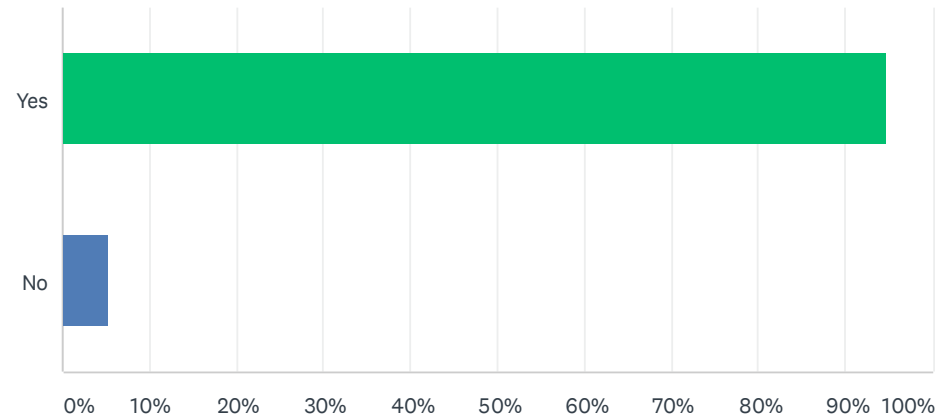
Answered: 170 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	170
No	0.00%	0
TOTAL		170

Q2 Are you of working age?

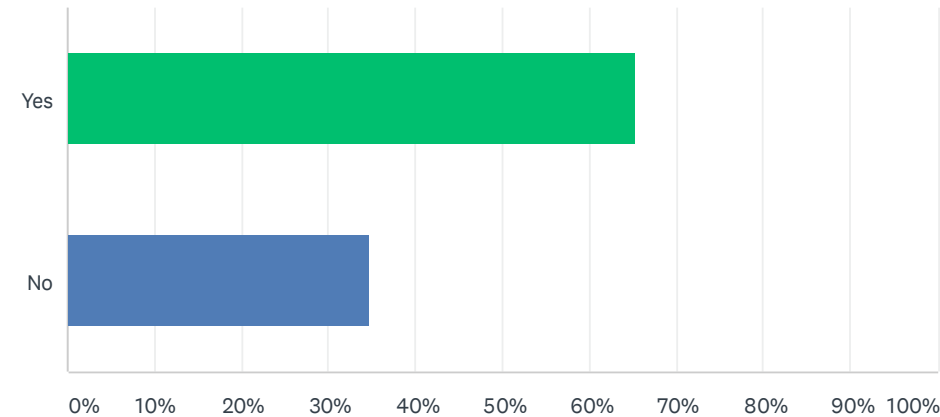
Answered: 170 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	94.71%	161
No	5.29%	9
TOTAL		170

Q3 Are you in receipt of Council Tax Reduction?

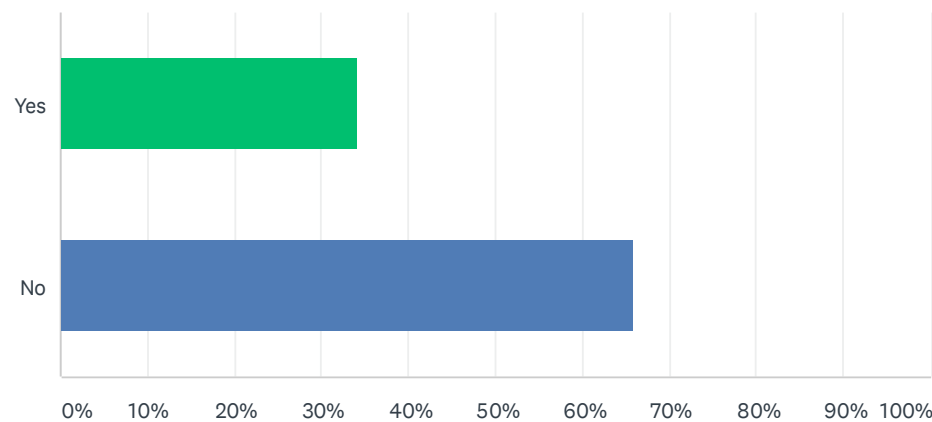
Answered: 170 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		65.29%	111
No		34.71%	59
TOTAL			170

Q4 Do you agree that the Council should make cost savings by reducing the amount of Council Tax Reduction paid to working age people?

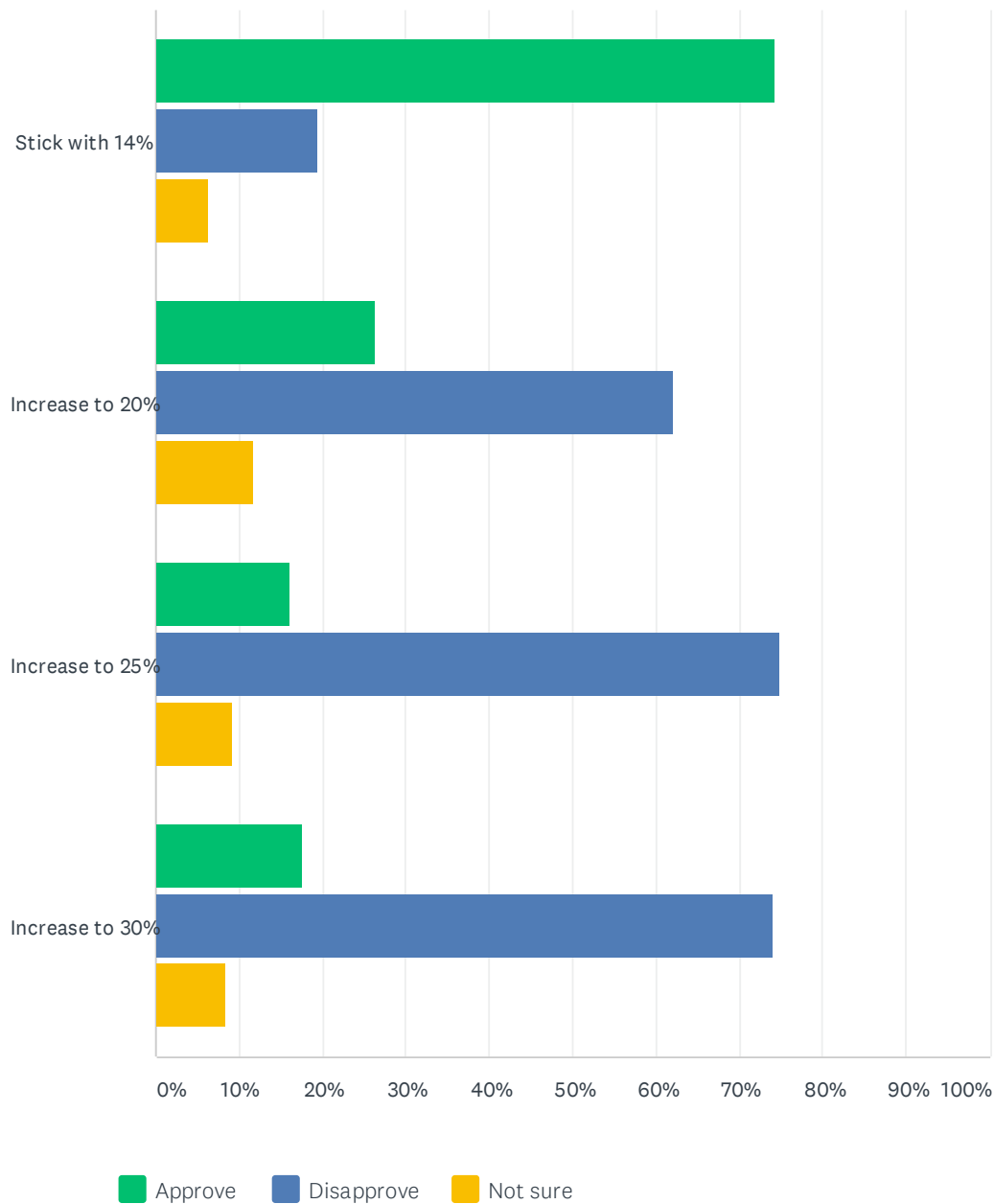
Answered: 170 Skipped: 0



ANSWER CHOICES		RESPONSES	
Yes		34.12%	58
No		65.88%	112
TOTAL			170

Q5 What do you think the minimum amount of Council Tax paid by working age people in receipt of Council Tax Reduction should be?

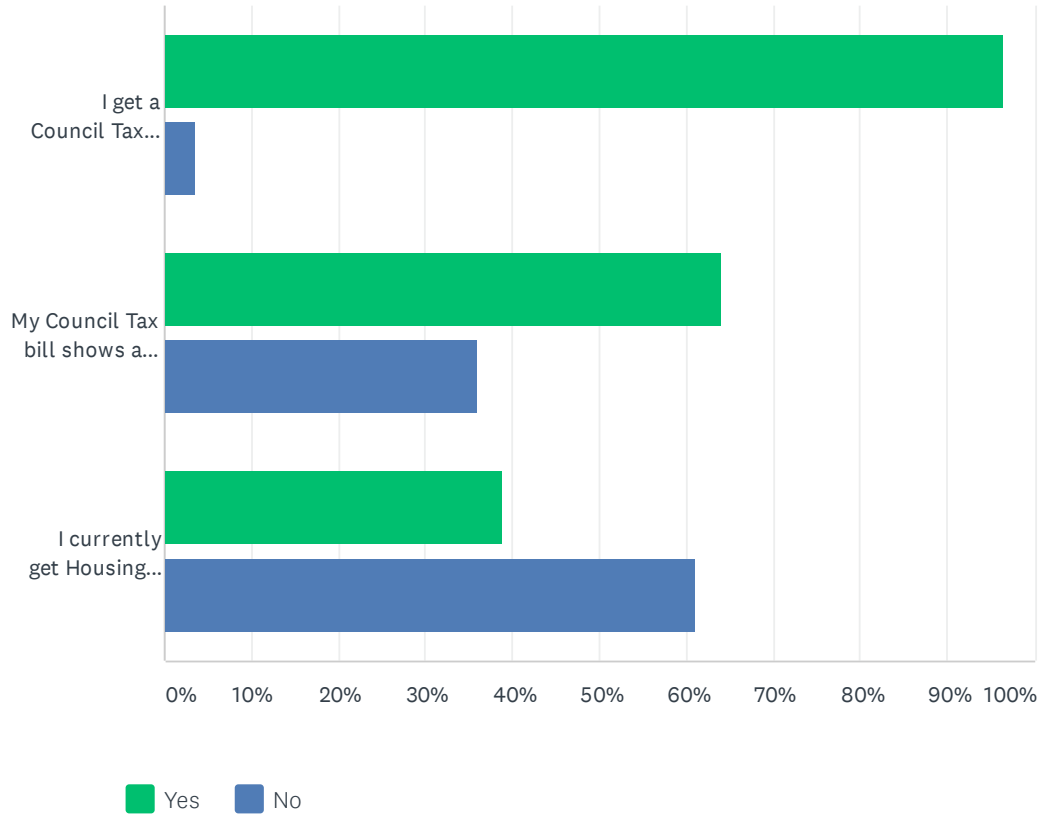
Answered: 170 Skipped: 0



	APPROVE	DISAPPROVE	NOT SURE	TOTAL
Stick with 14%	74.21% 118	19.50% 31	6.29% 10	159
Increase to 20%	26.28% 36	62.04% 85	11.68% 16	137
Increase to 25%	16.03% 21	74.81% 98	9.16% 12	131
Increase to 30%	17.56% 23	74.05% 97	8.40% 11	131

Q6 Please tick the boxes that apply to you:

Answered: 170 Skipped: 0



	YES	NO	TOTAL
I get a Council Tax bill from Fenland District Council now	96.47% 164	3.53% 6	170
My Council Tax bill shows a reduction called 'Council Tax Support'	64.12% 109	35.88% 61	170
I currently get Housing Benefit from Fenland District Council	38.82% 66	61.18% 104	170

Q7 If you have any other thoughts or comments on the proposals, please leave them here:

Answered: 102 Skipped: 68

Local Council Tax Reduction Scheme Proposals

#	RESPONSES	DATE
1	Please look to those that are in receipt of benefits to get extra money from and not people who work very hard for their money. Those who receive state aid are given this to pay their bills	12/7/2020 4:47 PM
2	Increasing the amount of council tax for those on low income to pay would be a bad move. I already struggle to pay bills as a single parent that lost my job due to covid. Asking me to pay more would not only affect my financial situation but also my mental health.	12/2/2020 8:10 PM
3	I'm living on poverty wage's minimum wage. With wife and two children struggling with debts it's hard paying high council bills	12/2/2020 6:59 PM
4	I'm living on poverty wage's minimum wage. With wife and two children struggling with debts it's hard paying high council bills	12/2/2020 6:59 PM
5	I think cuts could be made by looking at and reducing, the large salaries at the top. Hitting the very poorest people who are already struggling to pay bills is despicable. I can only assume you are hoping by pushing people further into desperation that they end their misery permanently, thus saving you even more money. I fail to see any other motive behind this. It's sickening. We already pay a high amount of council tax in Fenland. We have to pay to have our brown bins emptied. People don't apply for help to pay their council tax bill because they have a few grand in the bank and they're worried they might not have enough to cover their champagne dinners. They ask for help because they're on the bones of their arse.	12/1/2020 12:31 PM
6	I don't agree with my housing benefit keep altering when there is no changes in my circumstances I don't know why I should pay in full when we have no decent pavents of street light on street park ect	11/26/2020 11:34 AM
7	Apply for a reduction	11/26/2020 9:17 AM
8	Please do not charge more to those who can afford it least. Many are already struggling financially and get behind with their Council Tax payments as it is. As a Debt Coach I often see this. It must cost you to engage Enforcement Agents.	11/10/2020 5:58 PM
9	Can the benefit and council tax letters be easier to read?	11/9/2020 2:37 PM
10	I understand that you need to increase your budget because of government cutbacks but I have limited finances myself and increasing the percentage we have to pay especially 30% would certainly put myself in financial difficulties	11/5/2020 4:54 PM
11	On working tax credits can I claim council tax deductions	11/4/2020 1:53 PM
12	As a single working mum I rely on extra help to support me and my children if it gets increased I will find it very hard	11/1/2020 6:48 PM
13	As a single working mum I rely on extra help to support me and my children if it gets increased I will find it very hard	11/1/2020 6:48 PM
14	Why don't you save the money you have wasted on this consultation because you will not take notice of the results, like always, you would have already made the decision.	10/29/2020 6:51 PM
15	without punishing those that claim nothing by putting up charges those of us that receive help can and should contribute more to funding. Everyone should help out and i am willing to juggle money and cut back to help out	10/28/2020 10:22 AM
16	I get employment and support allowance of about £130 a week (£261) a fortnight, out of which I pay gas electric water and tv licence and normally rates at a reduced rate.	10/26/2020 11:18 AM
17	I can't afford to pay any more council tax. My universal credit barely leaves me enough money each week to pay for my food and electric. I used to be homeless. I'm frightened that if you make me pay more council tax I will get into debt and end up on the streets again. Please do not increase the council tax I have to pay.	10/25/2020 4:14 PM
18	It just takes more money away from those that need it ,who could be already struggling	10/21/2020 12:37 PM
19	I am struggling to make ends meet as it is so if you was to take more money from me I would not be able to buy food	10/20/2020 10:40 AM
20	Universal Credit for single people (as per GOV.UK): Single and under 25 £342.72 per month (£79.10 per week)* Single and 25 or over £409.89 per month (£94.59 per week)* *The above	10/19/2020 3:10 PM

Local Council Tax Reduction Scheme Proposals

are currently increased due to the COVID-19 so may reduce when pandemic is over. Council Tax: Council tax for a single person living in a 1 bedroom flat in Wisbech - Band A = £990.97 (£1321.30 per annum – 25% Single Person Discount @ £330.33 = £990.97 per annum) Council Tax Reduction: Council tax for a single person living in a 1 bedroom flat in Wisbech – Band A – receiving full Council Tax Reduction but has to pay 14% Council Tax = £138.74 per annum or £2.67 per week (£990.97 per annum x 14% = £138.74 per annum) Average rent for 1 bed flat in Wisbech: Average Rent is £476.33 per month (£109.92 per week) based on 15 flats advertising on Right Move's website 09/10/2020. Local Housing Allowance Rate £103.56 per week, rent is £109.92 per week therefore top up housing benefit with £6.36 per week from Universal Credit money Money left-over for food, non-food, utilities & transport: Single and under 25: Universal Credit £79.10 per week Council tax to pay after Council Tax Reduction (Wisbech Band A) £2.67 per week Housing Benefit top up £6.36 per week (average rent £109.92 – Local Housing Allowance Rate £103.56) = £70.07 per week leftover for food, non-food (such as toilet rolls, toothpaste), utilities* and transport. Single and 25 or over: Universal Credit £94.59 per week Council tax to pay after Council Tax Reduction (Wisbech Band A) £2.67 per week Housing Benefit top up £6.36 per week (average rent £109.92 – Local Housing Allowance rate £103.56) = £85.56 per week leftover for food, non-food (such as toilet rolls, toothpaste), utilities* and transport. *electricity, gas, water SUMMARY: A single person under 25 years only has £70.07 per week to live on so cannot possibly afford to pay any more council tax. People under 25 years are the most likely age group to struggle to find work due to their lack of transport, their being considered too young and being inexperienced so it is unfair to penalise them for not being able to find work. To increase council tax for people under 25 years could also lead to debt and homeless at a young age - not a great way to start life. However, a single person 25 years and over has £85.56 per week to live on so you could charge them 20% (£198.19 per annum, £3.81 per week, leaving £84.42 per week to live on after housing benefit top up) or 25% (£247.74 per annum, £4.76 per week, leaving £83.47 per week to live on, after housing benefit top up). Can I suggest that you target people who are better off rather than those who are struggling already? For example, charge more for the brown bin subscription, bulky waste collection, rents on properties owned by the council, planning fees, licensing fees, etc.

21	i am a single disabled man struggling to cope on minimum money so taking council tax would make my life harder a . so no i do now agree with council tax for the disabled.	10/16/2020 2:55 PM
22	Fly tipping is getting worse and people should be billed accordingly. I think the service should be included in the CT bill so that people would take more responsibility	10/16/2020 12:22 PM
23	The DWP have increased the amount of Universal Credit for this year, due to Covid 19 but the plan is to bring this amount back down again in 2021. Therefore, I will have less money available to me to pay any of my bills and it will be a struggle to pay more towards my Council Tax bill.	10/15/2020 2:21 PM
24	I am of working age but due to my conditions I CANNOT WORK. Its not that I dont want to work. Grossly unfair to be penalised like that. I feel some people should pay more as they dont even make the effort to find work. I get enhanced rate of PIP. There should be exclusions in the price for this benefit, which i use to try and make life a little more bearable.	10/14/2020 9:52 AM
25	It will put too many people already on low incomes further into financial difficulties and increase the poverty in an already deprived area, putting children in deeper poverty and deprivation.	10/13/2020 9:38 PM
26	I receive just under £80 per week universal credit (I am a single man, living on my own in a 1 bed flat). After topping up my housing benefit as it doesn't cover all my rent and paying my council tax at 14%, I have about £70 per week leftover for food, water, gas, electricity and buses which I just manage to scrape by on. There is no way I could pay more council tax. I would have to go without food or heating. Please do not increase how much I have to pay.	10/13/2020 4:45 PM
27	Ok for those lucky enough to perhaps be working in a part time capacity to pay towards CT, but for those that are in receipt of UC cannot afford to make payments towards CT as they don't get enough to pay their rent and ongoing bills like electric and gas, let along council tax.	10/13/2020 3:34 PM
28	Increasing the amount would not benefit people on low income or those that are disabled.	10/12/2020 3:04 PM
29	It's not fair to raise -let alone double - the charge for long term sick/disabled. It's not a choice to require this kind of support and it's not a temporary situation either. You would be penalising the disabled.	10/12/2020 1:32 PM
30	I am a disabled resident receiving ESA, PIP and housing benefit. Over the last 10 years I have	10/11/2020 6:56 PM

Local Council Tax Reduction Scheme Proposals

seen the rate of benefits reduce in real terms as increases have not kept pace with inflation. The LHR rate of £485 per month is less than is needed to rent privately and my current rent which is set to increase each year by 5% is £575 per month. I believe that in the Government's own calculations I am now within the poverty sector of the UK and have to support my 14 year old son who lives with me. Should Fenland DC decide to raise the minimum amount of Council Tax above the current level of 14% they will be putting myself and my son into greater poverty. One way around this would be to exclude all residents on PIP from future increases in council tax until the benefits that they receive keep pace with inflation. I wish that I could work as then I would have some control over my life style but unfortunately my disabilities prevent this. Whilst I appreciate that the council need to find extra money perhaps this could be achieved by say raising the cost of the garden refuse bin scheme. I believe that some local authorities charge up to £56 p.a. for this scheme. assuming there are 5,000 households within the Fenland DC region an increase of this magnitude would raise an additional £80,000 p.a. which should negate the need to increase the amount of Council Tax.

31	As a married 66 year old disabled man my wife is my full time carer and we are in receipt of Council Tax support which we are truly grateful. At the moment I pay 14% towards my council tax bill and at times even this can be a struggle. The thought of having to pay more is very worrying when your finances are already stretched.	10/10/2020 2:29 PM
32	Don't tax the poor.	10/10/2020 10:20 AM
33	Dear Mr. Catchpole, If you make the increases to the minimum Council Tax contribution suggested in your recent letter you will be hurting some of the most vulnerable people in our community. If you increase it to 30%, you could cause people's premature demise. On your conscience be it. Kind regards, Mike Roberts	10/9/2020 10:08 AM
34	The criteria for claiming Council Tax Benefit are strict already, so those claiming really need the financial support. I don't think it would be right to increase their bill by a large amount.	10/9/2020 9:40 AM
35	This is not a good idea because of people losing their jobs in these current circumstances plus the money they get from the government is less it would not help with people's mental health	10/8/2020 10:55 PM
36	you say working age well that means at the rate they keep putting up the pension age I will never become a pensioner. I have worked all my life on the bases that I would be getting my pension now. At 61 I am the youngest of 8 my sibling sisters all have there's I have 4 brothers then me my pension age as gone from 60 / 65/ 66/ now not sure if it is /67 as I understand 67 is being brought forward. I have work part time from the age of 11. 45 to 55 hours a week from the age of 16 i have worked all my life in the main doing physical work I have messed up my joints and nerve endings because of a life time of putting them under pressure in fact I have lugged lifted pushed and carried heavier things than most men I know. so when again you say pensioners are except and I am missing out again through no fault of my own I have to say it should not penalize people over 60. And if you do then no more than 20% also younger people also have larger family's and take more out the system so like mine and my parents generation had to pay all our council tax there were not all the benefit's that they get now. if you did not pay your rent no one else was going to pay it for you, work 2 or 3 jobs if you had to. If you the council have to get extra money then fare enough I will have to pay it but it should be 20% for over 60% and more for under 60.	10/8/2020 9:35 PM
37	I may get council tax reduction as im unable to work due to my health so i find it so unfair that i should be punished when i cant work as im so ill i can understand the council needs to make cuts on spending but to put a higher council tax on me seems so unfair when most of them i wont need due to the risk of covid-19	10/8/2020 1:26 PM
38	Finding things hard expect increase of single propulsion	10/8/2020 11:39 AM
39	As a carer for my husband I find it difficult enough paying for his extra needs as he ages this change would be extra stress I don't need.	10/7/2020 10:15 PM
40	important to ensure ONLY those entitled to relief can get it. I think too many people who do not need support are playing the system!	10/7/2020 7:54 PM
41	We cannot keep penalising the people that genuinely need help. I understand we need balance but while COVID-19 is around he need to support residents!	10/7/2020 7:28 PM
42	I am of working age, however, It was necessary for me to give up paid employment to become an unpaid family carer of my now adult daughter. Since she became an adult , the financial support (child benefit , child maintenance etc) stopped and finances have been hugely	10/7/2020 3:49 PM

Local Council Tax Reduction Scheme Proposals

impacted. I don't think it's fair to hit those who are already struggling . Unpaid carers and those with disabilities already face financial hardship .

43	I am disabled and can no longer work, the law states I need x amount to live on, which you will know doesn't give me a privileged life. Now you want to take more money away!!!!!! Totally unacceptable. I have hardly been out of my bungalow since March have spent more money i can't afford on facemasks, hand sanitizer and disinfectant now this. Why don't you increase the amount of council tax to those earning over 50k a year instead of penalising the disabled.	10/7/2020 1:10 PM
44	Absolutely discusting! You can not take more from those already struggling! How about you look closer to home all those who are wealthy and have several businesses in the town!! It's not like the money gets spent in the right places anyway the hight Street is a mess!!! There is no way this can happen I'm already in debt with my council tax because its either pay that or put food in my kids mouths!!! Don't take from the poor!	10/7/2020 1:09 PM
45	This decision appears to be a knee jerk reaction to a problem that you've not explained in full and are now seeking support from the public. What are the current levels of spending? What are the projected levels of spending? What have you spent the government support money you recently received on? Why do you think people should struggle further without full explanation? In general I don't support heavy welfare support, but this comes across as heartless and without thought during a tough period.	10/7/2020 12:41 PM
46	I do not believe that those who have already been unfortunate to lose work through the pandemic should have this cost increased.	10/7/2020 11:27 AM
47	My husband and I are living on a low income but because we have saved for our retirement are penalised. We don't have mobile phones on contract, but pay as you go, we don't have Sky, Virgin or any other pay TV and we don't smoke. We have to pay full Council Tax on our low income. Instead of making those that do pay their tax pay more, charge those that don't.	10/7/2020 10:57 AM
48	Its wrong to ask those with the least to pay even more	10/7/2020 10:53 AM
49	Hitting the poor and needy to fund services that could be made more efficient is ridiculous. There are so many grants for unnecessary projects that can be stopped.	10/7/2020 9:17 AM
50	I rely very heavily on this reduction as disabled hence my being unable to work full time. But I do try. I think there should be a sliding scale. However i can see that homelessness and food bank usage will increase. So feel that potentially morel money will be needed from other budgets elsewhere to support the consequences. I have been suicidal due to money worries since covid so more pressure would not help me at all.	10/7/2020 8:52 AM
51	It's vital that those genuinely claiming council tax support continue to do so rather than put them into greater difficulty. Befoe you introduce any increases, which you will no doubt have to do if you get no further Gov't support, FDC need to beef up those currently claiming as there are people who are not genuinely entitled and making false claims.	10/7/2020 8:34 AM
52	I can barley keep my head above water now with bills food rent etc and increase would mean not eating or not paying my rent	10/6/2020 2:00 PM
53	If this proposal goes through it will result in serious hardship for people who are already on very low incomes. It is also not fair that only working age people have to be the only group that bear the brunt of these increases. Pensioners should also be expected to have to pay towards it. I also think that you will be spending money on extra admin, courts, bailiffs, etc to try and get money out of people that don't have extra money to give you. I appreciate you have to get money from somewhere but potentially doubling the percentage of council tax reduction expected to be paid by residents who are already struggling, should not be one of them.	10/6/2020 10:20 AM
54	If you need to raise money, perhaps increase charges on the sports centres, bring in paid parking, or ask the richest in the district to pay a little more. What sort of person would suggest you hit the poorest, disabled, most vulnerable people in society? Since the libraries are currently not open properly due to covid, make redundancies. The result of expecting say a single parent on £74 a week, to pay £30 a month is ridiculous and cruel as you will be driving them to desperate measures. They will get further in debt and have to cut back on essentials like telephone and broadband and transport, all vital if they want to look for work and go for interviews. Perhaps look at increasing the council tax on bands higher than band E and ask for a small 5% increase. I *do* realise that with a Tory run council, the very first thoughts will *always* be, "lets hurts the poorest, the most vulnerable, the old and the sick first". Rather than the wealthiest people in the district. I suppose I can only be thankful that nobody has	10/6/2020 9:15 AM

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considered a 'final solution' for us 'unproductive members of society' yet, although I'm sure Priti Patel has something up her sleeve. Shame on you. I'm also sure that this 'consultation' is no more than a nod at democracy and you'll do whatever you have decided to do anyway.

55	It is hard enough at the moment trying to pay bills and putting food on the table our benefits are not going to increase with the amount you want to increase council tax. We do not receive a weekly amount inline with what pensioners receive but it is always the lowest paid people on benefits you want to make life even harder for. The majority of people on benefits are mainly willing to work if they can find work, but a lot of people are sick or disabled and you want to penalise the lowest paid people yet again disgraceful	10/6/2020 6:35 AM
56	Help the work force instead of helping those who pay nothing from the crown pocket	10/5/2020 10:27 PM
57	Why is it always the poorest people who have to foot the bill ? We are the least able to afford this increase! Our income does not go up each year by pounds it goes up by pence ! Perhaps we could all see the councils financial records ? Then we could advise on where savings can be made ! No one will allow us to do it as we are classed as second rate citizens! Some of us are disabled through hard work and do not choose to be this way ! If you tax the people who are able to afford it you may loose your votes. This Country is run by greed and money ! I would love to come to a Council meeting and bring up ways to save money ! Bet I don't get the chance ? Start thinking about lower income people and stop robbing us blind !!	10/5/2020 6:31 PM
58	As a disabled person, I am living on so little money that having to pay more towards council tax will seriously affect my life. I don't understand why we were given money from the government this year to help because of the effects of covid and you now want to take it back in raising what we pay.	10/5/2020 6:25 PM
59	People on support (mostly disabled or genuinely in need of help) are/have been already severely struggling in this world that only cares about the rich. Many struggle to even eat with today's food costs. I think it is completely horrible and disgusting that you even contemplate possibly doubling the poorest's tax fees. A slight rise may mean we eat less and struggle more but is perhaps inevitable. I myself already barely live or have any desire to carry on even. I feel many will simply end their lives if we are made to struggle much more than we already are. Just watch and see... Or is that the plan to get rid of the poor or disabled?	10/5/2020 4:27 PM
60	The best way to reduce local government cost would be to abolish District councils altogether. Why do we need three tiers of local government?	10/5/2020 4:02 PM
61	i think putting the percentage to pay towards council tax shouldnt go up for people who are on full benefits . we struggle now to pay bills and keep our families fed . putting the price up will put the people who struggle already in more poverty . it should stay as it is and charge the people who pay full council tax more	10/5/2020 3:53 PM
62	As I live on benefits but own my own house so have to pay for any problems arising With house I need as much money as I can get. When I reach state pension age I will go back to paying full council tax. So for now the reduction scheme helps me immensely....	10/5/2020 3:22 PM
63	I am on universal credit due to ill health. If you increase the reduction from 14% this would greatly affect my circumstances. I am having problems now paying all my bills, I have nothing left. It would help not having to pay bedroom tax, it's a disgrace we have to pay this. My financial circumstances would be much better if I stopped paying this.	10/5/2020 2:53 PM
64	I am a disabled person living on esa & pip benefits. I cannot afford to pay more towards my council tax.	10/5/2020 2:52 PM
65	The people benefiting from this reduction are people being forced into claiming benefits to survive. These people are not working for good reasons, either from medical conditions, mental health conditions, or family difficulties. I find it very disturbing that the council is considering charging these vulnerable people even more money, on top of the difficulties arising from the covid-19 situation, their income being limited due to the implementation of the horrible new benefits system greatly having reduced their income, and already struggling with crippling medical and mental health conditions. The people benefitting from these reductions used to get a 100% reduction and have already had their benefits reduced in a way that forces them to pay some of the money towards their council tax. They are already dealing on a daily basis with difficulties regarding finances, limited income, cost of living greatly increasing with the covid-19 situation but the benefits not following suit, increasing cost of rented accommodation with the housing benefits threshold not changing accordingly, and majorly increasing costs of energy bills and water bills. Should this new rule be accepted, This will cause a lot of distress	10/5/2020 2:33 PM

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to many families that are already experiencing very stark difficulties and will cause I am sure, further levels of debts for families already struggling with their daily lives.

66	Many people, like me, who rely on benefit are struggling to make ends meet now to double increase or double the amount of council tax they have to pay will force them into financial difficulty. The knock on effect to other council and public services is there fore likely to out way the savings that are hoped to be saved by this.	10/5/2020 2:30 PM
67	I'm definitely NOT able to PAY Council Tax as I'm on UNIVERSAL CREDIT plus I'm UNFIT TO WORK.	10/5/2020 1:56 PM
68	I am now widowed and disabled from work so the support the council give me is very important for me to stay independent and manage my bills and I am 64 years young	10/5/2020 1:54 PM
69	it does seem a shame that it will be the vulnerable people that will be paying the cost of the saving targets. Those people that are receiving the reduction are the ones already on a low wage or, like myself with a disability. we already struggle to pay the council tax and the bedroom tax. I feel making us pay extra is just another low blow.	10/5/2020 1:53 PM
70	It's very clear term "working age" is completely irreverent and a stupid label to give someone who's income is solely from benefits only. It's obviously idiotic to assume someone who isn't working can afford another 14% or even more from a fixed sum. Utterly ridiculous bordering sadistic and totally uncaring and heartless but of course it's from the Fenland District Council so business as usual.	10/5/2020 1:53 PM
71	I'm disabled, live alone and live off ESA (support group). Increasing the minimum contribution will significantly effect my already stretched budget. It's not like I can just try harder, find a job and then have the money to pay more council tax. Until I became ill I worked and paid tax, I never had benefits. This feels like punishing me for not being able to magically heal my damaged body, get a job and contribute more to society!	10/5/2020 1:32 PM
72	I'm disabled, live alone and live off ESA (support group). Increasing the minimum contribution will significantly effect my already stretched budget. It's not like I can just try harder, find a job and then have the money to pay more council tax. Until I became ill I worked and paid tax, I never had benefits. This feels like punishing me for not being able to magically heal my damaged body, get a job and contribute more to society!	10/5/2020 1:32 PM
73	If the council employs cowboys then you are going to get cowboy work. The council don't do nothing.	10/5/2020 1:08 PM
74	It's a reduction to support those who are disabled and unable to work Better ways to cut spending than targeting those who are in need of support	10/5/2020 12:57 PM
75	i am a carer for my wife so all i get is carers allowance and my wife is on long term benefit,therefore we are on very low income so an increase would really be a struggle for ourselves	10/5/2020 12:46 PM
76	People who work should have to pay a bit more than the people who dont work, if you rely on benefits it shouldnt change, if you have pip or disability then i think the council tax bill should be less to pay. I can only afford to pay the £19 at the moment i cant pay anymore than that. People who have mansions should pay more for a start if they can afford a house like that thrn they can pay more towards the bill. People who are on a low income shouldnt have to pay the increased amount it should stay the same. People of pension age shouldnt have to pay it either	10/5/2020 12:31 PM
77	I'm registered dissabled my children are all dissabled we shouldn't have to pay poll tax at all so change it . If your on disability benefits u don't pay if your just loving life on the doll increase it to maximum bill	10/5/2020 12:26 PM
78	Why does it not apply to pensioners. This is really unfair. Disabled have a hard enough time as it is without having to worry about finding more money for council tax	10/5/2020 12:25 PM
79	COVID has effected the poorest in the community the worst. Why this financial attack? Every penny to a low income family matters more than those with disposable income. May I suggest the council looks for savings from those who perhaps can afford it more or cut other services as their increased council tax may mean the difference to something having their hair done or visiting the barber to someone missing a few meals!	10/5/2020 12:23 PM
80	Whilst I can see the thinking behind this proposal can I point out that this would hit again those	10/5/2020 12:23 PM

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within Fenland that are already hit by the austerity measures of central Govt which have been implemented without mercy for over 10 years. Almost all benefits barring state pension have not been raised ,or if raised by only a few pence and I honestly cannot see how increasing council tax payments for this group can possibly work. I think many within certain groups will just fall ever more into debt. Those within the disabled groups have been hit especially hard by central Govt policies both economically and also by the closures of many centres. The only group that appear to have been left alone are the very group you intend not to raise the CT for..those with pensions are perhaps the only group that can afford the increase. I would also like to point out the recent increase in pension age for women to 66..and that coupled with a huge increase in unemployment will mean those women will be doubly hit both by the increase of state pension and by an ever decreasing employment market that will no doubt view women of 50+ to be "unemployable". I think fenland council might need to look elsewhere in order to raise revenue. Perhaps it seemed a good idea to increase CT revenue from those with the least money but I should imagine you will have huge expenditure occurring in trying to recoup money via courts etc .Please rethink this before people spiral into debt through no fault of theirs.

81	An increase to 20% may be possible to some but those with autism and other disabilities should be exempt from any rises as finding work is near impossible for these groups! You could also increase council tax for earners by 1% as minimum wage has increased significantly	10/5/2020 11:56 AM
82	People are already living in poverty finding it hard to pay all there bills while feeding there family. Uping council tax by 25 or 30 % is going to be to much to a lot of familys who are already struggling i think if there is an increase it should only be 20 percent. Familys have also been affected by covid.	10/5/2020 11:47 AM
83	Consider a massive reduction in benefits to new universal credit and explain where they are to find the extra money when I here so many already attend food banks. This has been a massive learning curve for me and I fear the response from joe public to raise it also have no understanding of how poor new people are to this system. Perhaps reducing the amount of council tax letters you continuously send out would greatly reduce your cost and making sure rubbish collections are done according to route instead of sending out again for roads missed out. Money spent on fixing pot holes and bumpy roads done properly in the first place instead of redoing all the time. Cut down on red tape and reduce your own workforce.	10/5/2020 11:22 AM
84	Stop targeting the poor and vulnerable.If extra revenue is needed, take it from those who can afford it.Many ddisabled people don't have the option to work, so should be exempt.	10/5/2020 11:13 AM
85	I don't agree with benefit recipients being made to pay any money. It is totally unfair. Other councils eg huntingdonshire Council do not make benefit recipients pay any. Why should working age people on benefits pay when pensioners do not have to. If one group has to pay so should the other. It is ageism.	10/5/2020 11:02 AM
86	We are paying council tax but also paying bedroom tax even though we are all disabled. Our 30 yr old son is registered disabled but we have to pay full price for him. We will struggle to pay any extra.	10/5/2020 10:43 AM
87	I feel that in my area that is well known for a lot of people on benefits that need to use food banks at the moment to help survive week by week. By increasing the amount of council tax that needs to be paid by people on low income in increases the risk to child poverty and shortages of basic essentials. Also just because someone is of working age does not mean that they are work capable, as the current DWP medical system is broken and this forces a lot of people with disabilities to be classed as capable to work. With the added stress of more council tax added to the pressure to apply for unsuitable work, this could lead to an adverse affect to already vulnerable peoples mental welfare.	10/5/2020 10:15 AM
88	Sadly covid has hit everyone hard and money needs to be recouped to keep afloat, There are hard times ahead, But agree cut backs need to be implemented, We certainly don't need the current mayor if Wisbech as he's so far to date Proved he not a good example to be holding the position, the expenses paid to him could be better spent else we're	10/5/2020 10:10 AM
89	Council taxes are high enough for those of that have worked and paid our way without assistance from anybody. 14per cent is adequate	10/4/2020 1:05 PM
90	Council Tax is weighted against the poor and therefore should be abolished and incorporated in Income Tax. Funnily enough, the rich and the Conservatives don't like this idea very much.	10/3/2020 5:52 PM
91	I am worried that with so many people facing unemployment through no fault of their own, this	10/3/2020 4:58 PM

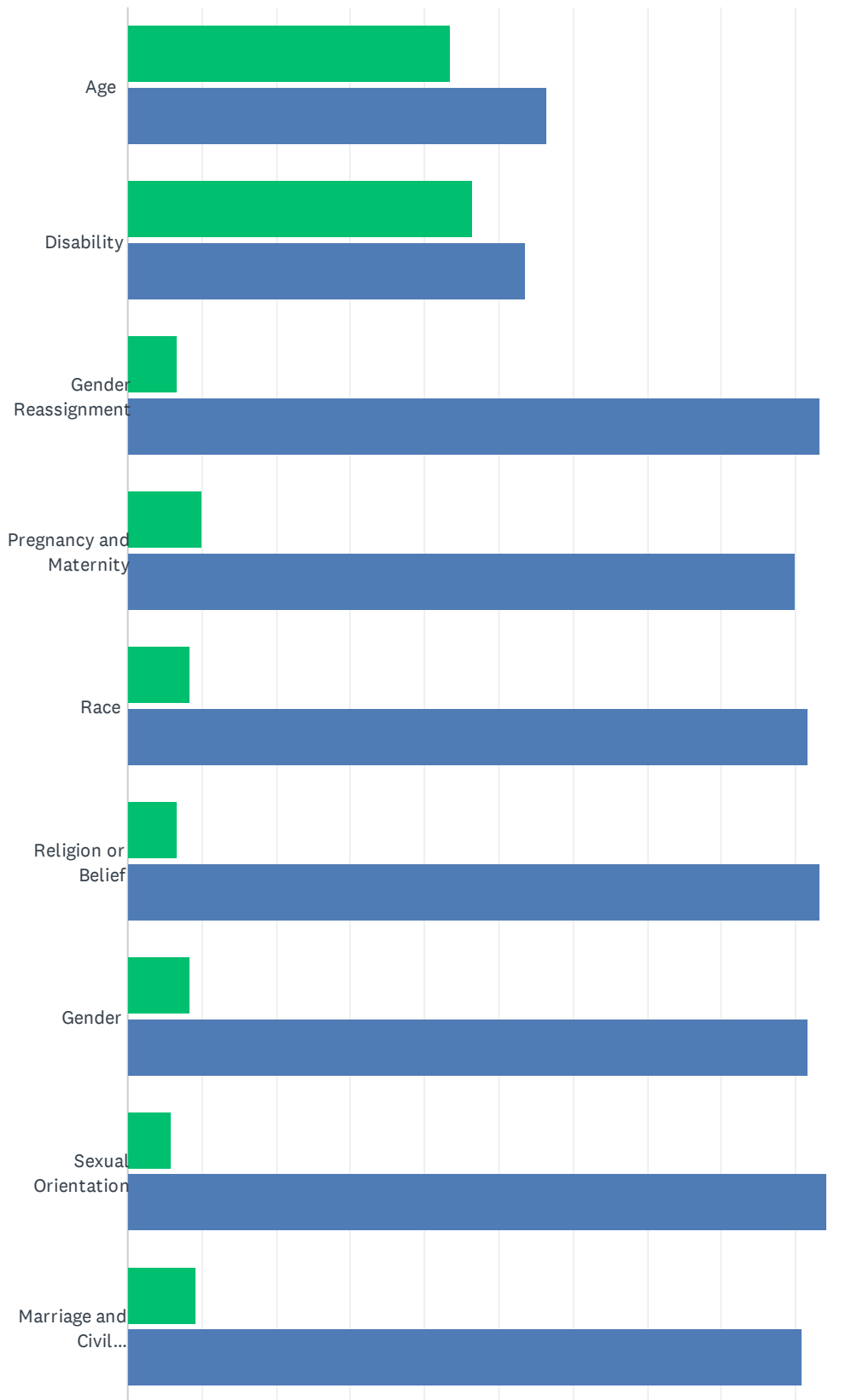
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will further penalise people. I work full-time at the moment and pay council tax myself but am facing possible redundancy . Council tax support is paid to people that need it and should continue as it is at no more than 14%

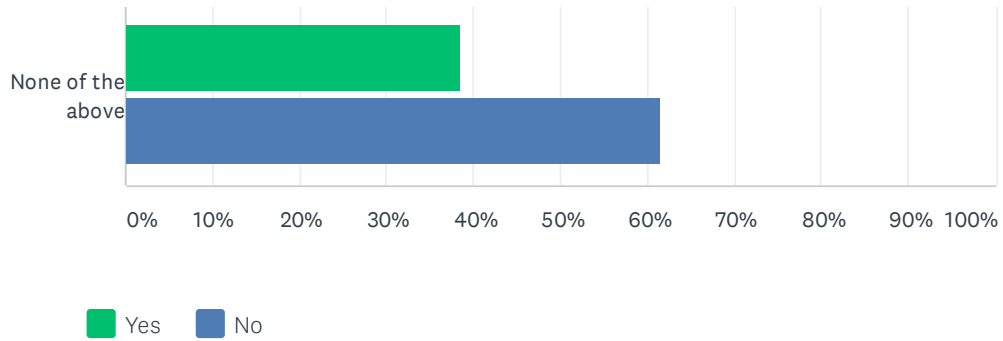
92	It has been suggested that there will be a benefit freeze by the government in the next budget. If this goes ahead, an increase in CT reduction will in real terms mean a cut in money for those on benefits. If it doesn't go ahead then any benefit increase will be swallowed up by paying for CT. Any increase over 20% would again mean a real terms cut in benefits.	10/3/2020 10:43 AM
93	Our bill is nearly 2k a month why shouldn't people pay they get help and £10 a month isn't bad in comparison to our bill.	10/3/2020 9:01 AM
94	if you go to high some people may get into debt cause they cant afford the increase as benefits dont go up enough to cover increase	10/3/2020 8:44 AM
95	In times of need, 10 years of austerity, more people losing their jobs, those on low incomes who already can not afford to live and with more children in poverty I think it's a disgrace to increase tax on low income families. It's a pressure they don't need and don't deserve. It may seem like a fiver Increase but when People have not much a fiver a month is a lot. So I absolutely believe council tax contributions should NOT be increased	10/2/2020 10:53 PM
96	how do you expect people to live if the tax rises? people are struggling as it is and all you can think about is putting tax up.	10/2/2020 9:09 PM
97	.	10/2/2020 8:37 PM
98	Cut the ridiculous salaries paid to your top bods!	10/2/2020 7:18 PM
99	This is a terrible idea, just because more people are in need of support given the unprecedented circumstances, doesn't mean they are any more able to pay council tax due to their circumstances. This proposed increase would put more stress and pressure on these people at the time of most need of support. I cannot believe this is even being proposed. Benefits are meant to be safety nets for those in need and in unfortunate circumstances. I hope to never ever need support from either local or central government, but would hope if I was in need, then the proper support and safety net is in place.	10/2/2020 6:45 PM
100	Cut some of the obscene salaries and pensions paid to senior council officials before increasing hardship on low earners.	10/2/2020 6:09 PM
101	To apply a change to people of working age is age discrimination and would easily be challengeable in a appeal on that basis. Further more using the fact there is an increase in demand for the service as a reason to make people pay more is not a valid justification for such an increase. Especially when you are proposing one option as doubling the amount. This is actually going to push more people who need this service further into hardship and debt at a time they really are probably already struggling beyond their means, with many of them requiring food banks already. Instead you should apply better logic here. The needs of these few should be met by those that can afford it. Those that pay the full council tax. I would happily pay more if it means that the needy don't. Further more you should look for more efficiency improvements that can be made in other areas or ways of working smarter. That will actually result in cost savings.	10/2/2020 6:09 PM
102	Lower the support the elderly get, they get 100% while we are not working so they stay safe during covid. It's the fact people can't work properly that is increasing the amount of claims.	10/2/2020 5:52 PM

Q8 Do you feel any of the following have been a factor in the issues you have raised?

Answered: 162 Skipped: 8



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	YES	NO	TOTAL
Age	43.61% 58	56.39% 75	133
Disability	46.38% 64	53.62% 74	138
Gender Reassignment	6.61% 8	93.39% 113	121
Pregnancy and Maternity	10.00% 12	90.00% 108	120
Race	8.33% 10	91.67% 110	120
Religion or Belief	6.67% 8	93.33% 112	120
Gender	8.40% 10	91.60% 109	119
Sexual Orientation	5.88% 7	94.12% 112	119
Marriage and Civil Partnerships	9.17% 11	90.83% 109	120
None of the above	38.53% 42	61.47% 67	109

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#	IF YOU'VE TICKED ANY OF THE BOXES, PLEASE TELL US WHY. THIS WILL HELP US UNDERSTAND HOW OUR PROPOSALS AFFECT THESE PARTS OF THE COMMUNITY.	DATE
1	My wife and I are in our 30's with 2 children. We both went to university and have professional jobs that pay well which allow us to afford a nice home a contribute to the local economy of March where we chose to live and raise our children. It seems apparent though that with each year that passes our financial obligations to our local authority are becoming evermore increased with little apparent service for our contributions such. I am glad that we live in a country that supports those in need of financial help, but saddened when we are expected to fill any gaps in finances, such as to pay for adult social care, simply because we work very hard. If financial punishment on the hard working and 'wealthy' of March continues it will drive these people out	12/7/2020 4:47 PM
2	Being a line parent is hard enough without the fear you may have to pay more. How about increasing the amount people with massive houses or those on a larger income have to pay rather than stealing off the poorer people!	12/2/2020 8:10 PM
3	Make the pavement safer to walk on for the elderly and disabled and children and mum with prams and wheelchair	11/26/2020 11:34 AM
4	Those with severe disabilities have less chance of having a well paid job, or in many cases, being able to do any job.	11/10/2020 5:58 PM
5	cant believe single person had to pay so much more than single parent, make it fair	10/28/2020 10:22 AM
6	does not cover mental health problems, I needed a lot of help to complete this survey, but hopefully it will be of help	10/26/2020 11:18 AM
7	I'm in my 20s and I get less money because of my age. It is hard to get a job because of my age and because I'm black.	10/25/2020 4:14 PM
8	Disability can come in many forms ,and with extra expenses as it is.	10/21/2020 12:37 PM
9	As explained above, under 25 year olds are often unemployed through no fault of their own and the amount of Universal Credit they are paid is minimal and to pay more council tax would cause immense pressure on them financially, mentally and they could end up in debt and homeless. Please do not charge them more. Just for the record. I am not under 25 years old, nor am I on Council Tax Reduction, so this does not affect me. I just feel strongly that you are putting our young people in danger if you charge them more council tax.	10/19/2020 3:10 PM
10	i am disabled, live on my own.money is tight. i do not agree with the disabled paying council tax.	10/16/2020 2:55 PM
11	N/A	10/15/2020 2:21 PM
12	Disability comes in all shapes and forms including severe mental health issues, i feel the anxiety finding this extra money may tip the balance and cause severe hardship in an already cost rising time.	10/14/2020 9:52 AM
13	I have ticked the age box because this question directly refers to those within a certain age bracket. (Working age), which actually represents people from age 16 to age 65+.	10/13/2020 3:34 PM
14	regardless of age or lifestyle disability an increase would be more harmful and that fenland Council should look to reducing costs over increasing charges for residents. Especially in a covid world where money is so precious to citizens on low income or in need of extra help due to disability	10/12/2020 3:04 PM
15	It's not fair to raise -let alone double - the charge for long term sick/disabled. It's not a choice to require this kind of support and it's not a temporary situation either. You would be penalising the disabled.	10/12/2020 1:32 PM
16	People with disabilities are often on means tested benefits and fall within the poverty sector as defined by the Joseph Rowntree Foundation et.al. Any increase in this proposal will severely impact people with disabilities who claim means tested benefits pushing them deeper into poverty. As commercial rents continue to outstrip LHR we find ourselves having to use the money we require for food being used to support rent and other bills. The consequence of this is that we eat more poorly than thos better off which relates to increased illnesses, higher medical and healthcare costs and ultimately increased death rates as can be seen all over the country and is amplified by the current Covid19 epidemic. With your proposed increases you	10/11/2020 6:56 PM

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will either be pushing costs onto the NHS or worse still be directly responsible for increased mortality rates. Is this what Fenland DC wishes to be remembered for?

17	Financial strain on an already limited budget.	10/10/2020 2:29 PM
18	It's a free world, be who you are.	10/10/2020 10:20 AM
19	This is only aimed at the working age & not everyone & people who have a disability have enough struggles without having to pay more	10/10/2020 1:00 AM
20	My age is a factor only in as far as my experience of life.	10/9/2020 9:40 AM
21	you say working age well that means at the rate they keep putting up the pension age I will never become a pensioner. I have worked all my life on the bases that I would be getting my pension now. At 61 I am the youngest of 8 my sibling sisters all have there's I have 4 brothers then me my pension age as gone from 60 / 65/ 66/ now not sure if it is /67 as I understand 67 is being brought forward. I have work part time from the age of 11. 45 to 55 hours a week from the age of 16 i have worked all my life in the main doing physical work I have messed up my joints and nerve endings because of a life time of putting them under pressure in fact I have lugged lifted pushed and carried heavier things then most men I know. so when again you say pensioners are except and I am missing out again through no fault of my own I have to say it should not penalize people over 60. And if you do then no more than 20% also younger people also have larger family's and take more out the system so like mine and my parents generation had to pay all our council tax there were not all the benefit's that they get now. if you did not pay your rent no one else was going to pay it for you, work 2 or 3 jobs if you had to. If you the council have to get extra money then fare enough I will have to pay it but it should be 20% for over 60% and more for under 60.	10/8/2020 9:38 PM
22	you say working age well that means at the rate they keep putting up the pension age I will never become a pensioner. I have worked all my life on the bases that I would be getting my pension now. At 61 I am the youngest of 8 my sibling sisters all have there's I have 4 brothers then me my pension age as gone from 60 / 65/ 66/ now not sure if it is /67 as I understand 67 is being brought forward. I have work part time from the age of 11. 45 to 55 hours a week from the age of 16 i have worked all my life in the main doing physical work I have messed up my joints and nerve endings because of a life time of putting them under pressure in fact I have lugged lifted pushed and carried heavier things then most men I know. so when again you say pensioners are except and I am missing out again through no fault of my own I have to say it should not penalize people over 60. And if you do then no more than 20% also younger people also have larger family's and take more out the system so like mine and my parents generation had to pay all our council tax there were not all the benefit's that they get now. if you did not pay your rent no one else was going to pay it for you, work 2 or 3 jobs if you had to. If you the council have to get extra money then fare enough I will have to pay it but it should be 20% for over 60% and more for under 60.	10/8/2020 9:38 PM
23	as above	10/8/2020 9:35 PM
24	As both myself and my husband age our needs change and we require more support which increases our costs. My husband is severely disabled and I am only just managing now. This possible change would add more stress to myself and my husband.	10/7/2020 10:15 PM
25	Unpaid family carer (working age) , resigned from paid employment to look after disabled family memberalso working age.	10/7/2020 3:49 PM
26	Disability....we are poorer	10/7/2020 1:10 PM
27	Younger people tend to get more discriminated then the older because some people abuse the systems.	10/7/2020 9:23 AM
28	I'm currently unable to work due to having Cancer. This increase would hit those affected with disabilities and illnesses the most. We rely on the support we are given and the reduction in the council tax. Increasing this would have an immense impact on our finances. Covid shouldnt have to affect our present as well as our future. As per usual the council/government pick on those needing the support more than ever. Perhaps look at the ways within house to cut costs first and foremost before you pick on the little people that are already finding it hard to get by with the little they already have!	10/7/2020 9:22 AM
29	Feel that elderly and disabled are at risk from this change.	10/7/2020 8:52 AM
30	Those on minimum wage who are receiving fewer hours because of Covid will be struggling	10/7/2020 8:34 AM

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even more.

31	We barely keep going month by month as it is an increase of any kind anywhere would mean not paying a bill or not eating	10/6/2020 2:00 PM
32	Many 'working age' people are unable to work because of disability and cannot find a job because of their age. Currently the state retirement age is 67. Not many employers are going to give a 65 year old a full time job, paying enough to keep them out of poverty. Pregnant women or mothers with small children, will also be less likely to be working full time. So women, mothers, old people and disabled people will be more likely to be hurt by an increase of the contribution required.	10/6/2020 9:15 AM
33	It will effect people from all walks of life many of whom have no other choice but to claim benefits due to there curcumstances	10/6/2020 6:35 AM
34	Please see my comments above , then see I I get the invite!	10/5/2020 6:31 PM
35	As I said above, My disability means I can't work and I don't have much money to survive. Because I am of working age (56) has no relation to my ability to pay more.	10/5/2020 6:25 PM
36	people who have disabilities or should not have to pay more than they do now . to be honest they shouldnt have to pay anything towards council tax . it also shouldnt matter what age you are . people on benefits barely get enough to live on as it is . getting them to pay more towards the council tax would put them into more financial poverty .	10/5/2020 3:53 PM
37	Being	10/5/2020 3:22 PM
38	I am working age but not able to work due to my disabilities.	10/5/2020 2:52 PM
39	People already struggling with disabilities, mental health conditions and medical conditions barely get enough to get by as it is. This new rule would cause their income to get further reduced and they already struggle as it is now.	10/5/2020 2:33 PM
40	The above groups are more likely to be struggling financially.	10/5/2020 2:30 PM
41	Every person should be assessed	10/5/2020 1:56 PM
42	Yes my age as I am 64 years old and I am disabled from work and also suffer from anxiety and depression since I lost my wife two years ago and I am struggling to cope so these issues should be taken into consideration for my council tax because I try to be independent as much as I can and with the amounts you are talking of raising it by my benefits done go up that much each year and I really appreciate the help I get from fenland Council	10/5/2020 1:54 PM
43	you have assumed that all working age people are able to work. you have not taken into account people with a disability such as myself.	10/5/2020 1:53 PM
44	Working age has no relevance whereas income has this includes people where personal disability is not considered too.	10/5/2020 1:53 PM
45	I'm disabled, live alone and live off ESA (support group). Increasing the minimum contribution will significantly effect my already stretched budget. It's not like I can just try harder, find a job and then have the money to pay more council tax. Until I became ill I worked and paid tax, I never had benefits. This feels like punishing me for not being able to magically heal my damaged body and contribute more to society!	10/5/2020 1:32 PM
46	I'm disabled, live alone and live off ESA (support group). Increasing the minimum contribution will significantly effect my already stretched budget. It's not like I can just try harder, find a job and then have the money to pay more council tax. Until I became ill I worked and paid tax, I never had benefits. This feels like punishing me for not being able to magically heal my damaged body and contribute more to society!	10/5/2020 1:32 PM
47	With a disability money is scarce when not working or only working a few hours.	10/5/2020 1:07 PM
48	Changes affect support for disabled.	10/5/2020 12:57 PM
49	I said it all in the last comment box	10/5/2020 12:31 PM
50	This is a direct attack on a certain age group with a minimum income. Both agist and classist.	10/5/2020 12:23 PM
51	The disabled and women have borne the brunt of both austerity and of pension age increase.	10/5/2020 12:23 PM

Local Council Tax Reduction Scheme Proposals

52	Those who are autistic and/or have other disabilities should not be forced to shell out even more money as they are seriously disadvantaged in the employment market.	10/5/2020 11:56 AM
53	Working age disabled people and their carers ,who are unable to work,are ,once again being targeted.	10/5/2020 11:13 AM
54	You are penalising working age benefit recipients. Just because people of working age are on benefit doesnt mean they don't deserve the same treatment as older people	10/5/2020 11:02 AM
55	I feel due to the pressures already applied against disabled people by the DWP in getting recognised as disabled, having the added stress of trying to provide the basics for dependants which would come from an increase in council tax, would severely impact on peoples mental welfare	10/5/2020 10:15 AM
56	No	10/5/2020 10:10 AM
57	We receive council tax support due to disability and feel that the proposals have not been looked at for people in this category. I do know that COVID19 has caused a massive debt all round and these funds need to be recouped	10/5/2020 9:26 AM
58	because I am a sensible person and made my decisions based on the information available, and common sense	10/3/2020 1:24 PM
59	Anybody claiming any benefits would be effected as described above	10/3/2020 10:43 AM
60	we all use services so shouldnt have anything to do with what we are	10/3/2020 8:44 AM
61	So it will effect people who may be on disability allowance It may affect these from a minority ethic group It may effect woman and these on maternity The reason for this is these groups are disproportionately associated with low incomes. Therefore in increasing the amount of council tax you are discriminating if against the to medium groups as they are most likely to fall in this bracket.	10/2/2020 10:53 PM
62	This is nothing to do with equality or other areas noted above. This is just about being decent human beings with empathy to others in distressing circumstances.	10/2/2020 6:45 PM
63	What you are proposing is discriminating against those of working age. Its pushing more working age people and people with disabilities who cannot work more into hardship. This also has a negative affect on single parent families who already struggle to provide for their children.	10/2/2020 6:09 PM
64	The help the elderly are getting when you are thinking of asking us to pay more.	10/2/2020 5:52 PM

Customer Impact Assessment

APPENDIX B

Name and brief description of policy being analysed <u>Council Tax Support</u> To administer Council Tax Support in accordance with the Council's local scheme.						
Information used for customer analysis The majority of the service we provide is governed by legislation and regulations. All of the policies and procedures we work to are reviewed regularly to ensure they are fair and we welcome feedback from customers and take appropriate action where necessary through our 3c's department.						
	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Race: We offer a service where someone speaking a different language to English can access our services and receive translation support. We would also signpost them to Rosmini centre in Wisbech where they can receive language assist free of charge We welcome a variety of methods for contacting us if English is not the first language such as Email/Phone/Writing/Web Forms	N	

Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A person's physical disability such as blindness can attract a higher rate of Council Tax Support (CTS). However, all other types of disability for CTS claimants are determined on whether the customer gets a disability related benefit such as Attendance allowance, Disability Living Allowance or Personal Independence Payments. If these benefits are in payments, then in some cases this can attract a higher rate of CTS if they aren't already in receipt of the maximum award.</p> <p>We ensure our letters/bills are of easy read for those with learning disabilities.</p> <p>We offer a service where customers can access our services via a range of channels; they can speak to someone about their benefits where we have adaptations in place to assist customers with disabilities such as hearing loop systems etc. If the service is face-to-face, our buildings have ramps and wide doorways to accommodate any mobility requirements</p> <p>We assist customers over the phone to complete claims forms rather than visit. However, if needed, we offer a service where a visiting officer could visit the customer if they are not able to leave their home. The visiting officer would assist with forms, queries etc.</p>	N	

				We have online services such as Connect & Serve for those who are unable to hear/speak. They can access their account online to avoid them having to visit us or speak to us.		
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Age: The age of the customer can determine what rate of CTS they get, in accordance with the local scheme.	N	
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Pregnancy & maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
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"/>	Human Rights: All benefit decisions have the right of appeal in accordance with the Valuation Tribunal's regulations/procedures	N	
Socio Economic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This scheme will mean that working age customers are likely to pay more towards their Council Tax charge.	N	
Multiple/ Cross Cutting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		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 <input type="checkbox"/> neutral Y <input type="checkbox"/> positive <input type="checkbox"/>						

No major change needed Y <input type="checkbox"/> Adjust the policy <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove / reconsider policy <input type="checkbox"/>	
Arrangements for future monitoring: We are always welcoming customers feedback and act upon them when necessary	
Details of any data/ Research used (both FDC & Partners): FDC Customer Service feedback information and 3c's	
Completed by: Name: Sam Anthony and Jo Peacock Position: Head of HR & OD and Benefits Manager (Fenland), Anglia Revenues Partnership	
Approved by (manager signature): Andrew Rose – Operations Manager	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:	14	
Committee:	Council	
Date:	23 February 2021	
Report Title:	Creativity and Culture - A Strategy for Fenland	

1 Purpose / Summary

This paper outlines FDC's approach to developing a Creativity and Culture Strategy for Fenland illustrating the key outcomes to be achieved, as well as the collaborative, community led, approach to delivery of the Strategy by a range of partners.

2 Key issues

The Council recognises the importance of creativity and culture for our local communities. This is a broad area of activity and includes the heritage of Fenland's communities living here. Developing a vibrant creative and culture sector in the District will ensure that Fenland continues to be a great place to live, attracts more inward and intra-District tourism, generates jobs and supports the local economy, creates strong and cohesive communities and supports people's mental health.

Now more than ever a formal approach to supporting the planned development of creative and cultural opportunities across the District is necessary as the area recovers and moves forwards following the COVID-19 pandemic.

Creativity and Culture in Fenland has been identified by Arts Council England as an area that has not applied for funding in the same manner as other surrounding Districts. This strategy should allow creative organisations in Fenland to have better opportunities to work more closely together and be better able to access funding opportunities where available.

FDC has worked with the Arts Council England and ArtReach to develop the Creativity and Culture Strategy. The Arts Council has funded arts sector specialist, ArtReach, to understand what is happening in the creative world in Fenland, consult with the public, local groups and Members through Overview and Scrutiny and an All Member Seminar to develop the Strategy.

This is not a Fenland District Council Strategy document but a document for Fenland allowing a wide variety of agencies to use it and the framework it will create to develop cultural activities in Fenland.

3 Recommendations

For Council to adopt the Culture and Creativity Strategy.

Wards Affected	All
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Forward Plan Reference	
Portfolio Holders	Cllr Chris Seaton - Portfolio Holder for Social Mobility & Heritage
Report Originators	Phil Hughes - Head of Leisure Services Carol Pilson - Corporate Director
Contact Officers	Phil Hughes Tel: 01354 622520 Email: phughes@fenland.gov.uk Carol Pilson Tel: 01354 622360 Email: cpilson@fenland.gov.uk
Background Paper	Creativity and Culture Strategy O&S Report - 7 December 2020

1 Creativity and Culture Strategy for Fenland

- 1.1 The Strategy highlights four key outcomes that creative practitioners in Fenland should aspire to together:

Connections

- Assets in the cultural sector will be well networked, both within Fenland and further afield, in order to build partnerships that can lever in funding and build infrastructure across the District.
- Networks share skills and encourage and support volunteers and their upskilling, developing interest groups across the District that work together, not in isolation.
- Opportunities to access cultural opportunities is addressed in order to make cultural activity in Fenland more accessible.

Communication

- A focused communications campaign celebrates creativity, heritage and culture in Fenland.
- Marketing shows Fenland as a cultural destination, linking it to the strong heritage and unique nature of Fenland traditions and natural landscapes.
- Information about cultural activity in Fenland may be centralised, creating an information Hub with a coordinator promoting Fenland's creativity and culture, joining up marketing of creativity and culture into a multi-faceted offer across the District.

Empowerment

- New Community Connectors will be identified, alongside those already in the District, who will be supported to work with communities in order to develop their skills and confidence in creating cultural opportunities.
- Young people are supported to be heard within creativity and cultural plans, as well as supported to achieve their own cultural ambitions.
- Address the skills gap within Fenland's cultural sector, identifying opportunities to support young people to train in the sector and gain experience and skills as well as uplifting the skills of existing practitioners and cultural sector workers in Fenland.

Inspiration

- Inspiring events and activities will take place in Fenland on a regular basis, bringing high quality arts to the District, co-programmed with communities and appropriate for the towns, drawing larger audiences from further afield. Fenland has great potential for outdoor events, such as festivals, with its market places, fields and green open spaces.
- Work towards the development of a Creative Hub, perhaps making use of an existing venue to become an arts centre, hosting regular activities and attracting creative people to work and programme there.

2 Delivering the Strategy

- 2.1 Delivering this Strategy cannot be achieved without focus and community buy-in. This is not a Council strategy, but a Strategy for Fenland. In order to move the area forwards and achieve the key outcomes over the coming years, an infrastructure needs to be built

that will drive and deliver this Strategy over the next 10 years, embedding it into the whole of Fenland:

Leadership

- Leadership Steering Group; A steering group that loosely exists should be broadened, formalised, sustained and developed to provide the necessary leadership to drive this Strategy forwards. Young people should be included within the steering group. The Steering Group will connect existing cultural providers in the District, as well as key out of District funding organisations, to deliver towards the Strategy outcomes. In the initial stages, the Arts Council and District Council could facilitate the Group to ensure it is formalized leading to its self-sustainability.

Development post

- Through external funding, an Arts & Heritage Development officer will be established who can facilitate key actions of this Strategy in the first three years, working with the community to bring people together to create sustainable growth in creative activity and heritage.

Community Connectors

- The Steering Group will identify and support, accessing funding where possible Community Connector roles with a remit to develop community groups in cultural activity. (Existing roles include Care Network Community Development Workers, Fascinating Fens, Fenland Museums, Festival Bridge, Young Fenland Cultural Consortium, Cambridgeshire)

3 Considerations

- 3.1 To deliver the Strategy, support from an Arts & Heritage Development officer will be required to join up the creative community, improve skills development opportunities and offer guidance and support, certainly early on, with funding applications. It is anticipated that the bulk of funding for such a post would come from third party funders such as Arts Council England, with the potential for some match funding provided by FDC.
- 3.2 It is worth emphasising that this Strategy is not an FDC strategy. It is a Strategy for Fenland that should be led by a group of people involved in the creative and heritage sector within Fenland. This leadership will strengthen the possibilities that the Strategy can offer, ensuring community ownership to effect positive change within the sector in Fenland.
- 3.3 The Strategy is about Fenland as a whole - inclusive of rural communities including the many villages in the District.

4 Effect on corporate objectives

- 4.1 An effective Creativity and Culture Strategy will improve opportunities for the community in Fenland to enjoy art and heritage activities, ensuring that Fenland remains a great place to live and work in.

5 Community impact

- 5.1 A strategic approach to creativity and culture in Fenland is expected to offer residents more diverse, exciting and interesting opportunities to take part in arts activities. This in turn will increase the attractiveness of Fenland as a place to live and work in, strengthening communities and ensuring that Fenland's unique culture and heritage are enjoyed by more people.

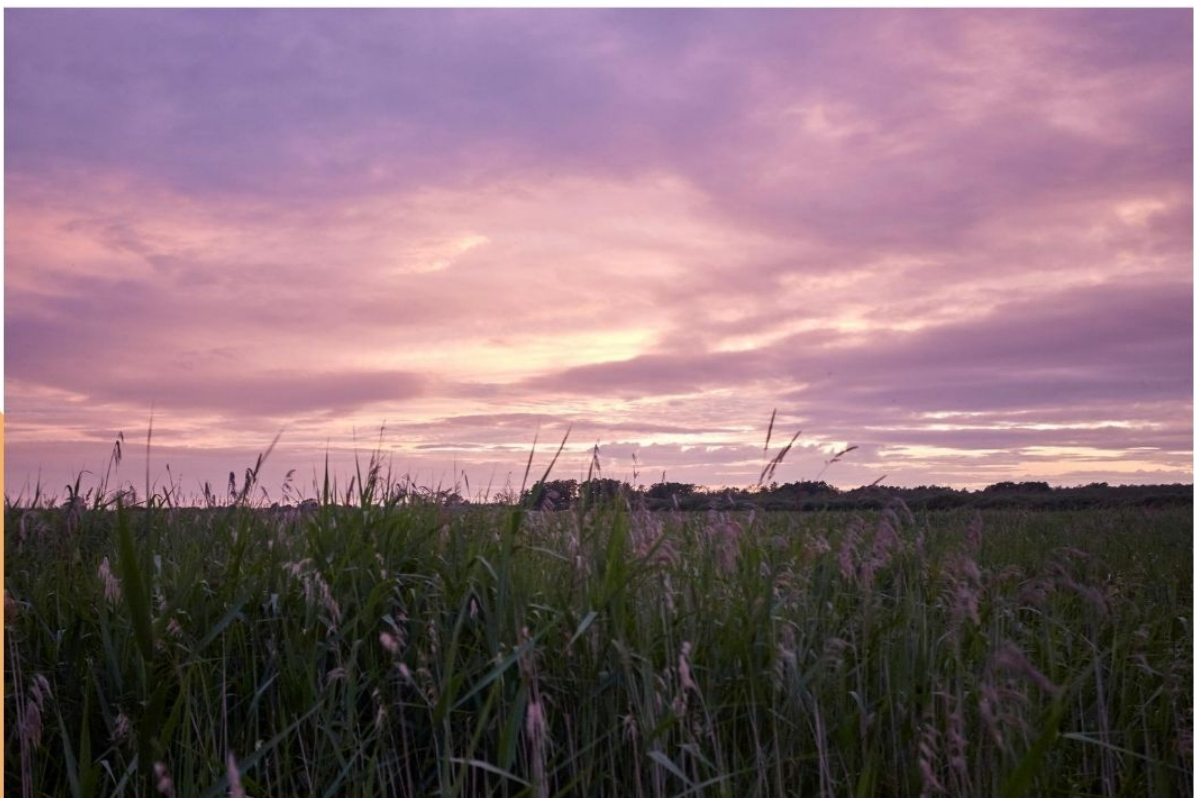
6 Conclusions

- 6.1 The Creativity and Culture Strategy is expected to lead to more effective and joined up opportunities for the Fenland community to take part in creative, cultural and heritage activities. This type of activity will be very important to help the local community recover from social isolation during the pandemic, improving personal resilience and creating a more cohesive community.
- 6.2 It is anticipated that the Strategy would facilitate the employment of an Arts and Heritage Development Officer who would work with local creative practitioners to further develop opportunities to enjoy creativity and culture in Fenland.
- 6.3 A key aspect of early wins for the strategy will be the upskilling of the creative community in Fenland. Skills to be targeted will include;
- Communication and marketing skills
 - Fund finding and effective application skills
- These skills will ensure that activities are better promoted, more joined up across Fenland and better supported by external funding sources. Creative practitioners in Fenland do not attract significant third-party funding. This is primarily due to a lack of applications from the Fenland area, not the result of unsuccessful applications.
- 6.4 Longer term, the strategy highlights the wider opportunities that a facility in Fenland for creative practitioners could deliver. Whilst it is likely that this is a longer-term ambition, it should be borne in mind as a possible goal for the future.

Broad Horizons

Forging Fenland's Future

A Creativity and Cultural Strategy
2021 – 2030

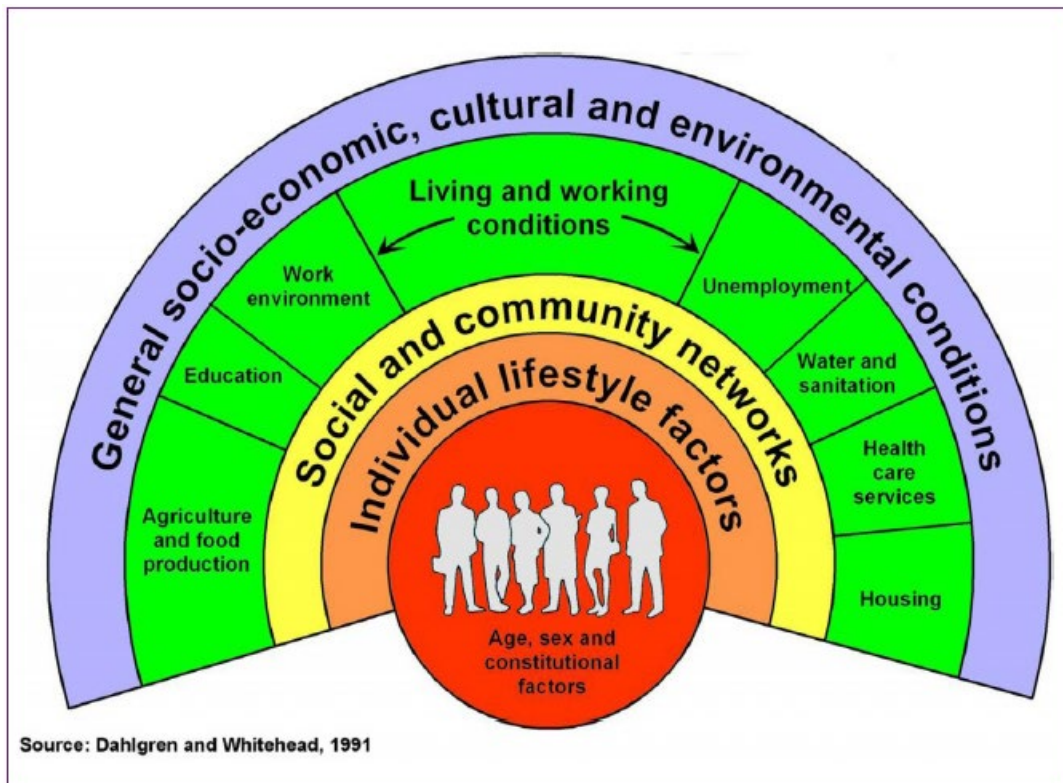


Introduction

This strategy has been developed for Fenland's communities, proposing how they can work together to strengthen cultural opportunities, creative activity and heritage within Fenland.

This is a broad area of activity and includes the heritage of Fenland and the communities living here. Developing a vibrant creative and culture sector in the District will ensure that Fenland continues to be a great place to live, attracts more inward and intra-District tourism, generates jobs and supports the local economy, creates strong and cohesive communities and supports people's mental health.

Culture sits firmly within the wider determinants of health model, as detailed in the following diagram under both 'social and community networks' and 'general socio-economic, cultural and environmental conditions'.



Arts Council England's Let's Create strategy highlights that the cultural sector plays a critical role in regeneration, place making, engagement, employability, community cohesion and resident wellbeing.

Now more than ever a robust approach to developing creative and cultural opportunities across the District is necessary as the area recovers and moves forwards following the COVID-19 pandemic. Creativity and Culture in Fenland has been identified by Arts Council England as an area requiring more support and funding as creative organisations in Fenland have an

opportunity to work more closely together and be better able to access funding opportunities where possible.

Fenland District is a rural area with villages around four market towns. There are strong local cultural and heritage traditions, such as the community run Straw Bear Festival in Whittlesey, Rose Fair in Wisbech, Chatteris Summer Festival, St George's Day celebrations in March and many events in the surrounding villages as well as several independent museums across the district. The landscape has its own unique beauty, with wide open skies and fields, and the towns enjoy many attractive heritage buildings. Market places in the towns offer the potential for communal centres, and there are creative companies who are doing exciting work in the local area.

However, connections between the towns, particularly transport, mean the towns and villages creative endeavours can be isolated from each other. As a result, it is difficult for creative and heritage organisations to connect with each other and grow partnerships across the District.

There are several exciting initiatives being taken forwards within Fenland by different groups, demonstrating that people in the area support the development of creativity, culture and heritage. However, sometimes these initiatives remain localised and encouraging greater collaboration will increase their impact on the community within the district as a whole.

There is a lack of capacity within the creative and heritage sector as many active groups are run by volunteers operating with little financial or infrastructure support. There are professional artists within Fenland, however they are also unsupported and their capacity to work across the whole district is limited, which inevitably results in areas of Fenland that have limited access to arts opportunities.

There are no Arts Council England National Portfolio Organisations (NPO's) within Fenland with the area offering a limited number of arts venues or facilities.

People in Fenland access cultural activities outside of the District's boundaries. This is important within the cultural sector, as some of the cultural assets available to the people of Fenland exist outside the district, such as Flag Fen Archaeology Park (who run a cultural programme) and Babylon Arts in Ely (who are the lead organisation for Market Place, the Creative People and Places project that crosses Fenland and Forest Heath). There are opportunities here, as there is expertise around the District which could be brought into Fenland more effectively through partnership working to benefit the local community. An example of this is the recent grant from Arts Council England, secured by Cambridgeshire ACRE in partnership with Creative Arts East, to deliver a three year Rural Touring Scheme, bringing professional performing arts to village halls, working with local communities to devise their own local programmes. This scheme shows the potential for

partnership working, with experts such as Creative Arts East bringing relevant and high-quality arts to Fenland, working with local communities.

Fenland has untapped potential within the creative and heritage sectors. There are a number of excellent creative people and heritage volunteers doing great work, but their capacity is limited. The area has potential as a unique landscape with distinct cultural traditions, and an enthusiasm to do more shown by people who engaged with the consultation for this strategy.

Fenland is a place where people want to come together, to celebrate and be inspired as a community. Through culture and creative activity, communities can be strengthened and connected more. Culture can create a realm of togetherness. People have willingness and energy to make things happen. With the right support and infrastructure, with coordination and leadership within the culture sector in the district, Fenland can successfully match a landscape of broad horizons with a creative future of broad horizons.



Vision

This Strategy brings together the district's unique landscape heritage with people's creative aspirations to support strengthened communities.

*In ten years time, more people in Fenland will be **connected** by coming together for **inspiring**, enjoyable and widely known creative and heritage activity that **supports communities** to achieve and grow their ambitions.*

Themes

Connections – There are many great cultural activities already happening in Fenland, often undertaken by volunteers with limited resources, but with great support from local people. More may be achieved if organisers and key community players worked together across the District. This would allow them to achieve activities and events with greater impact, draw down funding from national funding bodies and share resources and skills.

Communication – The interesting and exciting cultural activity already going on in Fenland is well supported by those who know about it. However, there is a lack of communication beyond people already involved. Fenland's geography of numerous villages makes it difficult for cultural workers to communicate what they do effectively across Fenland. There is a perception both within and beyond Fenland that there is not much cultural activity taking place, however the consultation shows that this is not the case. This perception needs to be challenged and the cultural activity in Fenland needs good communication, to be celebrated and amplified, both within the district and beyond.

Empowerment – Many people in Fenland are actively involved in cultural activity, ranging from keeping traditional events alive, creating new arts activity opportunities, energising museums, generating new creative work and supporting young people in creative careers. However, many of these people are volunteers and have limited resources, would benefit from skills development, as well as funding support. Often they have ideas but not the knowledge of how to translate them into action. People need support and empowerment to grow their ideas.

Inspiration - Focused coordination can bring inspirational, high quality events and activities to Fenland to inspire people and encourage participation. A Development Officer for Fenland would assist with access to regional and national funding to do this, bringing people in Fenland together to enable small ideas to grow into bigger ones, and to promote the great work that is already happening.

Fenland's Priority Areas

Culture is well placed to contribute towards a number of Fenland's priority areas.

- **Changing population: community cohesion**

Fenland has a changing population, with new homes being built and significant migrant communities. Cultural activity is a great way of building community cohesion, bringing communities together through shared cultural experiences. Additionally, there is potential for communities from other countries to share their own proud cultural traditions with Fenland residents and celebrate their own rich arts and heritage. Not only could this reaffirm migrant communities own sense of pride, but also promote understanding between people of different cultural backgrounds. Key community workers who support migrant communities could work with them to identify key events to share cultures within Fenland. More events that share heritage and cultural activity would help to bring new settlers together with established residents in sharing a common sense of place.

- **Aging population: physical and mental health**

Fenland has an aging population which brings with it health issues that people experience as they grow older. In addition, there is potential for many older people in Fenland to experience isolation and loneliness, especially in rural areas. Culture has a part to play in supporting people through social activity that can be healthy both physically and mentally, giving people the opportunity to spend time with others and take part in enjoyable and creatively expressive activity.

- **Outstanding heritage - supporting tourism**

Heritage in Fenland is rich and varied. The landscape is unique and a key feature of Fenland, bringing with it its own traditions as well as natural heritage. There are several independent Museums across the district, as well as archaeology groups promoting Fenland's history and heritage.

- **March – A Destination Market Town**

The Growing Fenland report for the town of March aims to develop the town as a destination, and the town's recent success in the government's Future High Street funding provides a powerful vision for the future. Culture can contribute towards this aim, particularly by contributing towards the development of evening economies through evening events, as well as through signage to amplify the town's heritage.

- **Chatteris – An Aspirational Community**

The Growing Fenland report for Chatteris proposes that Chatteris develops as an aspirational community, including cultural activity such as a new community festival to bring people together in inspirational events, and to re-imagine the high street, which should include arts and creative input.

- **Whittlesey – A Market Town Fit for the Future**

The Growing Fenland report for Whittlesey proposes that the town can become fit for the future by making more of its assets. These include the

town square, to develop as a community 'piazza', which would be supported by cultural activity that encourages the use of the square. Also in development is a heritage centre at Kings Dyke Nature Reserve, as well as a heritage trail to amplify the town's heritage, and links to nearby Flag Fen's developing cultural programme.

- **Wisbech – A Resilient Town for the Future**

Drawing on historical inspiration, Wisbech will embrace heritage and cultural opportunities to encourage tourism, support a resilient town centre, and support community cohesion realising the potential of the town's economy with plans for Wisbech Park in particular for a new Pavilion and Water Park

- **Four Seasons Events**

Fenland District Council organises the Four Seasons events programme in the market towns with support from Town Councils and community volunteers. These events are platforms for creativity, including showcasing local talent, encouraging more local participation through creative activity and linked projects, and introducing new and inspirational creative events and artists from further afield to engage with Fenland's communities.

- **Cambridgeshire and Peterborough Combined Authority Business Plan**

The Combined Authority's business plan aims to encourage a visitor economy for the area. Fenland's heritage, creative and cultural activity and events should be amplified in order to contribute towards the area as an attraction to bring in more visitors and boost local economies.

- **Fens Biosphere**

Whilst this broad project, encompassing a wide area and including some of Fenland and several other Districts, is still in its infancy, it is important to maintain a watching brief as its potential to spark creative work in the locality could be significant.

- **Fenland District Council Business Plan**

The Council's Business Plan recognises the potential to promote Fenland through its culture and heritage. It also aims to strengthen links between Fenland communities which can be achieved through creative and cultural events and activity that brings people together to share common experiences. The Council also aims to support the numerous voluntary groups who wish to organise events, which, with the right support, can grow and contribute towards a new narrative for Fenland as a cultural place, supported by its community.

National Cultural Context

Covid-19

As at February 2021 the world is still managing the effects of the coronavirus pandemic, resulting in a third lockdown in the UK. The full effects of this will become clear in time, however there are already two apparent impacts on the cultural sector;

The lockdown has affected creative practitioners and cultural venues hugely. Many cultural venues rely on visitors to raise their revenue and continue their reason for existing but have been forced to close due to the coronavirus lockdown. Theatres and arts venues were the first to be shut down. In addition, most creative practitioners in the UK are self-employed, freelancers or on short term contracts. Again, this has disproportionately affected cultural sector workers who have seen their income drop substantially. The cultural sector is threatened by the pandemic and many organisations will not survive.

However, the crisis has also highlighted the huge benefit of the cultural sector to communities. Creative people have quickly adapted their ways of working in order to continue to support the wellbeing of people through the crisis. Many have relied on the arts and entertainment to get them through the period of isolation. A statement on creativity and culture from Ernesto Ottone, UNESCO Assistant Director-General for Culture, said:

"COVID-19 has brought into stark relief, as crises often do, the necessity of culture for people and communities. At a time when billions of people are physically separated from one another, culture brings us together. It provides comfort, inspiration and hope at a time of enormous anxiety and uncertainty... Now, more than ever, people need culture. Culture makes us resilient. It gives us hope. It reminds us that we are not alone. That is why UNESCO will do all it can to support culture, to safeguard our heritage and empower artists and creators, now and after this crisis has passed. We hope you will join us in this effort, by supporting culture in your own community, however you can."

Culture and creativity has an important role, not just to support people through the crisis, but to re-build as we emerge from it. As Darren Henley, Chief Executive of Arts Council England, observed;

"...people and communities have turned to culture and creativity in this crisis... they will surely turn to it again and again as we begin the work of restoring our sense of wellbeing and our sense of our place in the world. Through the creativity of our artists, arts organisations, museums and libraries, we will be heard, and we will explore the meaning of all this. We will celebrate, console, commemorate and come together. Through creativity and culture, we will heal."

Mr Henley sees the role of creativity and culture as even more important to communities now, with a vital role that goes beyond the sector and supports all aspects of our lives;

“Imagine then the compelling story we could tell about how we brought our precious communities back together and helped to heal the emotional, social and economic scars left by this terrible virus.”

It is within this context that this strategy should consider the short-term recovery from coronavirus, as well as the long-term vision for Fenland’s creativity and heritage.

Arts Council England

Arts Council England recently published their 10-year strategy, Let’s Create, 2020-2030.

The strategy has three outcomes and four investment principles:

Outcomes:

- Creative People: everyone can develop and express creativity throughout their life;
- Cultural Communities: villages, towns and cities thrive through a collaborative approach to culture;
- A Creative & Cultural Country: England’s cultural sector is innovative, collaborative and international.

Investment Principles:

- Ambition and Quality: cultural organisations are ambitious and committed to improving the quality of their work;
- Inclusivity & Relevance: England’s diversity is fully reflected in the organisations and individuals that we support and in the culture that they produce;
- Dynamism: cultural organisations are dynamic and able to respond to the challenges of the next decade;
- Environmental Responsibility: cultural organisations lead the way in their approach to environmental responsibility.

Fenland’s Creative and Cultural Strategy should state clearly how it will support these outcomes and principles if it is to draw down investment from Arts Council England.

Creative People:

Let’s Create wants more people to have access to creative activity and be able to participate. The Arts Council lists Fenland as an area where participation in the arts is lower than the national average. Creative thinking needs to be undertaken to find innovative ways to allow access to creative activity for more people in Fenland, which is especially difficult with a lack of venues and limited public transport links. We should be asking ourselves: if people are not able to come to us, how can we bring culture to them? There are pockets of isolated communities in Fenland and an aging population. Cultural activity could be mobile to reach more places and this requires a well networked infrastructure which does not currently exist. Outdoor events and festivals can be developed where there is a lack of

indoor venues. In other parts of the country, outdoor events have been shown to be particularly effective in getting people involved. There is already good practice, such as Cambridgeshire's Libraries Presents touring programme, however, an expansion beyond the library venues to reach community centres, empty spaces and outdoor spaces is required. There are also large travelling and migrant communities in Fenland. Cultural events and activities should make efforts to connect with migrant and travelling communities and include them, integrating them into the cultural activity of Fenland. This will, over time, support community cohesion. Work in other areas of the country have shown that sharing of diverse cultural traditions has supported understanding between different communities.

Cultural Communities:

Let's Create recognises that more can be achieved when people and organisations work together. By building those networks, as stated above, more arts can tour in Fenland and reach more people.

In addition, different sectors can come together to support each other's aims: creative activity can support:

- health
- heritage
- economic regeneration
- social cohesion
- environment
- place-making

These sectors need to involve creative practitioners at the planning stages of projects allowing creative thinkers to come up with innovative solutions using culture to connect people and encourage engagement. Over the long term, Fenland's community could develop cultural hubs that can bring a number of creative and heritage practitioners together to generate exciting and varied programmes that create a buzz of creativity and encourage community involvement.

A Creative & Cultural Country:

Let's Create recognises that a creative and cultural country will only develop if all children and young people, regardless of their background, are given the opportunity to develop their talent. For them to take up these opportunities, they need to understand the opportunities available to be able to have a vision of what is possible. They need inspiration from a variety of quality artists and creatives and need to be introduced to the possibilities of varied creative careers. The excellent practices of organisations such as 20Twenty, who provide supported work experience for young people, need investment as their work has limited capacity without additional help. Let's Create also wants to see cultural organisations using more digital media and technology to be innovative and reach larger audiences. Young people need to be supported to take on this challenge and become technology innovators to support cultural organisations in Fenland into the future. This could be done through traditional education or by connecting technology businesses with young people in Fenland.

Historic England

Historic England's Corporate Plan includes the following aims:

- Championing heritage: this includes working in partnership with cultural and creative sectors, promoting the value of heritage to our cultural life and increasing cultural uses of and responses to the historic environment: "Closer working with arts and culture organisations will enable us to build active participation among diverse communities, enabling more people to understand, enjoy and care for the historic environment.";
- Wider Engagement and Diversity: Reaching more people and more diverse audiences all over England: "We need to engage with more diverse audiences, and in different ways, to fulfil our remit to champion and protect England's historic environment."
- Strengthening national capacity and resilience of the heritage sector, includes:
 - Grants and collaborative working to sustain and strengthen capability and effectiveness of heritage sector and community groups
 - Sustaining local authority contribution to delivering heritage protection through strategic support for the planning system, training, guidance and digital access to data
 - Developing heritage apprenticeships and craft skills, supporting High Streets, supporting Place-making and Rural heritage.

National Lottery Heritage Fund

The National Lottery Heritage Fund Strategic Funding Framework 2019-2024 lays out its two priority areas:

- landscapes and nature
- community heritage

There are six objectives:

- continue to bring heritage into better condition
- inspire people to value heritage more
- ensure that heritage is inclusive
- support the organisations they fund to be more robust, enterprising and forward looking
- demonstrate how heritage helps people and places to thrive
- grow the contribution that heritage makes to the UK economy.

The National Lottery Heritage Fund's definition of heritage is broad:

"The National Lottery Heritage Fund will continue to fund the full breadth of heritage across the whole of the UK, enabling people to define heritage for themselves, so that what they value can be enjoyed and passed on to future generations. This scope and reach is essential to our role as a distributor of

National Lottery funding for heritage, and our approach is recognised as having made heritage more democratic and widely appreciated than before.”

The Fund’s new outcome is: “People will have greater wellbeing”, thus they link heritage with people’s enjoyment and sense of pride in their community and locality.

The priority areas are applicable to Fenland in that it involves communities and landscape/natural heritage, both of which should also be priorities for Fenland. National Lottery Heritage Funding has already been secured for Wisbech to invest in the High Street. Other projects identified in the Growing Fenland town plans include heritage to boost visitor numbers and local economies, and to celebrate heritage with new signage, trails and community festivals.

Most of Fenland’s heritage provision is run by volunteers, including Angles Theatre and four of the five museums. Investment from sources such as the Arts Council should be identified to support links between local assets enabling resource sharing, encouraging more ambitious and enterprising work to be undertaken to enhance the good practice already achieved with limited resources. A key priority would be to enhance heritage in the area with technological innovation, digital initiatives and better online presence and marketing, which will be most effective shared between them. Links between the heritage that exists in the area and the wellbeing of the community that engage with it should be amplified; connecting people to heritage through their own stories, ensuring that heritage remains relevant to people in all their diversity. Making this case for local heritage collections and museums, Angles Theatre and the natural landscape, should ensure that the National Lottery Heritage Fund would be drawn to investing in Fenland projects.



Fenland's Cultural Assets, include, but are not limited to;**Venues**

- Angles Theatre
- Community Centres
- Libraries
- Luxe Cinema Wisbech and The Light Cinema Wisbech
- Market places
- March Town Hall, local village halls

Organisations

- 20Twenty Productions
- Blackfield Creatives
- Fascinating Fens
- Care Network
- Cambridgeshire ACRE
- Market Place CPP / Babylon Arts
- Libraries Service (The Library Presents)
- Young Fenland Cultural Consortium
- Fens Biosphere project - Ouse Washes Landscape Partnership
- Cambridgeshire Community Arts
- Red Barn Creative
- Town Councils

Heritage

- Museums
- Landscape and Natural Environment
- Archaeology
- Cultural traditions e.g. Straw Bear Festival
- The Castle (Wisbech, Grade II listed, owned by Cambridgeshire County Council and run by Wisbech Town Council)



Challenges

- Creativity and heritage in Fenland is not perceived as particularly exciting by consultation respondees. Though this may be a perception rather than reality, it indicates a need to grow creative aspiration and introduce inspirational events and activities into the district. Currently there is little capacity to influence arts coordination which would enable inspirational activities to be developed, attracting high quality art to Fenland.
- There is no central hub for cultural activity in the district. Young people particularly expressed a wish to have a central place as a creative hub where people could get involved in a range of activities. Hubs would need to develop over time with several organisations coming together to deliver creative hub activity.
- Transport is a challenge in Fenland for accessing venues, activities and events, especially for people without access to their own transport.
- People in Fenland are operating with limited financial support. The Arts Council England and the National Lottery Heritage Fund are both able to invest in Fenland. Coordination is required to match expertise to draw down funding with local communities who have ideas and want to make things happen.
- Migrant workers from Europe are essential to the agricultural industry in Fenland. . "The impact of migration in the Fenland area: A scoping report" 2019, commissioned by the Rosmini Centre as part of the Migrant Workers' Mapping Project, recognised that there are conflicting conclusions on the overall effect of migration on community cohesion, often depending upon whether migration is permanent, seasonal or cyclical, with greater social cohesion found to occur over time as migrants become more established in communities. There are case studies around England where sharing and celebrating cultural activity from different countries has contributed towards improved community cohesion.

Outcomes

Connections

- Assets in the cultural sector will be well networked, both within Fenland and further afield, in order to build partnerships that can lever in funding and build infrastructure across the District.
- Networks share skills and support volunteers.
- Cultural activity in Fenland more accessible.

Communication

- A focused communications campaign celebrates the culture of Fenland, and key people and their achievements.
- Fenland is a cultural destination, linking it to the strong heritage and unique nature of Fenland traditions and natural landscapes.
- Information about cultural activity in Fenland will be centralised, creating an information Hub with a dedicated coordinator to promote Fenland's culture and join up marketing of culture into a multi-faceted offer across the District.

Empowerment

- Additional community connectors will be identified and supported to work with communities in order to develop their skills and confidence in creating cultural opportunities.
- Young people are supported to be heard within cultural plans, as well as supported to achieve their own cultural ambitions.
- Address the skills gap within Fenland's cultural sector, identifying opportunities to support young people to train in the sector and gain experience and skills as well as uplifting the skills of existing practitioners and cultural sector workers in Fenland.

Inspiration

- Inspiring events and activities will take place in Fenland on a regular basis, bringing high quality arts to the District, co-programmed with communities and appropriate for the different towns, and drawing larger audiences from further afield to engage with it. Fenland has great potential for outdoor events, such as festivals, with its market places, fields and green open spaces.
- A Creative Hub will be developed, perhaps making use of an existing venue to become an arts centre, hosting regular activities and attracting creative people to work and programme there.

Delivering the Strategy

An infrastructure needs to be built that will drive and deliver this Strategy over the next 10 years, embedding it across Fenland:

- **Leadership Steering Group.**

The Steering Group that loosely exists at present, should be formalised and developed to provide the Leadership to drive this Strategy. The Steering Group will connect existing cultural providers in the District to deliver against the Strategy.

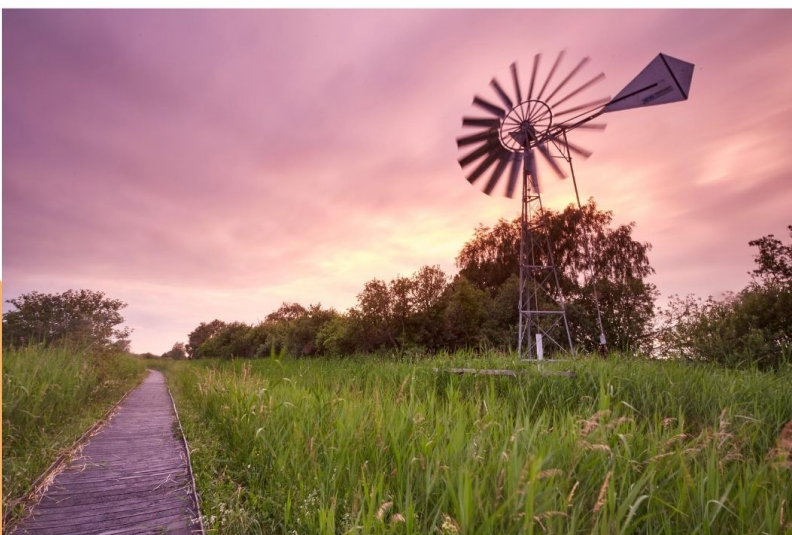
It is anticipated that the work of the Steering Group will be broad. To ensure that local expertise, with a local approach (not necessarily linked professionally to the culture sector) is used to move the cultural agenda forwards, the Steering Group will use sub-groups to drive progress with specific local input from time to time.

This approach will lend itself to adding a Fenland-centric approach to delivering the broader Strategy aims. Feedback regarding the draft strategy highlighted that a more Fenland specific approach could be added in. This will be the role of the Steering Group withing a focussed action plan.

Additionally, it is expected that areas within Cambridgeshire and Peterborough that have a more mature and experienced cultural offer, may be able to work together with those that are still developing. Members of the Steering Group will work together across the County to bring knowledge into Fenland, learning from our neighbours. This approach should fit well with Area Partnership Funds that the Arts Council is considering for their Let's Create Strategy delivery model – due in Spring 2021.

- **Development post**

External funding will be sought to establish an Arts & Heritage Development officer who can facilitate key actions of this Strategy in the first three years, working with the community to bring people together to create sustainable growth in creative activity and heritage.



- **Community Connectors**

The Steering Group will identify and support, accessing funding where possible Community Connector roles with a remit to develop community groups in cultural activity. (Existing roles include Care Network Community Development Workers, County Council Fascinating Fens, Fenland 6 Museums, Festival Bridge, Young Fenland Cultural Consortium, Cambridgeshire ACRE).

DRAFT Action Plan – to be further developed, reviewed and focussed on Fenland and then adopted by the Steering Group

Years 1-2

- **Arts and Heritage Development Officer (AHDO)** post established to drive the strategy action plan and connect cultural organisations across the district, enabling more creative and cultural activity to take place, whilst also supporting identification and the drawdown of external funding. The post should be a 3-year post to embed cultural activity into Fenland and ensure its sustainability. Funding from Arts Council England and Historic England to support this post, with some local matched funding identified;
- The AHDO post will focus on supporting the local cultural sector recovering from the pandemic; building resilience and infrastructure into the sector, **enabling connections** between organisations in order to strengthen them and putting in place the means to communicate more effectively about culture in Fenland; and to **represent culture within other sectors**, using creativity to support the economy, tourism, wellbeing, skills development and the environment. It should be remembered that more than 25% of the Fenland population live in villages and support for this population should be included in developing plans;
- **Support existing groups** and initiatives to grow and be sustainable, such as 20Twenty, Angles Theatre, Rural Touring Scheme, Blackfield Creatives, Museums etc. Work with these organisations to support **opportunities for young people** to develop skills in the cultural sector;
- **Establish the cultural infrastructure** necessary to drive the strategy, addressing Leadership and the Steering Group, and Community Connectors. The inclusion of younger people in this group should be ensured;
- Develop opportunities to **address skills gaps** in the cultural sector, for existing practitioners but also for young people. Make use of networks, local organisations and organisations from outside Fenland who can provide training and develop skills in the cultural sector. Encourage initiatives to involve young people in heritage, perhaps modelled on the Kick the Dust initiative (by The National Lottery Heritage Fund, 2016-2019) as an example of innovative practice.

Years 2-5

- **Conduct a study into the feasibility of an independent, sustainable Arts Centre** with cultural facilities. An arts centre would need to support a number of cultural organisations who can

use the venue to make it viable. A long-term plan would need to be developed if this is to become a reality;


- **Marketing campaign** that joins up all cultural activity in Fenland, linking it to tourism. This approach should develop a realm of togetherness in Fenland encouraging more local creative and cultural events and festivals in turn leading to more modern public art to inspire local residents
- Give creative and community led activity the support and encouragement to use creativity to **celebrate Fenland's natural heritage** and visibility as a tourist destination, and other projects or opportunities that raise Fenland's profile;
- Work with **all communities** to develop events and projects to share cultural traditions with the wider population of Fenland;
- Develop initiatives to **improve transport links** that support cultural activities and venues, enabling more people to access these offers across Fenland;
- Develop **Information Hubs** in key local places, such as village noticeboards, pubs, community venues, and through word of mouth, making use of Community Connectors to ensure that information is shared across the District into very local areas;
- **Develop links with national and international organisations** who can bring new, inspiring work to Fenland. These should include outdoor arts / festival networks and rural touring networks;
- Develop **new events and activities** and expand existing ones to include new, inspiring creative work, co-produced by communities and young people. This should include outdoor arts and festivals, linking the existing Seasons Festivals in the towns with the apprenticeship post to develop Producers of the future;
- **Lever in funding** from the National Lottery Heritage Fund and elsewhere to support **heritage** organisations in Fenland. Network these organisations to enable them to work together to access larger, more ambitious funding.
- Develop projects to upgrade the use of **new technology** for heritage venues, including establishing their presence online as well as integrating new technology into their venues, displays and operations, and developing digital skills for heritage workers.

Years 5-10

- Build on successes to introduce **new activities** into Fenland and to grow existing ones;

- **Link with national and international cultural organisations** to bring high profile artistic works to Fenland;
- Have established the **unique selling point** of Fenland and be communicating this to the world;
- Build on opportunities to have more **apprenticeships** and develop **career opportunities** in arts and heritage within the District, investing in young people to develop skills and continue cultural growth into the future;
- Establish an **Arts Centre** and/or other cultural facilities, if deemed feasible, within the District with good links for it to be accessible to as many residents of Fenland as possible. Continue to develop the offer of these facilities, establishing programmes of activities and events.

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Agenda Item No:	15	
Committee:	COUNCIL	
Date:	23 February 2021	
Report Title:	Revised Hackney Carriage and Private Hire Licensing Policy 2021 - 2026	

1 Purpose / Summary

- To adopt the Hackney Carriage and Private Hire Licensing Policy for the period of 2021 - 2026

2 Key issues

- The last policy was adopted by Council on 12 May 2016
- Changes made in relation to New Statutory Guidance released in July 2020 have prompted a review of our current policy.
- On 03 December 2020, 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=2482&Ver=4>
- The consultation for the draft policy took place from 07 December 2020 until 17 January 2021
- A virtual meeting was held with the taxi trade during the consultation period, this meeting took place on 07 January 2021
- 15 consultation responses were received in respect of the draft policy and officer recommendations to the policy were made.
- 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/g2483/Public%20reports%20pack%2010th-Feb-2021%2010.00%20Licensing%20Committee.pdf?T=10>
- On 10 February 2021, 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=2483&Ver=4>
- Licensing Committee agreed that the policy set out in **Appendix A** should be adopted. The appendix shows the draft policy with the changes made and agreed by Licensing Committee.

3 Recommendations

- That Council:

Adopt the Hackney Carriage & Private Hire Licensing Policy 2021 - 2026 as set out at **APPENDIX A**

Wards Affected	All Wards
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Andrew Lynn, Portfolio Holder with responsibilities for Licensing
Report Originator(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk
Contact Officer(s)	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)	Part II of the Local Government (Miscellaneous Provisions) Act 1976 Town Police Clauses Act 1847 Department of Transport – Taxi and Private Hire Vehicle Licensing issued July 2020 Institute of Licensing (IOL) – Determining the suitability of a Hackney Carriage and Private Hire driver issued April 2018 LGA Taxi and PHV licensing Councillors' Handbook

1 Background / introduction

- 1.1 Fenland District Council has responsibility for licensing Hackney Carriage and Private Hire vehicles, drivers and operators within the district. To date this responsibility has been exercised in accordance with several policies and developed over the years. A comprehensive review of these policies and procedures has been prompted by recent changes in the release of statutory guidance.
- 1.2 A review of the current licensing policy has taken place and it was decided that due to the amount of content change and layout it would be more beneficial for us to draft a new version. This policy has also considered the latest statutory guidance produced by the Department of Transport which was released in July 2020.
- 1.3 The revised licensing policy seeks to provide guidance to applicants and members of the public, whilst looking to promote the following objectives:
 - The protection of the environment.
 - Public Safety.
 - Ensuring an efficient and effective hackney carriage and private hire provision.
 - To provide and maintain a professional and respected hackney carriage and private hire trade by continued monitoring and improvement of standards of service.
- 1.4 The last policy was adopted by Council on 12 May 2016
- 1.5 On 03 December 2020, the Licensing Committee approved the draft policy for consultation. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/documents/g2482/Printed%20minutes%2003rd-Dec-2020%2010.00%20Licensing%20Committee.pdf?T=1>

2 Considerations

- 2.1 The consultation on the draft Hackney Carriage and Private Hire Licensing Policy took place from 07 December 2020 until 17 January 2021.
- 2.2 15 Responses were received, 13 from members of the taxi trade, 1 from a member of the community and 1 from Wisbech Town Council.
- 2.3 On 10 February 2021, 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=2483&Ver=4>

3 Community impact

- 3.1 Community Impact Assessment was undertaken in relation to the draft Hackney Carriage & Private Hire policy. The impact assessment can be seen at **APPENDIX B**

4 Conclusions

- 4.1 The recommendation from the Licensing Committee is:
Recommend to Full Council that it adopts the revised Hackney carriage and Private Hire Licensing Policy as attached at **APPENDIX A** of the report for the period of 2021 - 2026.

Appendix title: (delete if not required)

APPENDIX A - Draft Hackney Carriage and Private Hire Licensing Policy 2021 - 2026.

APPENDIX B - Community Impact Assessment



Hackney Carriage and Private Hire Licensing Policy

2021 - 2026

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PART 1 - INTRODUCTION

1.1 Powers and Duties

Fenland District Council (the Council) is responsible for the licensing of Hackney Carriage and Private Hire Vehicles (collectively referred to as taxis), their Drivers, Operators and Proprietors in the District.

This Policy sets out the standard that the Council will use to inform its decisions on applications for licenses, their renewal and consideration of their continuance. This Policy will also be useful for members of the hackney carriage and private hire trades, those seeking licenses, the travelling public and others in the community.

Licence holders and applicants for licenses will find guidance on the application processes in the Appendices to this Policy and on the Council website. If a member of the public has a concern or question about the taxi trade, they should get in touch with The Licensing team at the Council at: licensing@fenland.gov.uk

This Statement of Licensing Policy is written pursuant to the powers conferred by the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, as amended, which places on Fenland District Council ("the Council") the duty to carry out its licensing functions in respect of Taxis, Drivers, Operators and Proprietors in the District

This policy has also considered and will continue to refer to the following documents:

- a) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades issued by the Institute of Licensing IOL (dated April 2018)
- b) Statutory Taxi & Private Hire Vehicle Standards issued by the Department for Transport (dated July 2020)

1.2 Policy Objectives

Hackney carriages and private hire vehicles have a specific role to play in an integrated transport system. They can provide safe, secure and comfortable transport, providing an on-request door to door service in various circumstances, including where public transport may not be available or for those with mobility difficulties.

In setting out its policy, the Council seeks to promote the following objectives:

- (a) The protection of the environment;
- (b) Public Safety;
- (c) Ensuring an efficient and effective hackney carriage and private hire

- provision;
- (d) To provide and maintain a professional and respected hackney carriage and private hire trade by continued monitoring and improvement of standards of service.

The aim of the licensing process, in this context, is to regulate the hackney carriage and private hire trade in order to promote the above objectives. It is the Council's wish to facilitate professional and responsible businesses, which display sensitivity to the wishes and needs of the general public, whilst maintaining the current high standard of service provision.

When considering this Policy, the Council have tried to ensure that each requirement is properly justified by the risk it seeks to address, balancing the cost of the requirement against the benefit to the public.

Licenses issued by the Council

- (a) Hackney carriage driver's licence (HCD)
- (b) Hackney carriage vehicle licence (HCV)
- (c) Private hire driver's licence (PHD)
- (d) Private hire vehicle licence (PHV)
- (e) Private hire operator's licence (PHO)

Note that the licence the Council issues to individuals who wish to drive taxis or private hire vehicles are referred to as a **'driver's licence'**, and the licence issued to all motor road vehicle drivers by the DVLA is referred to as a **'driving licence'**.

The Council does not issue school transport permits, these are issued by Cambridgeshire County Council.

Any badge, licence or vehicle plate issued to any person remains the property of the Council.

1.2 Hackney carriages and private hire vehicles; what's the difference?

The licences, fares, insurance and working practices of the vehicles are different.

Only hackney carriages may use the word 'Taxi' or 'Cabs' in their name, advertising or signage.

Other differences are set out in this table:

	Private Hire	Hackney Carriage
Bookings		
Can be pre-booked	✓	✓
Can wait in a hackney carriage rank	✗	✓
Can be hailed	✗	✓
Fares		
Set by the council	✗	✓
Uses a taximeter	✗	✓
Set by Operator	✓	✗
Visual differences		
Illuminated roof sign	✗	✓
'Black cab' type allowed	✗	✓
Cab or Taxi in name	✗	✓
Licence plate position	Rear	Rear
Internal plate	✓	✓

1.3 Departure from the Policy

In exercising its discretion in carrying out its regulatory functions, the Council will have regard to this policy document and the objectives set out therein.

Notwithstanding the existence of this Policy, each application or enforcement measure will be considered on its own merits with regard to the licensing objectives. However, it is likely that departures from policy will be restricted to exceptional circumstances, not used to circumvent the reasonable requirements of the Policy.

Substantial departure from Policy

Where it is necessary for the Council to depart substantially from this Policy, clear and compelling reasons for doing so must be given. The Licensing Sub – Committee may authorise a departure from the Policy in accordance with this section if they consider it necessary in the specific circumstances.

Minor departure from Policy

Where an applicant is able to demonstrate that a minor departure from this Policy, based on the individual circumstances of that application, would

still ensure that the policy objectives are achieved, the Licensing Manager may authorise a licence to be issued. An example of this could be a short delay within the admin process whereby we are waiting for an updated insurance certificate to be sent.

1.4 Policy Duration

This Policy will take effect from **XX XX 2021**.

Administrative amendments to this Policy (required by virtue of legislative changes, revised statutory guidance, a Council restructure or administrative procedural changes) may be made by the Licensing Manager. Amendments under this section are restricted to those required to accurately reflect the current legal or administrative position rather than amendments that change the focus of local policy.

The Policy will be reviewed every five years in line with the requirements of the Statutory guidance that was introduced in July 2020, to ensure it remains fit-for-purpose and either amended where necessary or approved for continuation.

In the event of any significant amendment to the Policy, a full consultation will be undertaken prior to consideration by the Licensing Committee who will make a recommendation for consideration by Council.

For the purpose of this section, a significant amendment is defined as one that:

- a) will have significant financial impact on applicants, licence holders or the public,
- b) will have a significant procedural impact on applicants, licence holders or the public, or
- c) may not be perceived by the trade or the public to be consistent with the policy objectives.
- d) It does not relate to mandatory changes in legislation and/or statutory guidance

PART 2 - VEHICLES

2.1 Limitation of Numbers

The Council currently has no limit on the number of hackney carriages which may be licensed within the District and has no intention of introducing one unless evidence of 'no significant unmet demand' can be provided. The cost of any 'unmet demand' survey would need to be borne by the existing licence holders and re-evaluated every three (3) years to maintain a cap.

To assess the unmet demand for Hackney Carriage vehicles, this would be carried out through an independent survey, of which the results data would be analyzed, and a decision made if as a Council we had sufficient licensed vehicles to cope with the demand

No powers exist for licensing authorities to limit the number of private hire vehicles that they licence.

2.2 Specifications and Conditions

Licensing authorities have a wide range of discretion over the types of vehicle that they can licence as hackney carriages or private hire vehicles and The Best Practice Guidance suggests that local licensing authorities should adopt the principle of specifying as many different types of vehicle as possible.

The Council is empowered to impose such conditions, as it considers reasonably necessary, in relation to the grant of a hackney carriage or private hire vehicle licence. Hackney carriage and private hire vehicles provide a necessary service to the public; however, it is appropriate to set standards for the external and internal condition of the vehicle, provided that the standards are reasonable and proportionate.

Part 2 of this Policy sets out the Council's minimum standards of vehicle specification, which apply in respect of all licensed vehicle applications. This specification will need to be met prior to licensing and maintained throughout the duration of the licence. This will be achieved by attaching the following licence condition to all hackney carriage and private hire vehicle licenses:

"This licence is granted subject to compliance with the Council's Hackney Carriage and Private Hire Licensing Policy vehicle specification requirements (Part 2 of the Policy) throughout the duration of the licence period."

2.3 Accessibility

In regulating the hackney carriage and private hire trade the Council aim to meet the diverse needs of all accessibility requirements in the district. This includes wheelchair users, the visually impaired, the elderly and other groups that may be disabled or otherwise have accessibility requirements. The Council do not place any restrictions on PHV types. However, if the vehicle is to be wheelchair accessible, to ensure public safety, PHV applicants will be required to provide the V5 document that shows that the vehicle has been defined as wheelchair accessible or the certificate of conformance

The Council is committed to social inclusion and ensuring a wide variety of opportunities is available to those with mobility difficulties in order to enjoy a high quality of life. It fully supports the view of the Equality and Human Rights Commission that,

“Making successful journeys is critical to the social inclusion of disabled people. Without the ability to travel, disabled people are denied access to life opportunities. Their access to education, shopping, employment, healthcare, as well as social and family life is significantly improved when journeys become accessible.”

It is defensible that different accessibility considerations should apply between hackney carriages and private hire vehicles in that hackney carriages can be hired in the street or at a rank, by the customer dealing directly with a driver whereas private hire vehicles can only be booked through an operator.

2.4 List of Wheelchair Accessible Vehicles (WAV's)

Section 167 of the Equality Act 2010 allows the Council to designate accessible vehicles as subject to the requirements of the Act making it a criminal offence to refuse a passenger with a wheelchair or charge an additional fare. In support of the Council's desire to provide accessible transport for those with disabilities, all wheelchair accessible hackney carriages and private hire vehicles will be designated for this purpose.

Section 165 – 167 of the Equalities Act 2010 (the 2010 Act) came into force 7th April 2017 and allows local authorities to create a list of designated wheelchair accessible vehicles (a S167 List).

The Council will publish a S167 List of wheelchair accessible vehicles. This means that any vehicle that meets the Council's definition of a wheelchair accessible vehicle will be designated on the list.

By the Council creating the S167 List, this brings into effect the duties placed on drivers under section 165 of the 2010 Act, making it a criminal offence if the driver of a designated vehicle fails to comply with the duties specified

under section 165

Drivers who, for medical reasons, are unable to accept wheelchair passengers or assistance dogs can apply to the Council for an exemption certificate.

Such a certificate will only be issued on production of appropriate medical evidence. Exemption certificates, which show the photograph of the driver, must be displayed in the vehicle at all times whilst licensed as a hackney carriage or private hire vehicle.

In the absence of a medical exemption certificate from the Council, it would be a criminal offence for any hackney carriage or private hire driver to refuse to carry an assistance dog or a passenger with a wheelchair, to refuse to allow the assistance dog to remain with the passenger throughout the journey, or to make any additional charge for the carriage of the assistance dog or wheelchair.

2.5 Environmental Considerations

The Council have given careful consideration to the recommendation in the Guidance that, in the interests of the environment, tougher emissions standards should be introduced for all licensed vehicles and considers its responsibility in protecting the environment to be a strong factor within the licensing policy.

This flexible approach is allowed in conjunction with its six- monthly testing requirements for all vehicles over five (5) years old to offset the need not to require tougher emission standards for licensed vehicles

2.6 Vehicle Idling

Clearly emissions from hackney carriages and private hire vehicles could be further reduced through education and raised awareness of environmental issues. Simple measures such as:

- (a) better and more frequent vehicle maintenance and servicing; or
- (b) switching off engines when stationary or idling, particularly at hackney carriage ranks and schools can make a significant environmental impact considering the number of licensed vehicles.

The Hackney Carriage and Private Hire trade members have an important role to play in raising awareness of environmental issues.

The Council encourages the use of cleaner, low emission vehicles as hackney carriages or private hire vehicles and will offer a subsidised licence fee for electric or hybrid vehicles from April 2022.

2.7 Maximum Age of Vehicles

The Best Practice Guidance reminds licensing authorities that it is perfectly possible for an older vehicle to be in good condition and that the setting of an age limit beyond which they will not licence vehicles may be arbitrary and disproportionate.

Therefore at this time we do not intend to implement an upper age limit on the vehicles we licence.

2.8 Vehicle Testing

In order to comply with the Council's vehicle testing requirements a vehicle must obtain a current MOT pass certificate and a current Compliance pass certificate from the Council's nominated testing facility, both of which must be dated no earlier than one calendar (1) month prior to the licence commencement date.

Vehicles that are less than one (1) year old will be exempt from producing a current MOT pass certificate but will be required to obtain a Compliance pass certificate.

All vehicles will be subject to annual testing requirements (MOT and Compliance Test) until they reach five (5) years old. Each application for a grant or renewal of a vehicle licence must be accompanied with proof of Compliance pass Certificate.

Once a vehicle reaches five (5) years old it will be subject to six-monthly testing requirement of a Compliance Test.

For the avoidance of doubt, any vehicle renewal application that would take the licence beyond the age of five (5) years. This will facilitate the vehicle being tested at six-monthly intervals as required.

The Council's nominated testing facility is:

- a) MOT
Any testing facility currently registered with the Department for Transport to undertake MOT testing.
- b) Compliance Certificate
Undertaken by approved premises in Fenland District

Vehicle Failures

The licence of any vehicle which fails its testing requirements will be subject to either an automatic suspension or a time limited period for the vehicle failure to be rectified and re-examined. Until such time as the vehicle has been re-examined and the necessary pass certificates obtained, the Council, or its nominated testing facility, may retain the

vehicle licence plate until such time as the inspection requirements are met.

All vehicles that fail a compliance test must pay the re-inspection fee before this can be re-booked.

MOT advisories

With public safety being a significant objective of this Policy, the Council expects licensed vehicles to be of the highest possible standard. Accordingly, any MOT advisory relating to tyres or brakes must be rectified before a licence is granted. The Council also reserve the right to extend this requirement to other MOT advisories where they deem it necessary for the protection of the public.

Vehicles involved in an Accident

With the safety of the public being a predominate factor of this Policy, all vehicles involved in an accident, however minor, will be required to obtain a compliance test approval to continue operating. Upon inspection following an accident, any vehicle that would fail to meet the vehicle testing requirements will be automatically suspended until such time as the vehicle has been re-examined and the necessary approval given.

In the case of only cosmetic damage, a timescale for repair will be set by the Council at the end of which the vehicle must be presented to the Council's nominated inspection facility. If the vehicle would not pass a Certificate of Compliance examination, that vehicle cannot continue to operate as a hackney carriage or private hire vehicle until such time as the vehicle would meet the testing requirements.

2.9 Officer Inspections

In addition to the above testing requirements, the Council will undertake its own program of inspections. These tests will be undertaken at any other location within the District as advised by a Council Officer and will ensure that vehicles maintain the high standard of testing throughout its licence period.

In the event of any concern in relation to mechanical vehicle safety, the vehicle will be referred to the Council's nominated testing facility for a formal assessment. Where the testing requirements would not be met, the Officer may either agree a period of time for rectification and re-inspection or suspend the vehicle until such time as the testing requirements would be met.

2.10 Vehicle Type

Left-hand drive vehicles will not be considered suitable for licensing, save for stretched limousines which will be subject to the specification

requirements detailed in **Appendix E**. This is to ensure that passengers travelling in the front passenger seat can exit the vehicle directly onto the footway rather than directly into the carriageway.

2.11 New Vehicles

Hackney carriages

All vehicle applications for a new hackney carriage licence, must be either:

- a) a 'London' type hackney carriage, or
- b) a suitable wheelchair accessible vehicle, approved by the Council, this will take effect from when we have issued with an active licence for One hundred and ten (110) hackney carriages

For the avoidance of doubt, this does not mean plate number HCV110 this is the total number of hackney carriage licenses in a status of issued.

Private hire vehicles

All vehicles for new private hire licence applications must be either:

- a) a saloon, estate, MPV or hatchback vehicle with a least four (4) side doors, or
- b) a purpose-built minibus designed to carry not less than (4) nor more than eight (8) passengers.

Renewal applications

Any hackney carriage or private hire vehicle with a valid licence as at 1 April 2021 may be renewed or transferred to a new vehicle without having to meet the new vehicle requirements

2.12 Vehicle Types & Category write-off's

Vehicle Types

Licensed vehicles shall ordinarily have European Community Whole Vehicle Type Approval (see <http://www.dft.gov.uk/vca/vehicletype/index.asp>) and be compliant with the relevant Road Vehicles (Construction and Use) Regulations in effect at the time of application

In the absence of European Community Whole Vehicle Type Approval, or if a vehicle has been modified in any way since manufacture, vehicles can be considered for licensing that have:

- a) National Small Series Type Approval (see <http://www.dft.gov.uk/vca/vehicletype/index.asp>), or
- b) Individual Vehicle Approval (see <http://www.dft.gov.uk/vca/vehicletype/index.asp>)

However, Individual Type Approval will not be accepted:

- a) where the seatbelts fitted to the vehicle are not those fitted by the manufacturer and tested in accordance with the vehicle's original type approval, or
- b) where the vehicle has been fitted with seating/wheelchair tracking which may invalidate the original type approval for any seats fitted to the vehicle except where suitable evidence is provided by the applicant(s) that this is not the case.

Category write – off's

An application for a vehicle licence will not be accepted if the category is showing as S. This means the vehicle has been previously written off with structural damage and is deemed to be not suitable to be a licensed vehicle.

2.13 Vehicle Specification

All hackney carriage and private hire vehicles must:

- a) be capable of carrying not less than four (4) nor more than eight (8) passengers,
- b) have no damage affecting the structural safety of the vehicle,
- c) not have been written off for insurance purposes at any time,
- d) have sufficient means by which any passenger in the vehicle may communicate directly with the driver,
- e) be maintained in sound and roadworthy condition at all times,
- f) serviced in accordance with manufacturers' recommendations.

2.14 Vehicle Roof Sign and PH Door Signage

Hackney Carriage Vehicles

All Hackney carriage vehicles must be fitted with an illuminated external sign mounted on or above the roof of the vehicle or have a built-in illuminated roof sign.

Roof signs fitted upon a Hackney Carriage Vehicle must be white in colour and shall be securely fitted to the vehicle. Roof signs must be of a design and shape approved by the District Council.

All Hackney Carriage Vehicle roof signs shall display the wording 'taxi' on the front and the words 'Fenland District Council' together with the carriage licence number on the back (except in the case of a London Style cab).

The sign shall be capable of being illuminated internally in such a manner that the word 'TAXI', Fenland District Council and the carriage licence number, is always illuminated when the vehicle is plying for hire, but not otherwise.

All wording shall be black in colour and the word 'TAXI' must not be less

than 90mm in height. Wording on the rear of the roof light must not be less than 25mm in height

Private hire vehicles

A private hire vehicle must not carry a roof sign of any description, mounted or built-in, or any markings that may give the impression that it is a hackney carriage.

A private hire vehicle must display Council-approved signage on both front doors of the vehicle. Signage will be displayed in oval shape and on a yellow background with the Fenland Logo, Wording stating Pre-Booked Only, Telephone number and text stating – Insurance invalid unless booked with the operator.

Once you have been issued your new Operator/Vehicle licence we will supply you with a PDF document which will allow you to have the signage printed and affixed by your chosen sign writer.

2.15 Vehicle Livery

The Council believes that the requirements of this policy ensure that hackney carriages and private hire vehicles are easily distinguishable and that there is no current requirement for specific vehicle livery

However, the Council will keep the issue of livery under review and if it believes that livery would be of benefit to the public, either in terms of specific vehicle colors and/or a Council logo, then a public consultation will be undertaken prior to any livery being introduced.

2.16 Licence plates

At all times when a vehicle is licensed as a hackney carriage or private hire vehicle, unless an exemption has been granted, the vehicle must display the licence plate provided by the Council, securely fixed externally in a prominent position on or above the rear bumper of the vehicle.

At all times when a vehicle is licensed as a hackney carriage or private hire vehicle, the vehicle must display the internal vehicle licence plate provided by the Council, securely fixed in a prominent position to the front windscreen or dashboard.

The licence plates must always be clearly identifiable and legible to the public.

Private Hire Plate and Door Sticker Exemptions

This may be given to private hire vehicles used for executive hire,

corporate contracts, school contracts or work of a similar nature. In order to qualify for an exemption, you must complete the template form stating why you are requesting this. Once you have received approval the following must take place;

- a) a written letter of exemption issued by the Council must always be carried in the vehicle,
- b) the licence plate must always be carried in the vehicle,
- c) the internal plate issued by the Council must be displayed on the front windscreen of the vehicle, and
- d) the vehicle must be undertaking the nature of work for which the exemption was granted. If any of these four criteria are not met, then an exception will not be granted.

For the avoidance of doubt, vehicles that are used for a combination of 'exempt' work and normal private hire work will always be required to display external licence plates when the exemption does not apply.

2.17 Third Party Advertising

Third Party advertising is only permitted with prior written approval of the Council.

The following advertising will not be permitted:

- a. Anything of a religious or political nature;
- b. Alcohol or tobacco products;
- c. Any matter of a sexual nature or likely to cause offence;
- d. Any matter which is insulting, offensive or abusive.

The content of any advertising on the vehicle shall be legal, decent and truthful. No words, letters or graphics may be displayed on any windows of the vehicle.

No advertisement will be permitted which impedes the vision of the driver. The Council reserves the right to require the licensee to remove the advertisement from display on the vehicle if the content of the advertisement changes without written permission of the Council or for any reason affecting the appearance of the advertisement.

All materials used and affixed for advertising purposes on Hackney Carriage Vehicles must comply with current legislation which includes the Motor Vehicle (Construction and Use) Regulations and must not provide any risk of injury to drivers /passengers or pedestrians.

No secondary advertising of any kind will be permitted including the name of the company preparing the vehicle or the name of the advertising agency.

All advertisements must comply with the UK Advertising Standards Authority (ASA) Codes and it is the responsibility of the vehicle proprietor to ensure that they do so.

Advertising to do with crime and disorder or public safety issues such as advertising "Crime Stoppers" or Crime Prevention Matters will be permitted.

Exterior Advertising

The following surfaces are permitted for the use of exterior advertising on licensed Hackney Carriages, subject to the requirements above:

Doors only - advertising material covering the exterior lower panels of rear doors on both sides of the vehicle

Boot lid - advertising on the boot lid is permitted other than where it in any way obscures the licence plate.

Interior Advertising

Interior advertisements are permitted on the rear window but must be:

- a) no more than ten (10) centimetres in height,
- b) positioned so that they do not obstruct the driver's view in any way, and
- iii) be restricted to the name, logo or insignia, telephone number, or other contact details of the owner or operator of the vehicle.

For the purpose of this section, the display of 'no smoking' signage as required by legislation or signage indicating that the vehicle is able to convey passengers in wheelchairs (provided that the vehicle has been manufactured or properly adapted for that purpose) is not considered to be advertising.

Any advertising or signage on a private hire vehicle must not include the words "taxi", "cab", "hackney carriage" or "for hire", save for the word "taxi" being part of the company name.

2.18 Seating in Multi-Passenger Vehicles

The Council will licence vehicles for seating arrangements of up to eight (8) passengers where all licensing requirements are satisfied.

All vehicles licensed to carry in excess of four (4) passengers will only be licensed in accordance with the seating layouts detailed in **Appendix G**, unless the Original Manufacturer's Specification provides an alternative arrangement. Any seating arrangements not illustrated in **Appendix G** will be considered by the Council in relation to safety requirements however it should not be assumed that permission will automatically be granted.

2.19 Doors

All licensed hackney carriages or private hire vehicles must have at least three side-opening passenger doors, which must be easily opened from the inside and the outside.

All vehicles must have sufficient, safe and suitable access and egress from the vehicle for the driver and all passengers, excluding the rear exit and the driver's front door (with the exemption of WAV vehicles).

2.20 Tyres

The licensed vehicle must be fitted with either all radial or all cross-ply tyres, including the spare wheel. All tyres, including the spare wheel, must be suitable for use on the vehicle and conform to the requirements of the Original Manufacturers' Specification.

Run-flat tyres and 'space-saver' tyres are acceptable on licensed vehicles provided they conform to the Original Manufacturers' Specification.

If a 'space-saver' spare tyre is used on a licensed vehicle it must only be for completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the 'space-saver' spare tyre is being used on the vehicle.

Original Manufacturers' Specification 'tyre repair kits / compressor' are permitted within licensed vehicles provided they comply with the relevant British Standards. If a 'tyre repair kit / compressor' is used on a licensed vehicle in lieu of a spare tyre it must only be for the duration of completing the current fare and returning to a garage to obtain a suitable replacement. No further fares may be taken whilst the tyre repaired with the 'tyre repair kit / compressor' is being used on the vehicle.

2.21 Drivers' Vehicle Mirrors

External rear view mirrors must be fitted to both sides of all licensed vehicles.

All licensed vehicles must have an internal rear-view mirror appropriately fitted in accordance with appropriate legislation and/or manufacturers' specification.

2.22 Seats - Minimum Interior Dimensions

The following minimum dimensions are applicable to both Hackney Carriage and Private Hire vehicles.

Proprietors should bear in mind that the manufacturers' claimed seating capacity may not always be the same as the Council's licensed seating capacity scheme as detailed below.

Height - From the top of the seat cushions to the roof at the lowest part (inside) must not be less than 865 mm (34 inches approx.)

Seat Depth - fixed passenger seats (measured from the back of the seat to the front edge of the seat cushion) must be no less than 406 mm (16

inches approx.)

Seat Width - fixed passenger seats (measured along the front edge of the seat) must allow at least 406 mm (16 inches approx.) per person. There must also be a minimum of 1371mm (54 inches) between the inner door handles.

Legroom – each passenger seat shall provide sufficient legroom for passengers to be seated in comfort.

Facing seats - the distance between the seat backs measured in a horizontal plane along the top surface of the seating cushion must be not less than 1300 mm (51 inches approx.). The distance between the front edges of the seat cushions must be not less than 425 mm (16 ¾ inches approx.).

Access to every passenger seat must be unobstructed and be easily accessible to passengers without the need for seats to be folded or removed and without the need for more than one (1) passenger to move.

Unless the Original Manufacturers' Specification states otherwise, the front seat of the vehicle next to the driver will be regarded as a seat for one (1) passenger only.

2.23 Seat Belts

All vehicles must be fitted with fully operational seat belts, one for each passenger to be carried, fully compliant with the relevant British Standard, except where legislation specifically provides an exemption.

In relation to the carriage of all passengers, including children, the requirements of all relevant legislation must be complied with. As a guide a child over 12, or over 135 cm (approx. 4' 5") in height may ride in the front seat of a Licensed vehicle providing they wear the fitted seatbelt.

2.24 Fire Extinguishers

This council deems that it is not a necessary requirement for the vehicle to carry an extinguisher. The advice given is that in the event of a fire the driver and passengers leave the vehicle immediately and keep a safe distance.

2.25 First Aid Kits

In line with the Health & Safety legislation, all licensed vehicles must carry a first aid kit, this shall be used in an emergency to treat minor injuries and

therefore must always be easily accessible.

The contents of the first aid kit must be in date and comply with health & safety requirements.

It must be marked with the vehicle registration number or licence plate number.

2.26 Ventilation

Windows must be provided to all passenger compartments along with adequate means of opening and closing, not less than one (1) window on either side of the vehicle, in both the front and rear passenger compartments.

Rear passenger windows must be capable of being opened by passengers when seated unless air conditioning is available, in which case the air conditioning must be operated by the driver upon request.

2.27 Luggage

Adequate storage for passenger luggage must be available and all luggage carried must be suitably secured in place without obstructing any emergency exits.

If the licensed vehicle is an estate, hatchback, or multi-passenger type vehicle, it must be fitted with a guard-rail or manufacturer's specification compartment cover to prevent luggage from entering the rear passenger compartments.

2.28 Maintenance and Condition of the Vehicle

The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner always. In particular, the exterior of the vehicle shall:

- a) be free of large and/or sharp-edged dents,
- b) be free of visible rust,
- c) be free of unrepaired accident damage,
- d) have uniform paintwork equivalent to that applied by the manufacturer, and
- e) be maintained in an acceptable state of cleanliness.

The interior of all licensed vehicles shall be maintained in a clean, safe and satisfactory manner always. In particular, the interior of the vehicle shall:

- f) be free of all stains to the upholstery or seat covers if fitted.
- g) be free of all splits and tears to the seats,
- h) be maintained in an acceptable state of cleanliness, and
- i) provide seats functioning in accordance with the Original Manufacturers' Specification.

2.29 Modifications

No material alteration or change in the specification, design, condition or appearance of any licensed vehicle may be made without compliance with road traffic legislation, insurance requirements, and written approval for the change(s) from the Council.

2.30 Communications Devices

All two-way radio equipment must be of a type currently approved by and must be fitted securely in accordance with guidelines published by, the Radio Communications Agency. They must not be fitted as to obscure the drivers view through the front window screen.

The use of radio scanning devices is prohibited, and such devices must not be fitted or carried in the vehicle.

2.31 Meters

Hackney carriages

An approved taximeter must be fitted in all hackney carriages and must be correctly calibrated, sealed and fully functional in accordance with the current Council approved fare structure. All taximeters must be appropriately stamped to ensure compliance with The Measuring Instruments (Taximeters) Regulations 2006, or any subsequent legislation.

The taximeter must not be capable of being manually overridden to ensure that the correct tariff is charged based on the actual date and time of the journey, and must be set at the correct date and time at all times throughout the period of the vehicle licence.

The taximeter shall be positioned so that the display on the face of the meter may always be clearly visible to any person being conveyed in the vehicle. The dial of the taximeter shall be kept properly illuminated throughout any part of the hiring including during the hours of darkness and at any time at the request of the hirer.

When the meter is operating there shall be recorded on the face of the meter in clearly legible figures a fare not exceeding the maximum fare that may be charged for a journey.

An official copy of the Council's fare tariff must be clearly displayed and legible in the vehicle to be plainly visible to passengers carried therein.

The vehicle taximeter must be brought into operation at the commencement of the journey and the fare demanded by the driver shall

not be greater than that fixed by this Council in connection with the fare tariff for the hire of hackney carriages. For the avoidance of doubt, the taximeter should not be started until the passenger is in the vehicle ready to commence the journey.

In the event of such a journey commencing in but ending outside the District, the customer may be charged for the journey of such fare as was agreed before the hiring was affected. If no such agreement was made, then the fare to be charged should be no greater than that fixed by the Council in connection with the fare tariff for the hire of hackney carriages.

On occasions, a journey will commence during one tariff period and end within another tariff period. For the avoidance of doubt, the tariff that is in operation at the time of the commencement of a journey must remain throughout that journey.

Private Hire

Private hire vehicles are not required to be fitted with a taximeter however where a taximeter or other device for recording fares is fitted, it must be of a type approved by the Council.

Private hire operators must agree the cost of the journey with the passenger(s) prior to undertaking the journey. At the conclusion of the journey, the fare charged should not exceed the amount previously agreed. If the operator intends to use the taximeter to calculate the fare, they must seek agreement from the passenger(s) at the time of accepting the booking, including the agreed point at which the meter would be engaged.

2.32 Trailers

Trailers may only be used with the prior approval of the Council and then subject to the following requirements:

- a) the driver's DVLA driving licence must cover the categories that allow the towing of trailers,
- b) the trailer must always comply with all requirements of road traffic legislation and the current Road Vehicles (Construction and Use) Regulations,
- c) the vehicle insurance must include cover for towing a trailer,
- d) trailers must not be left unattended anywhere on the highway,
- e) a suitable lid or other approved means of enclosure shall be fitted to secure and cover the contents of the trailer whenever in use;
- f) trailers must display an identical licence plate to the licensed vehicle,
- g) trailers cannot be used on a hackney carriage rank and should only be used for specific pre- booked journeys, not whilst plying for hire.

2.33 Disability Access

In the case of all licensed vehicles which are built or adapted for disabled passengers, the design of the vehicle must ensure that any wheelchair is loaded from the side or the rear of the vehicle.

Where a vehicle is utilised for the carriage of passengers in a wheelchair, the following conditions shall apply:

- a) access to and exit from the wheelchair position must not be obstructed in any manner at any time except by wheelchair loading apparatus,
- b) internal wheelchair anchorage must be of the manufacturer's design and construction and secured in such a position as not to obstruct any emergency exit,
- c) a suitable restraint must be available for the occupant of a wheelchair.
- d) access ramps or lifts to the vehicle must be securely fixed prior to use, and be able to support the wheelchair, occupant and helper,
- e) ramps and lifts must be securely stored in the vehicle before it may move off,
- f) access ramps and/or lifts must be maintained in full working order at all times when the vehicle is available for hire.

Any equipment fitted to the vehicle for the purpose of lifting a wheelchair into the vehicle must have been tested in accordance with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (S.I. 1998/2307).

Where a vehicle is designed or adapted to carry a wheelchair, the proprietor shall ensure that the driver has received sufficient training to safely load and convey wheelchair bound passengers.

2.34 Vehicles Powered by Liquid Petroleum Gas (LPG)

An applicant for a licence involving a vehicle that has been converted to run on LPG is required to produce, prior to a licence being issued, a certificate issued by a member of the LPG Association confirming satisfactory installation, examination and testing of the vehicle in accordance with the LPG Association Code of Practice.

If an LPG conversion involves installation of an LPG fuel tank in a vehicle's boot space (and possible relocation of the spare wheel) it shall be a requirement that a reasonable amount of space shall remain free for the stowage of passenger luggage and any spare wheel displaced as a result must be stowed in a location that does not impinge on the passenger carrying area of a vehicle.

2.35 Tinted Windows

The front windscreen, front driver's side window and front passenger's side window must ordinarily be clear glass. Exemption from this requirement may be given for original manufacturer's specification 'light tint' glass that does not prevent the identification of the driver and passengers from outside the vehicle.

The rear windscreen of any vehicle shall not have been treated so that less than 75% of light is transmitted through it, nor the rear passenger compartment side windows of any vehicle so that less than 70% of light is transmitted through them, unless the following criteria can be met:

- a) the vehicle is licensed as private hire vehicle only,
- b) the vehicle is a stretched limousine vehicle,
- c) the vehicle will not be engaged at any time for the carriage of school children,
- d) the private hire operator must, unless such a vehicle has been specifically requested, inform a hirer that such a vehicle will be supplied.

This section does not preclude or supersede any requirements provided for in any relevant legislation relating to road traffic vehicles.

2.36 Insurance

There shall be a policy of insurance, or such security as complies with the requirements of Part VI of the Road Traffic Act 1972, throughout the duration of the vehicle licence including appropriate cover for hackney carriage or private hire (as applicable).

Certificates of Insurance or cover notes that do not provide appropriate cover for a minimum of the first calendar month of a licence period will not be accepted by the Council. Failure to comply with this requirement will preclude a licence from being issued.

Where a cover note is provided as part of a licence application, a full Certificate for a twelve (12) month period of Insurance must be provided prior to the expiry of the cover note.

The registered owner of the licensed vehicle shall ensure that it is always adequately insured to the satisfaction of the Council and all relevant legislation that it is available for the carrying of passengers. In the absence of appropriate insurance, the licensed vehicle cannot be used for the carrying of passengers.

As case law has established that a vehicle licensed as a hackney carriage or private hire vehicle always remains a licensed vehicle until the licence expires or is surrendered, only appropriately licensed hackney carriage or private hire drivers may drive the vehicle. The

Council will not, therefore, accept any Certificate of Insurance that includes persons that do not hold a valid hackney carriage or private hire driver licence (as appropriate) for the vehicle.

2.37 Change of Ownership

Any change to the person(s) or company named on a vehicle licence must be notified to the Council within fourteen (14) days of such change.

When the holder of a vehicle licence wishes to transfer the licence to another person he must notify the Council, in writing, using the prescribed application form and paying the appropriate fee before such change takes place. Transfer of the licence will not be granted until such time as the prescribed procedure has been completed and a new vehicle licence has been issued.

2.38 Inspection

All hackney carriage and private hire vehicles must be available for inspection, at any location within the District, at all times when requested by an Authorised Officer of the Council or a Police Officer.

All vehicle documentation must be produced within twenty-four (24) hours, or such other time as specified, when requested by an Authorised Officer of the Council or a Police Officer.

2.39 Unauthorised Use

The proprietor of a hackney carriage or private hire vehicle shall not allow the vehicle to be driven and/or used for hire by any person who does not hold an appropriate current hackney carriage or private hire driver licence issued by the Council.

For the avoidance of doubt, case law has established that once licensed as a hackney carriage or private hire vehicle, the vehicle always remains a licensed vehicle until the licence expires, is surrendered, is suspended or is revoked. Even if a licensed vehicle is being used for private purposes, it must still meet all the requirements of a licensed vehicle, for example displaying a licence plate, complying with all requirements of this Policy and being driven by a licensed driver.

2.40 Accident Reporting

In accordance with Section 50(3) of the Local Government (Miscellaneous Provisions) Act 1976, any accident to a hackney carriage or private hire vehicle causing damage materially affecting:

- a) the safety, performance or appearance of the vehicle, or

- b) the comfort or convenience of the passengers,

must be reported to the Council as soon as reasonably practicable, and in any case within seventy-two (72) hours of the occurrence thereof.

Following an accident or damage to a licensed vehicle, if it is the intention of the owner or operator to continue licensed use, the vehicle must immediately be inspected by an authorised council officer to determine its fitness for continued use.

On some occasions it may be required for a vehicle compliance test to be undertaken to ascertain any damage. If the Council's nominated testing facility determines that the vehicle is fit for continued use, the timescale for cosmetic repairs must be agreed with a Council Licensing Officer.

The Council may suspend the use of a licensed vehicle until it is suitably repaired and conforms to the Council's testing requirements.

A licensed vehicle which has suffered major accident damage or requires substantial mechanical repair may be temporarily replaced by a hire vehicle of a similar type, provided:

- a) the damage to, or defect in, the vehicle has been reported to the Council,
- b) an application is made in the prescribed manner for a temporary vehicle licence,
- c) the replacement vehicle meets the requirements of this Policy and is suitable to be used for hire purposes.

2.41 Miscellaneous

The proprietor of a hackney carriage or private hire vehicle shall not knowingly cause or permit the vehicle to be used for any illegal or immoral purpose.

2.42 Security/CCTV

The hackney carriage and private hire trade provide a valuable public service, especially late at night when other forms of public transport are no longer available. Security for drivers and passengers is of paramount importance and CCTV cameras can be a valuable deterrent. That said, mandatory CCTV is not a requirement as the Council considers this a matter best left to the judgement of the owners and drivers themselves.

If CCTV is installed in a vehicle, it will be the responsibility of the operator/proprietor to handle relevant data gathered in a secure manner and register with the Information Commissioner's Office (ICO).

You will also be required to display the correct signage to notify

customers accordingly.

2.43 Stretched Limousines & Novelty Vehicles

Stretched limousines are generally used for all private hire work plus special occasions such as days at the races, stag/hen parties and children's birthday parties.

For the purposes of this Policy, a stretch limousine is defined as follows:
"A stretch limousine is a motor vehicle that has been lengthened by the insertion of an additional body section and modified by a coachbuilder to contain luxury facilities and fixtures that;

- a) can carry up to but not exceeding 8 passengers;*
- b) is not a decommissioned military or emergency service vehicle."*

Any stretched limousines capable of carrying eight (8) passengers or less which are offered for private hire does require a licence from the Council. In accordance with the Best Practice Guidance, all applications to licence stretched limousines as private hire vehicles will be treated on their own merits. Any stretched limousine capable of carrying more than eight (8) passengers requires licensing by the Traffic Commissioners as a public service vehicle.

Any stretched limousine approved for licensing as a private hire vehicle will be subject to specification set out in **Appendix E**, which will be attached as conditions to all limousines licensed as a private hire vehicle.

It would be an offence under the Licensing Act 2003 to provide facilities for the sale of alcohol within a limousine. If a limousine is to be provided whereby part of the booking includes "free alcohol", the premises which accepts the booking and supplies the alcohol within the vehicle would need an appropriate licence under the Licensing Act 2003, otherwise a criminal offence would be committed.

2.44 Funeral and Wedding Vehicles

There is no requirement for a vehicle to be licensed where it is being used in connection with a funeral or is being wholly or mainly used by a person carrying on the business of a Funeral Director for the purpose of funerals.

A vehicle does not need to be licensed whilst it is being used in connection with a wedding. For clarity, the exemption applies only to services directly relating to the wedding service itself, for example transporting the bride and/or groom to the wedding service, from the service to the reception and from the service/reception to home. Transporting the married couple to other locations such as the airport would be considered a licensable activity.

2.45 Voluntary Sector Transport

The Council will assess each individual organisation on its own merits to determine whether it will require licensing as a private hire business.

To make an initial enquiry and discuss your query please contact the licensing team.

2.46 Dual Plating

The Council will not grant a hackney carriage or private hire vehicle licence for any vehicle already licensed by another licensing authority.

3.1 Licenses

Due to similarity of a hackney carriage and private hire driver, this section will apply equally to private hire and hackney carriage drivers unless otherwise stated.

The Council requires that separate driver licenses be ordinarily held in respect of hackney carriage and private hire vehicles. However, with effect from the date of this policy we will no longer be issuing 'dual licenses'.

For the avoidance of doubt, if you are issued with a hackney carriage drivers licence then you will also receive private hire driver status. But if issued with a private hire drivers licence then you will only be able to operate as a private hire driver.

3.2 Age and Experience

A licence will not be granted to anyone who has not held a full driving licence, for a period of at least twelve (12) months immediately prior to the application.

An applicant who meets the licensing requirements by virtue of an acceptable non-UK driving licence must obtain a full UK driving licence within twelve (12) months of the issue of the hackney carriage or private hire driver licence. Where this requirement is not satisfied, the hackney carriage or private hire driver licence will be automatically suspended pending compliance.

3.3 Driver Knowledge Tests

Hackney carriage drivers clearly need a good working knowledge of the District for which they are licensed, because hackney carriages can be hired immediately, directly with the driver at ranks or on the street.

In order to determine fitness to hold a licence, applicants for a hackney carriage driver's licence are required to undertake a knowledge test based on local geography, places of interest, basic knowledge of English language & maths and the Council's Licensing Policy.

In addition, applicants are required to take a short verbal test to show their understanding and communication of the English language.

To hold a private hire drivers licence you will also be required to undertake the knowledge test, however we recognise that the same instant knowledge is not required as there would be an opportunity to research

the required route so this part will not be included.

A knowledge test pass is only valid for a period of six (6) months. If a driver licence has not been granted within a period of six (6) months following the successful knowledge test, a further knowledge test pass will be required prior to a licence being granted. The exception to this would be if a delay occurred during the administration process

The fee set for the knowledge test only includes the one (1) test, any subsequent re-tests will be charged at the set fee.

An applicant may only sit a maximum of four (4) knowledge tests during a twelve (12) month period. Failure to achieve a pass mark during this period will result in a drivers licence not being issued and the applicant will need to re-apply at a later stage.

Further details of the respective tests are set out in Part 5 of this Policy.

3.4 Driving Proficiency and Qualifications

The Council believes that as a profession, hackney carriage and private hire drivers have a special responsibility for the safe transportation of fare paying passengers and therefore they must complete an advanced driving assessment, details of this can be found on our website.

Whilst the Council has no current plans to make it a mandatory requirement for a driver to obtain a professional qualification, for example a BTEC Level 2 Award in Transporting Passengers by Taxi and Private Hire, the Council would encourage drivers to consider completing this.

3.5 Medical Examination including Eyesight Test

In order to promote the Council's public safety licensing objective, it will be a requirement to produce a medical assessment from a registered medical practitioner confirming the applicant/licence holder's fitness to drive. A new medical certificate will be required at the following intervals:

- a) The applicant is a new driver;
- b) The licence holder is aged forty-five (45) years of age and every subsequent five (5) years from then
- c) The licence holder is aged sixty-five (65) years of age and every subsequent twelve (12) months; or
- d) The applicant/licence holder has a health condition that may impact upon their ability to drive a hackney carriage or private hire vehicle

Applicants may still apply for a three-year licence, however, must produce further medical certification at the required age period or at a shorter

period where recommended by the medical practitioner.

The medical assessment required by this section must:

- a) be completed on the Council's prescribed medical form (available on the Council website),
- b) be completed by the applicant's GP or a GMC register doctor, having access to the applicant's summary medical history,
- c) less than six (6) month's old at the licence start date,
- d) contain an assessment of fitness to drive based on the DVLA Group 2 Medical Standards for Vocational Drivers.
- e) A separate Eye test examination maybe required if the GP is unable to complete this, the date of this must be less than six (6) months old at the licence start date.

If required to obtain a medical certificate, the applicant will be responsible for paying the fee for the examination to the relevant surgery. On completion of the examination, the confidential assessment must be submitted to the Council accompanied by any relevant supporting documentation.

Holders of current PSV and/or HGV Licenses, where the holder can produce proof of a current medical assessment, will not be required to undergo a further medical examination provided the requirements are met.

Licence holders must advise the Council of any deterioration in their health that may affect their driving capabilities. For the avoidance of doubt, the following medical conditions must be notified to the Council as soon as reasonably practicable however this list is not exhaustive:

- f) any heart-related condition
- g) any eyesight related condition
- h) diabetes (Type 1 or Type 2)
- i) epilepsy
- j) sudden attacks of giddiness or fainting
- k) conditions causing excessive daytime sleepiness such as sleep apnea
- l) alcohol or drug dependency
- m) mental or psychological disorders
- n) any other condition that may affect the ability to drive

Where there is any doubt as to the medical fitness of the applicant, the Council may require the applicant to undergo further medical assessment, at the applicant's own expense.

3.6 Medical Exemption Certificates

Carriage of wheelchairs: medical exemption certificates

Given that the main reasons for a hackney carriage or private hire vehicle driver to request a medical exemption are likely to be back or muscle-related injuries, which are not likely to be conducive to driving for long periods, the Council expect the number of drivers likely to be eligible for an exemption to be low.

Drivers will need to provide medical evidence to support their application. Most drivers with a medical condition severe enough to warrant an exemption are likely to be under a specialist / consultant medical practitioner and the Council will require evidence of the condition to be provided from them.

Carriage of assistance dogs: medical exemption certificates

The main reasons a hackney carriage or private hire vehicle driver may wish to apply for a medical exemption are:

- a) if they have a condition such as severe asthma, that is aggravated by contact with dogs;
- b) if they are allergic to dogs; or
- c) if they have an acute phobia to dogs.

The Council therefore expect the number of drivers likely to be eligible for an exemption to be very low.

Drivers will need to provide medical evidence to support their application. If a driver has severe asthma or a known allergy to dogs, they are likely to have a medical history and an appropriate medical specialist should hold relevant information about their condition. If a driver has a chronic phobia to dogs, the Council would expect this to be supported by a report from a psychiatrist or clinical psychologist before a driver is granted an exemption. Most drivers with a medical condition severe enough to warrant an exemption are likely to be under a specialist / consultant medical practitioner and the Council will require evidence of the condition to be provided from them.

Suitable medical professionals: medical exemption certificates

Examples of suitable medical professionals include, but are not limited to:

- a) medical specialist / consultant;
- b) specialist nurse (for example, an asthma nurse);

In exceptional circumstances, where no other alternatives are available, the Council may consider evidence from the applicant's General Practitioner. The applicant will be responsible for all costs associated in the provision of the necessary medical evidence.

3.7 Disclosure & Barring Service (DBS) Disclosures

A DBS check on a driver is seen as an essential safety measure in assessing whether an applicant is suitable to hold a licence, therefore an Enhanced Disclosure provided by the Disclosure & Barring Service is required by all applicants, whether new or renewal applications.

Before an application for a driver licence will be considered, the applicant must provide a current (less than three months old) Enhanced DBS Disclosure; the only exception would be where an applicant has registered with the DBS for the online checking service and the Council has seen the latest DBS to which the online check refers.

We will be carrying out DBS checks on licensed drivers at every six (6) month interval. Therefore, to ensure this is completed in a timely manner it is a mandatory requirement that all licensed drivers sign up to the DBS online checking service. Failure to have this in place and an adequate check not being completed, will result in either a temporary suspension of the drivers licence or a delay in the renewal process.

The Rehabilitation of Offenders Act 1974 does not apply to applicants for both hackney and private hire driving licenses; therefore, applicants are required to disclose all convictions, including those that would normally be regarded as spent.

The Council is not an accredited Disclosure & Barring Service body therefore any requirement for new checks are passed to a neighbouring authority to process on our behalf. The applicant will be responsible for the payment of the appropriate fee.

In the case of applicants with less than five (5) years residence in the UK, a Certificate of Good Conduct will be required from the relevant Embassy in addition to an Enhanced DBS Disclosure covering their time in the UK. All Certificates of Good Conduct must be translated into English by an accredited translator and accompanied by a declaration to that effect.

The Council is bound by rules of confidentiality and will not divulge information obtained to any third party. The applicant for a DBS certificate will be sent a certificate to their home address and will need to provide the certificate to the Council who do not receive a copy. Once the Council have obtained the necessary information from a DBS certificate, no information from the DBS will be retained by the Council.

3.8 Relevance of Convictions and Cautions

In relation to the consideration of convictions and cautions recorded against applicants, the Council will adopt the guidelines set out in

Appendix B of this Policy.

3.9 Convictions during period of licence

Where offences resulting in conviction are committed by licensed drivers in the course of their business or otherwise, it is important, in the interests of consistency and transparency that a procedure should be in place to consider what effect this should have on their hackney carriage or private hire driver's licence.

Driver's licence holders, who are convicted or cautioned for any criminal or motoring offence during the period covered by their existing licence, must disclose the conviction or caution and the penalty involved to the Council within seven (7) days of the conviction. In the case of a deferred sentence, the penalty must be disclosed to the Council within seven (7) days of sentencing. For these purposes, any offence resulting in the acceptance of a fixed penalty notice will be considered to be a conviction.

Should an applicant, applying as a new driver or renewal, have seven (7) or more points on the DVLA driving licence and or any previous convictions then their application will be referred to a Licensing Panel hearing to ascertain whether the applicant is a 'fit and proper person' to hold a licence.

3.10 Safeguarding & Disability Awareness Training

The Council acknowledges the importance of safeguarding and disability awareness training to all licensed drivers and operators, particularly about the prevention of child sexual exploitation, but additionally regarding vulnerable adults and children.

The Council are currently working on an inhouse training programme, which will be in place by April 2021, it will be a mandatory requirement for all new drivers and operators prior to the grant of a licence to complete this.

All existing drivers and operators will be given a period of twelve (12) months to complete this training; failure to do so will result in a licence not being renewed until such time as the training requirement has been fulfilled.

A renewal applicant will be expected to undertake this training;

- a) every six (6) years or soon if required
- b) if an officer or the Licensing Sub-Committee, feel it necessary for the driver to demonstrate they are safe & suitable to be a licensed driver.

3.11 Right to Work

All applicants will be required, prior to the grant of a licence, to demonstrate their right to work in the UK. Once this requirement has been satisfied, further proof will not be required unless the right to work is time-restricted, in which case further proof will be required to demonstrate continuity of right to work. Further information is available in **Appendix F**.

3.12 Conditions of Licence

The Council is not permitted to attach conditions to a hackney carriage driver's licence however it is empowered to attach such conditions to a private hire driver's licence as are considered necessary.

For consistency, conditions will not be attached to driver licenses however the Council consider continued compliance with this Policy as an essential requirement of the 'fit and proper' person test. Failure to comply with all policy requirements is likely to result in enforcement action being taken.

3.13 Driver Code of Conduct

Adopting a Driver Code of Conduct for hackney carriage and private hire licence holders serves to promote the Council's licensing objectives in respect of the hackney carriage and private hire trades; the standards expected of licence holders are detailed in **Appendix C**. This Code of Conduct is an integral part of the 'fit and proper' assessment.

3.14 DVLA Licence Checking

In order to ensure that the Council have a driver's complete driving history, thus enabling a fully informed decision to be made in respect of an application, the Council upon new and renewal application will request you to provide a DVLA share code.

By providing this code it will allow us to check your DVLA licence and history from the DVLA website. The application form declaration includes a section where the applicant signs to give their consent for this check.

Any anomalies between the DVLA record and the applicant's driving licence will be brought to the attention of the DVLA and the Police.

3.15 National Register - NR3 Checks

This Council has subscribed to the National Register of Hackney Carriage and PHV driver licence refusals and revocations, the 'national register of refusals and revocations' or NR3 as it is more commonly known. The

council will search the national database in all cases where an application is made for a new hackney carriage or private hire driver licence and when an application is made for the renewal of these licences.

Whilst completing these checks if any areas of concern are identified they will be addressed with the applicant immediately and may lead to a suspension or revocation of their licence.

PART 4 - PRIVATE HIRE OPERATORS

4.1 Requirements and Obligations

Any person who operates a private hire service utilising one or more private hire vehicles must apply to the Council for a Private Hire Operator Licence. A private hire vehicle may only be dispatched to a customer by a private hire operator who holds a private hire operator licence. Such a licence permits the operator to make provision for the invitation or acceptance of bookings for a private hire vehicle.

A private hire operator must ensure that every private hire vehicle has a current private hire vehicle licence and is driven by a person who holds a current private hire driver licence. All three licenses, private hire operator, private hire vehicle and private hire driver, must be issued by the same licensing authority.

It is for the Council to decide whether the applicant is a 'fit and proper person' to hold a private hire operator licence.

4.2 Disclosure & Barring Service (DBS) Disclosures

Private hire operators cannot be required to produce an Enhanced DBS disclosure therefore a Basic Disclosure from the Disclosure & Barring Service, or a certificate of good conduct from the relevant embassy for overseas applicants, is considered appropriate in promoting the policy objectives. A reference covering the applicant's financial record and/or business history may also be considered appropriate in addition to these requirements in some instances.

Before an application for a private hire operator licence will be considered, the applicant must provide a current (less than 3 months old) Basic DBS Disclosure of Criminal Convictions, or a Certificate of Good Conduct from the relevant embassy in the case of an overseas applicant. Applicants that hold a current hackney carriage or private hire driver licence with the Council will be exempt from this requirement.

4.3 Conditions

The Council has power to impose such conditions on a private hire operator licence as it considers reasonable, necessary and proportionate. The following conditions will be attached to all private hire operator licenses issued by the Council:

- a) This licence is granted subject to compliance with the requirements of Part 4 of the Council's Hackney Carriage and Private Hire Licensing Policy throughout the duration of the licence period

- b) All private hire booking records as per section 4.11 must be kept for a minimum of 12 months
- c) Any staff member working as a vehicle dispatcher on behalf of the licensed operator must have a valid Basic DBS Disclosure of Criminal Convictions check dated less than 3 months old from commencement of employment.

4.4 Public Liability Insurance

It is considered appropriate for a licensing authority to check that appropriate public liability insurance has been taken out for premises that are open to the public. Before an application for a private hire operator licence is granted, the applicant must either produce evidence that they have taken out appropriate public liability insurance for the premises to be licensed or sign a declaration that their premises is not open to the public.

4.5 Licence Duration

The Council will issue a successful applicant for a private hire operator licence with a one or five-year licence from the date of grant, although we do encourage applying for a five-year licence.

4.6 Address from which an Operator may Operate

Upon the grant of a private hire operator licence, the Council will specify on the licence the address from which the operator may accept bookings and dispatch vehicles. This address will ordinarily be the address stated on the application form.

The operator must notify the Council in writing of any proposed change of address during the period of the licence in order that the Council can consider its suitability. The operator may not change operating address until such time as the change has been approved in writing by the Council. The operator must also provide proof of public liability insurance for the new premises or sign a declaration that their new premises is not open to the public prior to the change being approved.

4.7 Operating Bases

A private hire operator licence issued by the Council will be required for any operator with an operating base that is inside the District of Fenland.

4.8 Right to Work

All applicants will be required, prior to the grant of a licence, to demonstrate their right to work in the UK. Once this requirement has been satisfied, further proof will not be required unless the right to work is time-restricted, in which case further proof will be required to demonstrate continuity of right to work. Further information is available in **Appendix F**.

4.9 Sub-contracting of Private Hire Bookings

Legislation now allows for a licensed private hire operator to sub-contract a booking to another licensed private hire operator, whether in the same district or not. Both operators must be licensed within the area in which their operating base is located and should record details of the booking in the normal way.

All three licenses (operator, driver and vehicle) must still be issued by the same local authority. For example, an operator licensed to operate in district A and district B cannot take a booking in district A and use a vehicle and driver licensed in district B. They can however sub-contract the booking to the operating base in district B using a vehicle and driver licensed in district B.

4.10 Standards of Service

The operator shall:

- a) provide a prompt, efficient and reliable service to members of the public,
- b) ensure that their office staff act in a civil and courteous manner at all times,
- c) ensure that booked vehicles arrive punctually at the appointed place,
- d) ensure that premises provided for the purpose of booking or waiting are kept clean and are adequately lit, heated and ventilated with adequate seating facilities,
- e) ensure compliance with legislation regarding the length of employee working hours.

4.11 Records

Booking records shall be kept in a non-erasable form in a suitable log or book, the pages of which are numbered consecutively, or in an appropriate electronic format.

Prior to each journey, the operator shall record the following particulars of every booking of a private hire vehicle accepted:

- a) date of the booking,
- b) name, address and contact number of the hirer,
- c) time of pick-up
- d) address of the point of pick-up,
- e) address of the destination drop off,
- f) licence number (or other identification) of the driver allocated to the booking,
- g) plate number (or other identification) of the vehicle allocated to the booking,
- h) fare agreed between the operator and hirer at the time of booking.

The operator shall keep the following records for all private hire vehicles operated by them:

- a) type, make, model, colour and engine size of vehicles,
- b) year when the vehicle was first licensed for private hire,
- c) vehicle registration numbers,
- d) number of seats for passengers,
- e) owner of the vehicles,
- f) insurance details of vehicles,
- g) method of charging, i.e. whether or not a meter is fitted,
- h) private hire vehicle plate number.

The operator shall keep the following records for all drivers of private hire vehicles operated by them:

- a) driver's name, address and contact number,
- b) driver's licence number issued by local authority,
- c) date employment commenced,
- d) date employment ceased,
- e) any change of address, including the date the address changed
- f) any illness, disability or condition which may affect the driver's ability to safely carry out his duties,
- g) expiry date of both the DVLA & driver licence issued.

All records maintained by the operator shall be kept for at least twelve (12) months after entry and shall be produced for inspection, on request, by any Authorised Officer of the Council or any Police Officer.

The operator shall be required to register your details with the Information Commission's Officer (ICO), this is a requirement under GDPR as you will be retaining personal data.

4.12 Complaints

The operator shall notify the Council in writing of any complaints concerning a contract for hire arising from their business that they feel prudent to do so, for example for their own protection against frivolous or vexatious complaints or allegations of misconduct against a driver. Such notification must include the action taken, or proposed, as a result of the complaint.

4.13 Disclosure of Convictions

The operator shall, within seven (7) days of conviction, notify the Council in writing of any conviction or fixed penalty imposed on them during the licence period of their operator licence. If the operator is a company or partnership, this requirement shall equally apply if any of the directors or partners receives a conviction or fixed penalty.

4.14 Private Hire Insurance

The operator shall ensure that a certificate of motor insurance covers every private hire vehicle operated by them under the operator licence.

4.15 Private Hire Driver Licenses

The operator shall ensure that every driver working under their operator licence has obtained a private hire driver licence from the same licensing authority which issued the private hire operator licence. The operator shall use their best endeavour to ensure that all drivers have a badge issued by the Council and that the drivers always wear the badge whilst available for hire.

4.16 Planning Consent

To operate a private hire business from home, planning permission may be required. A private hire operator licence will not be granted without evidence that either planning permission has been issued for the premises concerned, or planning permission is not required for the limited use proposed.

PART 5 – APPLICATION PROCEDURE

5.1 General

This Part of the Policy is intended to give an indication of the application process relating to all application types. In line with its commitment to smarter ways of working, the Council reserve the right to make changes to the administrative process provided that the focus of the policy objectives are maintained.

Where the administrative process is amended, the Licensing Manager may amend this Part of the Policy in accordance with the delegation set out in part 12

5.2 Vehicles

An application for a vehicle licence will only be considered complete when all the following documents have been received:

- a) prescribed application form, fully completed
- b) appropriate fee
- c) V5 registration document
 - ❖ which must show the vehicle as belonging to the applicant either wholly or jointly with any other person(s);
 - ❖ once the V5 has been provided for the grant of a new vehicle licence, it need not be re-submitted with subsequent renewal applications unless the details of the vehicle or registered keeper change.
- d) current valid insurance certificate or cover note
 - ❖ the certificate must include the appropriate usage as a hackney carriage or private hire vehicle;
 - ❖ the certificate must cover a minimum of one (1) calendar month from the start date of the licence;
 - ❖ the certificate must not contain the name(s) of any driver not licensed with the Council;
 - ❖ if a cover note is provided, a full certificate of insurance (a period of no less than twelve (12) months must be provided before the expiry date of the cover note.
- e) MOT certificate dated no more than thirty (30) days old at the date of the compliance test.
- f) Compliance Certificate
- g) Hackney Carriage Meter certificate (New Vehicle)

5.3 Drivers

An application for a driver licence will only be considered complete when all the following documents have been received:

- a) prescribed application form, fully completed
- b) appropriate fee
- c) a current valid full driving licence
- d) enhanced Disclosure & Barring Service (DBS) certificate, unless registered with the online DBS checking service
- e) knowledge test passes (new applicants only)
- f) medical certificate (new applicants or renewals where the applicant has reached the prescribed age requiring a further check.
- g) proof of right to work in the UK (new applicants and where applicable)
- h) a passport-sized, clear and easily identifiable photograph of the applicant

All new applicants can submit the above documentation whilst waiting to take the knowledge test assessment.

5.4 Operators

An application for an operator licence will only be considered complete when all the following documents have been received:

- a) prescribed application form, fully completed
- b) appropriate fee
- c) inspection of the operating premises by a licensing officer
- d) basic Disclosure & Barring Service (DBS) disclosure, unless licensed as a driver with the Council

5.5 Submitting Applications and Documentation

Renewal application forms, appropriate fees and all supporting documentation should be submitted at least fourteen (14) days prior to the expiry of the previous licence. Incomplete applications may be returned to the applicant for resubmission when complete. A licence will not be renewed without all supporting documentation and the correct fee being received and satisfying the requirements of this policy. It is the licence holder's sole responsibility for ensuring they make their application in accordance with this Policy.

When submitting renewal applications, applicants should be aware that it may take up to five (5) working days to process and issue a licence once all relevant information and the fee have been received. If a licence has not been issued at the point when an existing licence expires, the licence holder must cease operating until the new licence has been received.

Documentation must be emailed to the licensing department via email address licensing@fenland.gov.uk

Any original documentation for example right to work check, DBS certificate and DVLA licence can be verified during the knowledge test whilst visiting the council offices.

5.6 Issue of vehicle plates and driver badges

Once the application has been processed and the licence is issued, all Licence plates, licence badges and paper licenses will be posted out to the applicant's home address.

5.7 Return of vehicle plates and licence badges

All licence plates and licence badges remain the property of the Council and must be returned:

- a) upon written request within seven (7) days of such a request,
- b) within seven (7) days of expiry or surrender, or
- c) immediately upon suspension or revocation.

A licence plate and a licence badge signify the existence of a current valid licence but are not licenses in their own right therefore there is no reason why a renewed licence plate or licence badge cannot be displayed from the point of receipt.

Renewed licence plates and licence badges which are posted to the licence holder, the existing plate or badge must be returned within seven (7) days of receipt. Posted to the Council offices or placed in the post box situated at either The Base/Fenland Hall, March or The Boathouse, Wisbech.

5.8 New Driver Knowledge Tests

In order to maintain the high standards that the Council expects of its hackney carriage drivers operating within the District, all new drivers are required to pass a knowledge test consisting of both written and verbal questions. All parts must be passed to be considered for a hackney carriage or private hire driver licence. The written part is split into four (4) sections;

- 1) Legislation and policy knowledge
- 2) Landmarks
- 3) Basic Written literacy and numeracy
- 4) Routes (This section is for Hackney Carriage only)

Applicants will be tested on their knowledge of Fenland District and significant locations in the surrounding areas where they are likely to be required to travel to.

Questions for the knowledge test may include:

- a) the shortest route between locations based on the town where the applicant will predominately ply for hire;
- b) the shortest route between prominent locations based on the District as a whole
- c) the locations of prominent points of interest across the District such as hotels, surgeries, schools, etc;
- d) the highway code;

- e) the Council's Hackney Carriage and Private Hire Licensing Policy and relevant legislation;
- f) customer care; and
- g) basic numeracy, including the calculation of change for a given fare.

A maximum of two (2) hours will be allowed for this part of the knowledge test and a pass of 80% must be achieved in each section as follows:

- 1) Policy and Legislation
- 2) Landmarks
- 3) Basic Written literacy and numeracy
- 4) Routes (This section is for Hackney Carriage only)

Verbal Part - Test

Twenty (20) minutes is allowed for the fifteen (15) question verbal test and the pass mark is twelve (12) correct answers. In addition, all three (3) safeguarding questions contained within the test must be answered correctly.

In addition to scoring twelve (12) correct answers, a licensing officer must be satisfied that the applicant has sufficient communication skills for a licensed driver therefore the test may be recorded.

Driver Test Failure

Four (4) attempts are permitted at passing the knowledge test in a twelve (12) month period. In the event of a re-test taking place then each section must be taken as a whole test. The fee will include one test, any subsequent re-tests will be incurring a fee at the applicant's expense.

Booking Tests

Both written and verbal knowledge test are available on a monthly basis, save for exceptional circumstances. All bookings must be accompanied by the appropriate test fee paid at the time of booking; a cancellation fee will be charged for non-attendance without twenty-four (24) hours prior notice.

To book a knowledge test you can email licensing@fenland.gov.uk, please include a copy of your receipt as proof of payment. These tests only take place once a month and are normally held every third Tuesday

5.9 Disclosure & Barring Service (DBS) Disclosures

No application for a hackney carriage or private hire driver licence will be considered without an enhanced DBS disclosure satisfying the requirements of this Policy.

If you need to apply for a new DBS, this can be arranged following the submission of your new/renewal application.

The Council requires applicants to register with the online DBS checking service. This will enable the Council to check an existing DBS every six (6) months during the term of the licence and upon each renewal.

5.10 The consideration of applications

Upon receipt of a completed application form, including the fee and all supporting documentation, the Council will consider the application. Where the application is incomplete, it will not be considered until all the missing details or documents are supplied.

For an application to be considered as a renewal application, the fully completed application form and correct fee must be received prior to the expiry date of the previous licence. Accompanying documentation can then follow as it becomes available.

Failure to comply with this requirement will ordinarily result in the applicant having to re-apply as a new applicant and meet all the requirements of this Policy in respect of new applications.

PART 6 – DISCIPLINARY AND ENFORCEMENT MEASURES

6.1 Enforcement

It is recognised that well-directed enforcement activity by the Council benefits not only the public but also the responsible members of the hackney carriage and private hire vehicle trade. In pursuing its objective to encourage responsible hackney carriage and private hire businesses, the Council will operate a proportionate disciplinary and enforcement regime. In order to balance the promotion of public safety with the need to prevent unnecessary interference in a licence holder's business, the Council will only intervene where it is necessary and proportionate to do so. Where defects are such that use of a vehicle needs to be immediately prohibited, livelihood interference is inevitable.

All enforcement action will be based upon the seriousness of the breach and the possible consequences arising from it.

Enforcement action must always be consistent, proportionate and reasonable whilst ensuring that the public receive adequate protection. Determination of enforcement action may consider, but will not be limited to, the following:

- a) seriousness of any offence(s);
- b) driver's or operator's past history;
- c) consequence of non-compliance;
- d) likely effectiveness of the various enforcement options;
- e) risk to the public.

The Council will ensure that its enforcement is in line with this Policy and also consider the Council's Enforcement Policy.

6.2 Penalty Points Scheme

In order to ensure compliance with the Council's Hackney Carriage and Private Hire Licensing Policy and to monitor licence holder's ability to fulfil the 'fit and proper' test, a penalty points system will be utilised as described in **Appendix D**. This will serve both as an early warning system to licence holders who fail to meet the Council's required standards and as a consistent and transparent method of enforcement,

The Penalty Points System will not, however, compromise the Council's ability to enforce breaches of statute or the Council's Licensing Policy in the Courts should an offence necessitate such action.

6.3 Referrals to the Licensing Sub-Committee

Whilst the day to day enforcement of hackney carriage and private hire licensing, including the issuing of penalty points, is a function carried out by licensing officers under the supervision of the licensing manager, serious disciplinary matters will be referred to the Licensing Sub-Committee.

Serious disciplinary matters will include, but are not limited to:

- a) an accumulation of twelve (12) or more penalty points as detailed in **Appendix D** during a rolling twelve (12) month period.
- b) refusal to carry a passenger without good reason;
- c) unlawful plying for hire;
- d) more than one offence of touting for business;
- e) insurance offences;
- (v) overcharging; and
- (vi) any conviction relevant to **Appendix B**.

The Licensing Sub-Committee will consider the impact of the breach, or an accumulation of penalty points, on the fitness of an individual to hold a hackney carriage or private hire licence and take appropriate action.

The individual or company will be entitled to attend a hearing with the Licensing Sub-Committee to answer allegations and/or provide any mitigating circumstances.

Prior to attending the hearing, the investigating officer will provide a written report containing all the information necessary to understand the allegation(s), the relevant sections of this Policy, the options available to the Licensing Sub-Committee and any other relevant information. The report will be provided to the individual or company at least five (5) days prior to the hearing.

The Licensing Sub-Committee may decide to take one or more of the following actions:

- a) no action;
- b) informal action (verbal or written warnings or penalty points);
- c) require the production of driving licenses or other specified documentation at the Council Offices;
- d) use statutory notices (s68 stop notices, etc.);
- e) suspend a licence;
- f) revoke a licence;
- g) other appropriate action as deemed necessary, including any combination of the above.

Alternative to enforcement action for first time smoking offences

To support the initiatives of Cambridgeshire & Peterborough tobacco alliance strategy, in addition to offering health benefits to offenders, first time smoking offenders may be offered a fixed period of time, at the Council's discretion, to attend an official 'stop smoking' course.

Alternative to enforcement action when there are driving standards concerns

Where concerns are raised in respect of a driver's standard of driving, the driver may be required to re-take an appropriate driving standard assessment at the discretion of the Council. Failure to achieve a pass within a specified period will result in the suspension of the driver until such time as a pass is achieved. Where necessary for public safety, a driver may be suspended immediately until such time as a pass is achieved.

6.4 Informal Action

Informal action to secure compliance includes offering advice, verbal or written warnings, and the issuing of penalty points.

Informal enforcement action may be appropriate in, but not limited to, the following scenarios:

- a) the act or omission is not serious enough to warrant formal action;
- b) it can reasonably be expected that informal action will achieve future compliance;
- c) confidence in the driver or operator is ordinarily high; or
- d) the consequences of non-compliance will not pose a significant risk to public safety.

6.5 Suspension

Vehicles

Hackney carriage and private hire vehicles must be kept in an efficient, safe, tidy and clean condition at all times. Compliance with the vehicle specification and conditions of this Policy is essential and will be enforced by periodic, random vehicle inspections by the Council. Where it is found that any vehicle is not being properly maintained, a defect(s) notice will be served on the licence holder setting out the defect(s) and the required action.

Where there is a risk to public safety the further use of the vehicle will be suspended until the defects have been remedied. The suspension will not then be lifted until the vehicle has undergone a further test at the Council's nominated testing facility, at the licence holder's expense, and meets the testing requirements of this Policy.

Drivers

The Council may exercise its discretion to suspend the operation of a driver's licence for a specified period at the discretion of the Licensing Manager. Following any temporary suspension issued, the Licensing Manager would then look to refer the licence holder to the Licensing Sub-Committee because they have been convicted of a serious criminal offence or have accumulated twelve or more penalty points under the

Council's penalty points system.

6.6 Section 68 (Stop) Notices

An Authorised Officer of the Council or a Police Officer may serve notice in writing for a hackney carriage or private hire vehicle, or the taximeter affixed to such a vehicle, to be examined at the Council's nominated testing facility at a time specified in the notice. This notice may only be served if there are concerns as to the condition of the vehicle or the accuracy of the taximeter.

In addition, the vehicle licence may be suspended until such time as the Council's testing requirements have been complied with if it is deemed necessary for public safety. The suspension notice will remain in force until the issuing officer has issued written confirmation that the Council's testing requirements have been met.

If the issuing officer is not satisfied that appropriate action has been taken to allow the suspension notice to be withdrawn within a period of two (2) months from date of issue, the vehicle licence will be deemed automatically revoked.

6.7 Revocation

Where a licence holder has been referred to the Licensing Sub-Committee because they have:

- a) committed a criminal offence;
 - b) have accumulated twelve (12) or more penalty points issued under **Appendix D**;
 - c) no longer meet the 'fit and proper' test set out in **Appendix A**; or
 - d) for any other reason whereby the policy objectives would not be met,
- the Licensing Sub-Committee may revoke the licence. Ordinarily, any revocation is held pending the period for appeal expiring or, in the case of an appeal, the appeal being determined. Where necessary for public safety, the Licensing Sub-Committee may determine that a revocation takes immediate effect and is not held pending an appeal.

6.8 Refusal to Renew

As an alternative to revocation, the Licensing Sub-Committee may decide that the appropriate action, in a situation where the licence is shortly to expire, is to order that the licence shall not be renewed. The Licensing Sub-Committee may suspend the existing licence for the remainder of its licence period depending on the individual merits of the case.

6.9 Simple Cautions

The purpose of a Simple Caution as an alternative to prosecution is to:

- a) deal quickly and efficiently with less serious offences;

- b) divert less serious offences away from the Courts; and
- c) reduce the likelihood of repeat offences.

In the interests of natural justice, the following criteria must be met before a Simple Caution is administered:

- d) there must be sufficient evidence of guilt to give a realistic prospect of a conviction;
- e) the offender must admit the offence; and
- f) the offender must understand the significance of the caution and give informed consent to be cautioned.

Where a person declines the offer of a Simple Caution, it will be necessary to consider taking alternative enforcement action; whilst this would ordinarily mean prosecution, this is not inevitable.

6.10 Prosecution

The decision to prosecute is significant as it may impact on the licence holder's future employability. Generally, the circumstances that may warrant a prosecution include, but are not limited to:

- a) blatant disregard for legislation and/or this Policy, particularly where the economic benefits are substantial and provide advantage of those licence holders who are law-abiding and compliant with this Policy;
- b) when there has been blatant and/or reckless disregard for the safety of passengers or other road users;
- c) where there have been repeated breaches of legislation or the requirements of this Policy;
- d) where an offence is prevalent, and a clear message needs to be sent; or
- e) where a contravention has caused serious public concern.

A decision on whether to prosecute may consider, but is not limited to, the following:

- a) the seriousness of the offence or contravention;
- b) the risk or harm to the public;
- c) identifiable victims (including the impact on the victims);
- d) failure to comply with statutory notices, warnings, or other enforcement sanctions;
- e) disregard of public safety for financial reward;
- f) the offender's previous history, in particular repeated offences or contraventions.
- g) the ability and willingness of witnesses to co-operate.
- h) the likelihood of future compliance.
- i) the probable public benefit of a prosecution and the importance of the case in establishing precedent or addressing public concern.
- j) whether other action, such as a Simple Caution, would be more appropriate or effective.

6.11 Complaints against Drivers

Complaints against hackney carriage and private hire drivers are relatively low in Fenland District, however, when received usually relate to overcharging or unprofessional behaviour. All complaints will be fully investigated, often involving the taking of statements from the complainant, driver and any witnesses.

The investigating officer will consider all evidence and mitigating circumstances arising from the investigation before making a recommendation to the Licensing Manager who will reach a decision in accordance with the Council Enforcement Policy and this Policy.

The outcome of any complaint will be advised to the complainant in the form of a written response.

7.1 Hackney Carriages

Hackney Carriage Fares, set by the Council, are a maximum and can be negotiated downwards by the hirer. The Council considers it good practice to review the fare scales at regular intervals, and will, therefore, consider the fare scales when a request is received by the trade.

When determining the level of fares, consideration will be given to what it is reasonable to expect the travelling public to pay as well as the need to give the drivers an incentive to provide a cost- effective service at the times it is needed.

The fare for any journey that starts and ends within the Fenland District cannot exceed the metered fare based on the Council's maximum fare tariff. The meter should only be started when the passenger(s) is/are in the vehicle and the journey commences.

The maximum fares currently prescribed by the Council are set out on the Council's website. A table of authorised fares will be provided to each hackney carriage licence holder, which must then be displayed in each vehicle so that it is easily visible to all hirers.

The Council will review the fares tariff when a request is received from a minimum of three (3) licensed drivers. The Council will consult with the trade and follow the appropriate procedures detailed in the Local Government (Miscellaneous Provisions) Act 1976.

A hackney carriage driver must, if requested by the passenger, provide a written receipt for the fare paid.

7.2 Private Hire Vehicles

The fare for a journey in a private hire vehicle must be agreed with the private hire operator at the time of booking. The driver should charge no more than the fare agreed with the operator at the time of booking.

The agreement between the hirer and the operator can either be for a fixed monetary sum, or an agreement that the fare will be calculated using the meter within the vehicle. In the case of a metered fare, the starting point for engaging the meter must be agreed at the time of booking.

A private hire driver must, if requested by the passenger, provide a written receipt for the fare paid.

PART 8 – LICENCE FEES

8.1 Fee Structure

The legislation and established case law provide that licence fees should be sufficient to cover the costs of inspecting the vehicles, providing hackney carriage stands, and administering the control and supervision of hackney carriages and private hire vehicles. In simple terms, the

Council can only set fees on a 'reasonable cost recovery' basis and cannot make a profit from licence fees when analysed over a typical three-year cycle.

Discretionary services that do not fall within the remit, such as pre-application advice, knowledge testing, Safeguarding Course, DBS appointments, etc. will be charged for separately utilising the same 'reasonable cost recovery' basis. This is to ensure that the cost of these applicant-specific services is not incorporated into the licence fees paid by existing licence holders.

The fees currently payable for the grant and renewal of hackney carriage and private hire licenses are set out on the Council's website. The fee structure is reviewed annually as part of the Council's budgetary process.

8.2 Payments

The Council can accept payment by debit or credit card, or BACS payments. The Council is unable to accept cash payments.

A payment can be made by accessing our website - <https://www.fenland.gov.uk/pay> or by contacting the customer service team on 01354 654321

8.3 Refunds and Duplicate Copies

In the case of any licence where the licence holder voluntarily surrenders their licence prior to the expiry date, the Council may make a refund in respect of the whole months of the unexpired portion of the licence fee.

Where the Council receives a request for a duplicate copy of any previously issued licence, an appropriate fee will be paid to cover the associated administrative costs.

In the case of a licence that has been suspended, revoked or otherwise ends early due to disciplinary matters, no refund will be made by the Council.

PART 9 – HACKNEY CARRIAGE RANKS (STANDS)

9.1 Taxi Ranks/Stands

The Council will periodically review the provision of hackney carriage ranks/stands within the District. If there is evidence of the need to amend the existing provisions, a full consultation would be undertaken prior to any amendments. Comments are welcomed from either the trade or the public regarding the suitability of existing provision.

9.2 Waiting on Stands

It is an offence for any person to cause or permit any vehicle other than a hackney carriage to wait on any stand for hackney carriages. Drivers of hackney carriages may only wait on a stand whilst plying for hire or waiting for a fare; drivers who park on a stand and leave their vehicle unattended are committing an offence.

Whilst the law states it is an offence to leave a vehicle unattended on a hackney stand, discretion will be allowed for drivers leaving their vehicles in acceptable circumstances, for example 'comfort breaks'. Leaving a hackney carriage unattended on a stand for any other circumstances, for example shopping, will be dealt with as an offence in accordance with this Policy.

9.3 Plying for Hire

For the avoidance of doubt, the Council does not have a by-law requiring hackney carriages to return to a taxi stand between fares. Hackney carriages can, therefore, park and be available for hire in any position where an ordinary member of the public can lawfully park. Hackney carriages are, however, subject to road traffic regulations and should not park in any position that obstructs the highway, the highway being both the road and the footway.

PART 10 – TRADE FORUM

10.1 Working Party

The Council wishes to encourage discussions between the trade and the licensing authority in order to promote a successful working relationship. To facilitate this, the Council has already set up a Hackney Carriage and Private Hire Working party to help facilitate the production of this policy.

We will continue to have meetings as required in order to maintain good communication and working relations between the trade and local authority. This is a combined mix of both Hackney Carriage and Private Hire drivers, and we would encourage this to continue to ensure a balanced view.

10.2 Apply to become a member

Membership, terms of reference and work plan will be determined in accordance with prevailing circumstances and further details will be contained within a Forum Page on the Council's website.

PART 11 – RIGHT OF APPEAL

11.1 Legislation

The Local Government (Miscellaneous Provisions) Act 1976 Sections 48, 52 and 77 detail an applicant's right of appeal.

In general terms, where an applicant is aggrieved by the Council's decision to refuse to grant, refuse to renew, suspend or revoke a licence, or impose conditions on a licence the applicant has a right of appeal to the local Magistrates' Court. The only two exceptions are:

- a) in the case of a refusal to grant or renew a hackney carriage vehicle licence where the appeal lies directly to the Crown Court, and
- b) the decision to suspend a hackney carriage or private hire vehicle licence under s68 of the 1976 Act against which there is no right of appeal

12.2 Appeal process

Any appeal must be lodged at the Court within twenty-one days of the applicant receiving notification of the Council's decision. The appeal must state the grounds upon which the appeal is based.

A further right of appeal against the decision of the Magistrates' Court lies with the Crown Court.

PART 12 – DELEGATED POWERS

12.1 Authorised Officers

All Officers of the Council, duly authorised under the Council's Scheme of Delegation and supported by specific written delegations, are responsible for the day to day operation of the Council's Hackney Carriage and Private Hire Licensing Policy, save for any issues delegated to the Licensing sub-Committee

All Officers of the Council, duly authorised under the Council's Scheme of Delegation and supported by specific written delegations may issue penalty points in accordance with **Appendix D**.

12.2 Licensing Manager

The following powers are specifically reserved to the Licensing Manager (or, any officer delegated to act in association with the Licensing Manager):

- a) the authorisation of applications that are compliant with this Policy,
- b) minor departures from Policy
- c) any minor amendment with regards to administration procedures as set out in section 1.3.
- d) the issuing of Stop Notices under s68 of the 1976 Act,
- e) temporary suspension of licensed drivers pending a disciplinary hearing before the Licensing Sub-Committee,

12.3 Licensing Sub-Committee

The following powers are specifically reserved to the Licensing Sub – Committee

- a) suspension or revocation of existing licenses
- b) refusal to renew existing licenses,
- c) refusal of new applications,
- d) any major amendments to this Policy in accordance with section 1.3
- e) setting of hackney carriage and private hire licensing fees and charges,
- f) setting of hackney carriage fare tariffs

PART 13 – DEFINITIONS

List of Policy Definitions

All references in this policy document can be linked to the following definitions

Term	Definition
the 1976 Act	the Local Government (Miscellaneous Provisions) Act 1976
Authorised Council Officer	Any officer of the Council authorised under the Council's Scheme of Delegation as contained within the Constitution
Statutory Guidance	Statutory Taxi & Private Hire Vehicle Standards issued by the Department for Transport (dated July 2020)
IOL Guidance	Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades issued by The Institute of Licensing (dated April 2018)
the Council or the Licensing Authority	Fenland District Council
the trade	any holder of a current driver, vehicle or operator licence issued by Fenland District Council
the District	The geographical region contained within the boundaries of Fenland District
the Licensing Manager	The current post-holder (or the manager of the service area following any subsequent restructure) or any nominated deputy authorised by the Council's Scheme of Delegation
the licence plate or the plate	The vehicle licence plate issued to all vehicles and required to be displayed externally at the rear of all licensed vehicles
this Policy	Fenland District Council's Hackney Carriage and Private Hire Licensing Policy
proprietor licence	either a hackney carriage or private hire vehicle licence
Licensing Committee and Licensing Sub-Committee	The Elected Members Responsible Licensing and can act as a whole committee or can appoint members of the committee to form a sub-committee.

Registered Medical Practitioner	Any person with suitable qualifications in medicine and currently registered with the General Medical Council that is suitably qualified to perform the function of a General Practitioner (Doctor) or higher
driver Licence	Any reference to the term driver licence, unless prefixed by DVLA, refers to a hackney carriage or private hire driver's licence (within the context of the specific paragraph) issued by the Council
vehicle licence	Any reference to the term vehicle licence refers to a hackney carriage or private hire proprietor licence (within the context of the specific paragraph) issued by the Council

Hackney Carriage (as defined by s 38 of the Town Police Clauses Act 1847)

Every wheeled carriage, whatever may be its form or construction, used in standing or plying for hire in any street within the prescribed distance, and every carriage standing upon any street within the prescribed distance, having thereon any numbered plate required by this or the special Act to be fixed upon a hackney carriage, or having thereon any plate resembling or intended to resemble any such plate as aforesaid, shall be deemed to be a hackney carriage within the meaning of this Act; and in all proceedings at law or otherwise the term "hackney carriage" shall be sufficient to describe such carriage: Provided always, that no stage coach used for the purpose of standing or plying for passengers to be carried for hire at separate fares, and duly licensed for that purpose, and having thereon the proper numbered plates required by law to be placed on such stage coaches, shall be deemed to be a hackney carriage within the meaning of this Act.

Private Hire Vehicle (as defined by s 80 of the Local Government (Miscellaneous Provisions) Act 1976)

A motor vehicle constructed or adapted to seat fewer than nine passengers, other than a hackney carriage or public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers.

APPENDIX A

THE DEFINITION OF 'FIT AND PROPER'

The legislation clearly states that the Council may grant a licence only if it is satisfied that the applicant is a 'fit and proper' person. We will also refer to the expression "safe and suitable" as another interpretation to the meaning "fit and proper"

At the time of an application, the onus is on the applicant to demonstrate that they meet this requirement, not on the Council to demonstrate that the applicant does not.

When considering disciplinary or enforcement action, **the onus is on the Council to demonstrate that the licence holder no longer meets this requirement.**

Definition of 'Fit and Proper'

In the absence of a judicially approved definition of "fit and proper", the Council use the test of:

"Would the Officer charged with the ability to grant a licence allow a person for whom they care or any other person, to get into a licensed vehicle with the applicant day or night?"

IOL Guidance

In deciding any applications as to a driver's suitability to be licensed, we will have full regard to the guidance document issued by the Institute of Licensing – *Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.*

In order to further assist in understanding the interpretation of this definition, the Council will be considering issues that assist them in determining whether or not applicants are safe drivers with a good driving record, are mentally and physically fit, are honest, and that they are persons who would not take advantage of their position to abuse, assault or defraud members of the public.

It should be borne in mind that drivers may carry vulnerable members of the public such as elderly persons, unaccompanied children, disabled persons, persons who are incapacitated from alcohol, lone women and foreign visitors. Some examples of areas of concern that the Council will consider include, but are not limited to:

a) Honesty and trustworthiness

Drivers often have knowledge that a customer is leaving a property empty; they have opportunities to defraud drunken, vulnerable or foreign persons; or they have opportunities to abuse their position of trust. For example, all passengers would expect to be charged the correct fare for the journey and be given the correct change; they would expect any lost property to be handed over to the police; and they would expect confidentiality to be maintained between

themselves and the driver.

b) Professionalism

Drivers are often subject to unpleasant, abusive or dishonest behaviour, albeit from a small minority of passengers. Although this is clearly unacceptable behaviour, the Council expects drivers to remain professional at all times and unacceptable behaviour by passengers does not excuse in any way aggressive or abusive conduct by drivers.

Confrontation should be avoided, and all disputes should be resolved through the formal legal channels. Under no circumstances must drivers take the law into their own hands.

c) Good and safe driving ability

Passengers are paying for a service whereby they expect to reach their chosen destination promptly and safely. Drivers must be fully conversant with all road traffic legislation and this Policy and drive in a professional, lawful and safe manner at all times.

APPENDIX B

THE RELEVANCE OF CAUTIONS AND CONVICTIONS

General Principles

The over-riding consideration for the Council in its determination of applications is the promotion of the licensing objectives detailed within section 1.2 of this Policy, public safety.

Although regard will be taken of this Policy, each application will be determined on its own merits.

Where it is necessary for the Council to depart substantially from this policy, clear and compelling reasons will be given for doing so. The purpose of this Appendix is to formulate guidelines, consistent with national guidance, which detail the Council's current stance on the relevance of convictions and cautions in respect of applications for the grant of new licenses, and the renewal of existing licenses, for hackney carriage and private hire vehicle, driver and operator licenses.

If a court has found an applicant guilty of an offence, that person cannot subsequently claim to the Council that they did not commit the offence. If they seek to do so, their representation will not be considered as this is entirely a matter for the courts. The applicant can, however, offer any mitigating circumstances relating to the offence that they wish the Council to consider.

For the purpose of this Policy, the acceptance of a Fixed Penalty Notice will be treated as a conviction. A caution may be treated as a conviction depending on the individual merits and mitigating circumstances of each case.

Period free from conviction

Any reference to a period free from conviction relates to the period commencing from either:

- a) where a custodial sentence has been imposed, from the end of the custodial period; or
- b) in any other case, from the date of conviction.

History

The Council may take into account an applicant's history as a licence holder with this, or any other, Council. In considering whether a person is 'fit and proper' the Council may consider such matters as the applicant's complaint history, their compliance with this Policy, their co-operation with licensing officers' requests, and any other reasonable matters.

DVLA Penalty Points

Hackney carriage and private hire drivers should provide a professional service to the public and must always be aware of the safety of passengers and other road users. Any traffic offence shows a lack of responsibility whilst driving either in terms of vehicle maintenance or the level of driving standards.

Convictions or cautions for traffic offences will not automatically preclude an applicant from obtaining a licence, however, the number, nature and frequency of such offences will be considered. In some circumstances it may be appropriate to issue a licence together with a written warning as to future driving standards detailing the likely effect of further offences. Where there is a significant history of driving offences, an application is likely to be refused.

Six unspent penalty points or less on a current DVLA driving licence

In cases of six (6) unspent penalty points or less on an applicant's DVLA driving licence, an application will usually be granted. A licence granted under these circumstances is likely to be issued together with a verbal warning as to future driving standards detailing the likely effect of further offences.

Seven unspent penalty points on a current DVLA driving licence

In cases of seven (7) unspent penalty points on an applicant's DVLA driving licence, an application may be granted depending on the nature of the offences and the frequency. Although all applications received both new and renewal showing seven (7) or more points on the DVLA licence will be referred to the Licensing Sub-Committee for them to determine the application.

Major Traffic Offences

For the purposes of this section, major traffic offences include, but is not limited to:

- a) driving whilst disqualified,
- b) failure to stop after an accident,
- c) driving without valid insurance,
- d) careless driving, and
- e) driving a vehicle with mechanical defectives (such as brakes, steering, tyres, etc.)
- f) dangerous driving.

If the applicant has been convicted of one major traffic offence, then a licence application will be referred to the Licensing Sub-committee for them to determine.

"Totting Up" under section 35 of the Road Traffic Offenders Act 1988

Where an applicant/licence holder has been disqualified from driving by

the courts under the “totting up” procedure, the Council will normally refuse an application until there has been a period of twelve (12) months free of relevant convictions. If the applicant has demonstrated to the court “exceptional hardship” and avoided a driving disqualification, applications will still normally be refused until there has been a period of twelve (12) months free of relevant convictions. The Council believe that the risk to the public is sufficient to maintain this consistent stance.

Failure to Declare Motoring Offences

Where an applicant/licence holder fails to disclose motoring offences on their application form, even if they have been declared on previous applications or are spent, the Council will normally deal with this by way of the issuing of penalty points. If, however, the Council determines that there was a premeditated intention to deceive, the matter will be considered as an offence of dishonesty and dealt with in accordance with that section of this policy.

Major Traffic Offences resulting in Death

The driving offences of causing death by:

- a) dangerous driving,
- b) careless driving,
- c) driving under the influence of alcohol or drugs, or
- d) driving unlicensed, disqualified or uninsured,

due to their nature, will be considered by the Council to be an unacceptable risk to public safety and an application will normally be refused.

Drunkenness

Separate consideration will be given to convictions for drunkenness whilst in charge of a vehicle as opposed to drunkenness whilst not in charge of a vehicle due to the differing risk to the public.

In Charge of a Motor Vehicle

The Council considers driving or being in charge of a vehicle whilst under the influence of alcohol as a serious offence causing a high element of risk to the public; however, an isolated incident will not automatically preclude an application from being granted.

- a) A single conviction for any alcohol-related driving offence will normally preclude an application from being granted for a period of five (5) years from the restoration of the DVLA driving licence.
- b) More than one conviction for any alcohol-related driving offence represents an unacceptable risk to the public and an application will be refused.

Not in Charge of a Motor Vehicle

An isolated conviction for drunkenness not associated with driving or being in charge of a motor vehicle will not automatically preclude an application.

- a) Where there is an isolated conviction for disorder and/or drunkenness, a licence will normally be granted together with a verbal warning as to future driving standards detailing the likely effect of further offences.
- b) More than two (2) convictions for disorder and/or drunkenness will normally lead to refusal of an application until such time as a period of three (3) years free of convictions has elapsed.

Drug Offences

The Council considers all offences related to controlled substances as a serious risk to the public.

An applicant with one conviction for any Class A drug related offence, including supplying or trafficking, will be required to show a period of ten (10) years free of convictions before an application is considered.

An applicant with more than one conviction for any Class A drug related offence, including supplying or trafficking, will be considered an unacceptable risk to public safety and an application will be refused.

An applicant with a conviction for any Class B drug related offence, including supplying or trafficking, will be required to show a minimum period of five (5) years free of convictions before an application is considered. The length of period over and above the minimum five (5) years will be dependent on factors such as the nature and severity of the offence, and the length of any custodial sentence.

An applicant with a conviction for any Class C drug related offence will be required to show a period of at least three (3) years free of convictions before an application will be considered.

In all cases, where an applicant has been medically classed as an addict, an application will be precluded until such time as a period of five (5) years has elapsed since the completion of a recognised detoxification programme.

Sexual or Indecency Offences

As hackney carriage and private hire drivers often carry unaccompanied and/or vulnerable people, any applicant with a conviction or caution for any sexual or indecency offence (other than a major offence) will normally be refused a licence until such time as they have been free of convictions for a period of seven (7) to twelve (12) years. The length of period over and above the minimum seven (7) years will be dependent on factors such as the nature and severity of the offence, and the length of any custodial sentence.

Major Sexual or Indecency Offences

For the purpose of this Policy, the following offences will be considered as major sexual or indecency offences with the highest element of risk to the public:

- a) rape;
- b) indecent or sexual assault;
- c) assault by penetration;
- d) making, distributing or possession of child pornography;
- e) trafficking and/or preparatory offences (defined by the Sexual Offences Act 2003); or
- f) sexual offences involving children or vulnerable adults

Any applicant with a conviction for a major sexual or indecency offence will be considered an unacceptable risk to the public and any application will be refused.

Violent Offences

The Council considers all violence related offences as a serious risk to the public; offence of public order will be treated as a violent offence for the purposes of this Policy.

An application will be refused where the applicant has been convicted of:

- a) murder or attempted murder,
- b) manslaughter,
- c) any offence involving the possession of a firearm,
- d) any terrorism-related offence, or
- e) racially aggravated grievous bodily harm or malicious wounding.

An application will be refused where the applicant has been convicted of:

- f) arson,
- a) possession of a weapon (other than a firearm),
- b) any racially aggravated offence,
- c) any offence that may be categorised as domestic violence,
- d) violent disorder or riot.

unless there has been a period of ten (10) years free of conviction.

An application will normally be refused where the applicant has a conviction for a violent offence, other than those listed above, unless there has been a period of five (5) to ten (10) years free of convictions. The length of period over and above the minimum five (5) years will be dependent on factors such as the nature and severity of the offence, and the length of any custodial sentence.

Multiple Offences

Whilst an isolated conviction for a violent offence, other than those listed above, will not normally permanently exclude an application, the Council will have grave concern for public safety if an applicant has committed multiple violent offences.

An application will be refused in cases where an applicant has three (3) or

more separate convictions for violent offences.

Dishonesty

Hackney carriage and private hire drivers are expected to be persons of trust; it is comparatively easy for dishonest drivers to defraud the public, for example, by demanding more than the legal fare or giving incorrect change. Overseas visitors can be confused by the difference in currency and become vulnerable to an unscrupulous driver. Equally, any customer can be defrauded by a driver taking them by any other than the shortest route or by them retaining lost property left in the vehicle. As members of the public entrust themselves to the care of licensed drivers, the Council considers offences involving dishonesty as a serious risk to public safety.

An applicant that has been convicted of an offence related to dishonesty will normally be refused a licence until such time as they have been free of convictions for a period of five (5) to ten (10) years. The length of period over and above the minimum five years will be dependent on factors such as the nature and severity of the offence, and the length of any custodial sentence.

Other Offences and Special Circumstances

If the applicant has declared any other offences not specifically covered by this policy on the relevance of convictions, or the specific circumstances of the application justify it, the application may be referred to the Licensing Sub-Committee for determination in line with the principles of this policy.

In particular, if an applicant/licence holder is not precluded by any one section of this policy but has a series of convictions that in their totality cause concern as to their ability to meet the 'fit and proper' test, the application may be referred to the Licensing Sub-Committee for determination in line with the principles of this policy.

Summary

Except in the most serious of circumstances, an applicant having a previous or current conviction will not normally be permanently excluded from obtaining a hackney carriage or private hire driver's licence.

The Council believe that a person convicted of an offence, who is required to wait for the expiry of a rehabilitation period prior to their application being considered, is more likely to value their licence and ensure that future convictions are avoided.

The Council's over-riding policy objective is to safeguard the safety of the general public by ensuring that all licensed drivers are safe, competent, and are able to maintain their vehicles to an acceptable standard.

By producing clear and transparent guidelines on the relevance of convictions, the Council is seeking to maintain the high standard of hackney carriage and private hire drivers, proprietors and operators within Fenland.

Existing Licence Holders

Any existing licence holder convicted of an offence during the period of their current licence will be subject to the above policy relating to the relevance of convictions as though they were a new applicant

Existing licence holders should be aware that if the Council receives notification from the police that a driver is being investigated for an offence that would preclude the grant of a licence or is likely to result in the revocation of an existing licence, their licence will normally be revoked with immediate effect pending the outcome of the investigation.

- a) In the event that no charges are laid against the licence holder, the licence will ordinarily be reinstated for its original duration.
- b) In the event that the licence holder is found not guilty, the licence will ordinarily be reinstated for its original duration, save for any previous or ongoing concerns relating to the licence holder's ability to meet the 'fit and proper' test.

In this situation the licence holder would be suspended and referred to the Licensing Sub-committee for them to make a decision based on the principles of this policy.

Principles of the Rehabilitation of Offenders Act 1974 ("the 1974 Act")

Under the 1974 Act, criminal convictions can become spent after a certain period of time, and once spent, for many purposes, can be disregarded completely. The possibility of rehabilitation, and the length of time before rehabilitation occurs, depends on the sentence imposed and not the offence committed. Where a person is sentenced to imprisonment for a period exceeding thirty months, the conviction can never be spent.

Despite the above general principles, the Act does not apply to applicants for hackney carriage and private hire drivers' licenses. This is because the driving of these vehicles is listed as a "regulated occupation" in relation to which questions may be asked as to the suitability of individuals to be granted a licence.

Although the 1974 Act does not prevent any judicial authority, including the Council acting as the licensing authority, from taking spent convictions into account, such convictions are only admissible in so far as they are relevant to the issue as to whether the applicant is a 'fit and proper person' to hold a licence. The determination as to whether certain

convictions are spent, therefore, may be a relevant exercise.

Mitigation and/or Exceptional Circumstances

Where the Licensing Sub-Committee are considering whether an applicant meets the 'fit and proper' person test, the applicant will be entitled to provide them with any written mitigating circumstances.

The applicant will be invited to attend a Licensing Hearing. Prior to attending the hearing, the applicant will be provided with a committee report containing all the information necessary for the Licensing Sub-Committee to review at the hearing. The report will be provided to the applicant at least five (5) days prior to the hearing.

APPENDIX C - DRIVER CODE OF CONDUCT

General Responsibilities of a Licensed Driver

Licensed drivers shall use their best endeavour to promote the image of the trade by:

- a) complying with all aspects of this Policy,
- b) maintaining their vehicles in a safe and satisfactory condition at all times,
- c) attending punctually when undertaking pre-booked hiring,
- d) assisting passengers entering into and alighting from the vehicle,
- e) offering passengers reasonable assistance with luggage, and
- f) behaving in a civil, orderly and responsible manner at all times.

To avoid nuisance to residents when picking up or waiting for a fare, a licensed driver shall:

- a) not sound the vehicle's horn illegally to attract the passenger's attention,
- b) keep the volume of all audio equipment to a reasonable level, and
- c) switch off the engine when required to wait.

Whilst waiting on hackney carriage ranks, a licensed driver shall:

- a) rank in an orderly manner and proceed promptly along the rank in accordance with rank protocol, and
- b) remain in the vehicle where possible,
- c) no vehicle idling.

Whilst waiting at private hire operator premises, a licensed driver shall:

- a) not undertake servicing or repair of vehicles on the highway,
- b) not undertake servicing or repair of vehicles on the premises unless appropriate planning permission has been obtained, and
- c) take whatever action is necessary to ensure that the business operation does not cause unnecessary disturbance to residents.

Driver Dress Code

The Council believes that licensed drivers have a responsibility to dress professionally and appropriately whilst undertaking hackney carriage or private hire work to promote confidence amongst members of the public, especially visitors to the District.

In order to raise the profile of the licensed trade, drivers should always operate in a professional manner and conform to minimum standard of dress and personal hygiene.

The following are deemed unacceptable: -

- a) Clothing not kept in a clean condition or which is torn or damaged;
- b) Words or graphics on any clothing that is of an offensive or suggestive nature or which might offend;

- c) Sportswear (e.g. football/rugby kits, track suits, beach wear etc.);
- d) Sandals with no heel straps, flip flops or any other form of footwear not secured around the heel;
- e) Drivers not having either the top or bottom half of their bodies suitably clothed;
- f) Shorts, other than tailored shorts;

Driver Conduct

The driver shall be respectably dressed, clean and tidy in appearance always whilst their vehicle is being made available for hire.

The driver shall always, when acting in accordance with the drivers licence granted to them, wear or display such badge as supplied by the Council in such position and manner as to be plainly and distinctly visible at all times.

The driver shall not lend the badge to any other person or cause or permit any other person to wear it.

On termination or surrender of a driver's licence, the driver shall return the badge to the Council immediately.

The driver shall behave in a civil, polite and orderly manner at all times and shall take all reasonable precautions to ensure the safety of persons conveyed in, or entering or alighting from, the vehicle.

The driver shall not willfully or negligently cause or permit the vehicle licence plate to be concealed from public view or allow the licence plate to be so defaced as to make any information illegible.

The driver who has agreed to, or has been hired to, be in attendance with the vehicle at an appointed time and place shall, unless delayed or prevented by enough cause, punctually attend with such vehicle at such appointed time and place.

The driver, when hired to drive to a destination, shall proceed to that destination by either the shortest available route, or the believed cheapest route considering all known factors such as roadworks, delays, etc.

The driver shall not convey, or permit to be conveyed, in such vehicle any greater number of persons than the number of persons specified on the Vehicle Licence.

The driver shall convey a reasonable amount of luggage and afford reasonable assistance in loading and unloading luggage.

The driver must not solicit, by calling out or otherwise beg any person to hire or be carried for hire.

The vehicle shall be presented in a clean and tidy condition for each journey.

The Health Act 2006 prohibits smoking in enclosed places, all licensed vehicles are designated as an enclosed public space and therefore it is unlawful for any person to smoke in a licensed vehicle at any time, including any time when it is not being used for hire. Therefore, the driver must not smoke or 'vape' in a licensed vehicle at any time.

The driver shall not drink or eat in the vehicle whilst conveying passengers.

The driver must ensure that the noise emitted from any sound equipment in the vehicle does not cause annoyance to any persons, whether inside or outside the vehicle.

The driver shall not operate the horn as a means of signaling that the vehicle has arrived.

Drivers must not use a mobile phone whilst driving unless it is designed for hands-free operation.

The driver must notify the Council within a period of seven (7) days of:

- a) any criminal conviction, caution, or fixed penalty notice,
- b) any driving endorsement,
- c) any change of medical condition that may impact on the ability to drive,

Lost Property

A licensed driver shall diligently search the vehicle after each passenger has left the vehicle for any property which may have been accidentally left therein.

In the event of lost property being found that is identifiable to a known passenger, the driver shall either return the property to the passenger forthwith or contact the passenger to arrange its return.

Any property found that is not identifiable to a passenger and not subsequently claimed within two (2) days should be taken to the nearest police station and/or left in the custody of a police officer after obtaining a receipt.

Carriage of Animals

A driver may not carry any animal not belonging to a passenger in a

licensed vehicle whilst available for hire or carrying passengers.

Animals, other than assistance dogs, in the custody of passengers may be carried at the driver's discretion, provided they are restrained in a safe manner.

Assistance Dogs

A driver must carry assistance dogs when requested to do so by a passenger unless they have been issued with a medical exemption certificate. Assistance dogs include guide dogs for blind or partially sighted persons, hearing dogs for the hard of hearing or deaf persons, and any other assistance dog which assist a disabled person with a physical or mental impairment.

Carriages of Passengers with Wheelchairs

Passengers with wheelchairs often prefer to travel in normal saloon, estate or multi-passenger vehicles rather than a specially adapted wheelchair accessible vehicle. In these circumstances, a driver **must** carry a passenger with a wheelchair unless the vehicle is unable to accommodate the wheelchair within the luggage compartment.

Drivers of wheelchair accessible vehicles must:

- a) not refuse to carry any passenger with a wheelchair,
- b) not charge any additional fare for passengers with wheelchairs,
- c) be fully conversant with the correct method of operating all ramps, lifts and wheelchair restraints fitted to the vehicle,
- d) ensure that all wheelchairs are firmly secured in the vehicle using an approved restraining system and that the wheelchair brakes have been applied prior to commencing the journey,
- e) ensure that all ramps, lifts and wheelchair restraints fitted to the vehicle are always available in full working order when the vehicle is available for hire.

APPENDIX D - PENALTY POINTS SCHEME

Guidance Notes

The Penalty Points Scheme will operate as follows:

The Council's Enforcement Policy will be fully considered by the enforcing officer when determining the way any breach of legislation or the requirements of this Policy are dealt with. Where it is decided that the use of the penalty points system is appropriate, the points will be issued in accordance with this Appendix. If this appendix allows a range of points for the incident, the enforcing officer will determine the appropriate number of points proportionate to the offence.

Before penalty points are issued, there must be sufficient evidence to prove, on the balance of probabilities, the offence or breach of licensing requirements. The issuing of penalty points is not a formal sanction in its own right; it is merely an open and transparent method of how a driver will be assessed in terms of the 'fit and proper person' test. The points system is predominately an internal management tool for ensuring that drivers who repeatedly contravene regulations and/or this Policy are assessed by the Licensing Manager.

Issuing Process

Points issued to either a proprietor or driver (includes both Hackney Carriage and Private Hire) will be confirmed in writing within ten (10) working days from the discovery of the contravention or the conclusion of an investigation into a complaint, whichever is the later.

When issued, the penalty points will remain "live" for a period of twelve (12) months from the date they are imposed so that only points accumulated in a rolling twelve (12) month period will be considered.

If a driver, proprietor or operator accumulates twelve (12) or more points within a period of one (1) year from the date they are imposed, they will be required to attend a Licensing hearing with the Licensing Sub-Committee, where the appropriate action to be taken in accordance with this Policy.

Once the matter has been dealt with, the points will be removed if a suspension or revocation is imposed. If the "live" period is extended or a written warning given, however, the points will remain "live" for the normal one-year period.

Even though penalty points have been issued by an Authorised Officer of the Council, if it is subsequently found that the driver has previously been issued with penalty points, or has been formally cautioned, for similar

offences, the Council reserve the right to cancel the penalty points and deal with the matter in accordance with the Enforcement Policy and the provisions of Part 6 of this Policy. The penalty points system will operate without prejudice to the Council's ability to take other action under appropriate legislation or as provided for by this Policy.

Appeal Process

There is no right of appeal against the award of penalty points by an Authorised Officer of the Council as this is not a formal sanction.

Table of Offences

The penalty points are issued in conjunction with the level of fine that could be issued by the courts should the applicant be prosecuted for the offence.

The following abbreviations are used.

TPCA – Town Police Clauses Act 1847
 LGMPA – Local Government (Miscellaneous Provisions) Act 1976
 EA – Equality Act 2010
 TA – Transport Act 1980
 HC – Hackney Carriage
 PH – Private Hire

Levels of Fines;

Level 1 £250, Level 2 £500, Level 3 £1,000 Level 4 £2,500 Level 5 £5,000

HACKNEY CARRIAGE VEHICLE PROPRIETORS' PROVISIONS				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s.40 TPCA	H01	Giving false information on an application for HC proprietors licence	Level 1	2
s. 44 TPCA	H02	Failure to notify change of address of HC proprietor	Level 1	2
s. 45 TPCA	H03	Plying for hire without a HC proprietor's licence	Level 4	8
s.47 TPCA	H04	Driving a HC without a HC driver's licence	Level 3	6
s.47 TPCA	H05	Lending or parting with a HC driver's licence	Level 3	6
s.47 TPCA	H06	HC proprietor employing an unlicensed driver	Level 3	6
s.48 TPCA	H07	Failure by HC proprietor to hold a HC driver's licence	Level 1	2
s.48 TPCA	H08	Failure by HC proprietor to produce HC driver's licence	Level 1	2
s.52 TPCA	H09	Failure to display HC plate	Level 1	2

s.54 TPCA	H10	Demanding more than the agreed fare	Level 1	2
s.49 LGMPA	H11	Failure to notify transfer of HC proprietor's licence	Level 3	6
s.50(1) LGMPA	H12	Failure to present HC for inspection as required	Level 3	6
s.50(2) LGMPA	H13	Failure to inform local authority where HC is stored if requested	Level 3	6
s.50(3) LGMPA	H14	Failure to report an accident involving a HC to local authority within 72 hours	Level 3	6
s.50(4) LGMPA	H15	Failure to produce HC proprietors' licence or insurance certificate	Level 3	6
s.57 LGMPA	H16	Making false statement or withholding information to obtain HC vehicle's licence	Level 3	6
s.58(2) LGMPA	H17	Failure to return plate after notice given after expiry, revocation or suspension of HC proprietors licence	Level 3 plus daily fine of £10	6
s.71 LGMPA	H18	Interfering with a taximeter or allowing a vehicle to be used without an approved and tested taximeter	Level 3	6
s.73(1)(a) LGMPA	H19	Obstruction of authorised officer or constable	Level 3	6
s.73(1)(b) LGMPA	H20	Failure to comply with requirement of authorised officer or constable	Level 3	6
s.73(1)(c) LGMPA	H21	Failure to give information or assistance to authorised officer or constable	Level 3	6
s.73(2) LGMPA	H22	Making a false statement to authorised persons	Level 3	6

HACKNEY CARRIAGE DRIVERS' PROVISIONS				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s.47 TPCA	D01	Driving a HC without a HC driver's licence	Level 3	6
s.52 TPCA	D02	Driver refusing to carry the prescribed number	Level 1	2
s.53 TPCA	D03	Refusal (without reasonable excuse) to take a fare	Level 2	4
s.54 TPCA	D04	Charging more than the agreed fare	Level 1	2

s.55 TPCA	D05	Obtaining more than the legal fare	Level 3- and 1-months imprisonment until the excess is re-funded	6
s.56 TPCA	D06	Travelling less than the lawful distance for an agreed fare	Level 1	2
s.57 TPCA	D07	Failing to wait after a deposit to wait has been paid	Level 1	2
s.58 TPCA	D08	Charging more than the legal fare	Level 3	6
s.59 TPCA	D09	Carrying any other person than the hirer without consent	Level 1	2
s.60 TPCA	D10	Driving a HC without proprietors' consent	Level 1	2
s.60 TPCA	D11	Person allowing another to drive HC without proprietor's consent	Level 1	2
s.61 TPCA	D12	Drunken driving of a HC	Level 1	2
s.61 TPCA	D13	Wanton or furious driving or wilful misconduct leading to injury or danger	Level 1	2
s.62 TPCA	D14	Driver leaving HC unattended	Level 1	2
s.64 TPCA	D15	HC driver obstructing other HC drivers	Level 1	2
s.53(3) LGMPA	D16	Failure to produce HC driver's licence	Level 3	6
s.54 LGMPA	D17	Failing to wear driver's badge when acting in accordance with a hackney carriage driver's licence	Level 3	6
s.57 LGMPA	D18	Making false statement or withholding information to obtain HC driver's licence	Level 3	6
s.61(2) LGMPA	D19	Failure to surrender drivers' licence after suspension, revocation or refusal to renew	Level 3	6
s.66 LGMPA	D20	Charging more than the meter fare for a journey ending outside the district, without prior agreement	Level 3	6
s.67 LGMPA	D21	Charging more than the meter fare when HC used as a private hire vehicle	Level 3	6
s.69 LGMPA	D22	Unnecessarily prolonging a journey	Level 3	6
s.71 LGMPA	D23	Interfering with a taximeter.	Level 3	6
s.73(1)(a) LGMPA	D24	Obstruction of authorised officer or constable	Level 3	6
s.73(1)(b) LGMPA	D25	Failure to comply with requirement of authorised officer or constable	Level 3	6

s.73(1)(c) LGMP A	D26	Failure to give information or assistance to authorised officer or constable	Level 3	6
s.73(2) LGMPA	D27	Making a false statement to authorised persons	Level 3	6

PRIVATE HIRE VEHICLE PROPRIETORS' PROVISIONS				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s.46(1)(a) LGMPA	P01	Using an unlicensed PH vehicle	Level 3	6
s.46(1)(c) LGMP A	P02	Proprietor of a PH vehicle using an unlicensed driver	Level 3	6
s.48(6) LGMPA	P03	Failure to display PH vehicle plate in prescribed manner	Level 3	6
s.49 LGMPA	P04	Failure to notify transfer of PH vehicle licence within 14 days	Level 3	6
s.50(1) LGMPA	P05	Failure to present PH vehicle for inspection as required	Level 3	6
s.50(2) LGMPA	P06	Failure to inform local authority where PH vehicle is stored if requested	Level 3	6
s.50(3) LGMPA	P07	Failure to report an accident involving a PH vehicle to local authority within 72 hours	Level 3	6
s.50(4) LGMPA	P08	Failure to produce PH vehicle licence and insurance certificate	Level 3	6
s.57 LGMPA	P09	Making false statement or withholding information to obtain private hire vehicle's licence	Level 3	6
s.58(2) LGMPA	P10	Failure to return plate after notice given after expiry, revocation or suspension of PH vehicle licence	Level 3 plus daily fine of £10 per day	6
s.71 LGMPA	P11	Interfering with a taximeter	Level 3	6
s.73(1)(a) LGMPA	P12	Obstruction of authorised officer or constable	Level 3	6
s.73(1)(b) LGMPA	P13	Failure to comply with requirement of authorised officer or constable	Level 3	6
s.73(1)(c)	P14	Failure to give information or assistance to authorised officer or constable	Level 3	6
s.73(2) LGMPA	P15	Making a false statement to authorised persons	Level 3	6

s.46(1)(b) LGMPA	D28	Driving a PH vehicle without a PH driver's licence	Level 3	6
s.48(6) LGMPA	D29	Failure to display PH vehicle plate in prescribed manner	Level 3	6
s.53(3) LGMPA	D30	Failure to produce PH driver's licence	Level 3	6
s.54(2) LGMPA	D31	Failure to wear PH driver's badge	Level 3	6
s.57 LGMPA	D32	Making a false statement or withholding information to obtain a PH driver's licence	Level 3	6
s.61(2) LGMPA	D33	Failure to surrender driver's licence after suspension, revocation or refusal to renew	Level 3	6
s.64 LGMPA	D34	Permitting any vehicle other than a HC to wait on a HC stand	Level 3	6
s.69 LGMPA	D35	Unnecessarily prolonging a journey	Level 3	6

s.71 LGMPA	D36	Interfering with a taximeter	Level 3	6
s.73(1)(a) LGMPA	D37	Obstruction of authorised officer or constable	Level 3	6
s.73(1)(b) LGMPA	D38	Failure to comply with requirement of authorised officer or constable	Level 3	6
s.73(1)(c)	D39	Failure to give information or assistance to authorised officer or constable	Level 3	6
s.73(2) LGMPA	D40	Making a false statement to authorised persons	Level 3	6

PRIVATE HIRE OPERATORS' PROVISIONS				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s.46(1)(d) LGMPA	O01	Operating a PH vehicle without a PH operator's licence	Level 3	6
s.46(1)(e) LGMPA	O02	Operating a vehicle as a PH vehicle when the vehicle or driver is not licensed as a PH vehicle or PH driver	Level 3	6
s.56(2) LGMPA	O03	Failure by PH operator to keep a record of bookings	Level 3	6
s.56(3) LGMPA	O04	Failure by PH operator to keep records of PH vehicles operated by him	Level 3	6
s.56(4) LGMPA	O05	Failure to produce PH operator's licence on request	Level 3	6
s.57 LGMPA	O06	Making a false statement or withholding information to obtain a PH operator's	Level 3	6

		licence		
s.73(1)(a) LGMPA	O07	Obstruction of authorised officer or constable	Level 3	6
s.73(1)(b) LGMPA	O08	Failure to comply with requirement of authorised officer or constable	Level 3	6
s.73(1)(c)	O09	Failure to give information or assistance to authorised officer or constable	Level 3	6
s.73(2) LGMPA	O10	Making a false statement to authorised persons	Level 3	6

EQUALITY ACT 2010				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s. 168 (2)(a) EA 2010	EA1	Refusal by HC driver to carry an assistance dog unless in possession of an exemption certificate	Level 3	6
s. 168 (2)(b) EA 2010	EA2	HC driver making an additional charge for carrying an assistance dog accompanying a disabled passenger	Level 3	6
s. 170 (1)(a) EA 2010	EA3	Refusal by PH operator to accept booking if the booking is requested by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person	Level 3	6
s. 170 (2) EA 2010	EA4	PH operator making an additional charge for carrying an assistance dog accompanying a disabled passenger	Level 3	6
s. 170 (3)(a) EA 2010	EA5	PH driver failing or refusing to carry out a booking accepted by the operator if the booking is made by or on behalf of a disabled person or a person who wishes to be accompanied by a disabled person,	Level 3	6
s. 170 (3)(b) EA 2010	EA6	PH driver failing or refusing to carry out a booking accepted by the operator if the booking is that the disabled person is accompanied by an assistance dog.	Level 3	6

Transport Act 1980				
Legislation	Code	Offence	Maximum Penalty	Penalty Points
s.64(2)(a) TA 1980	TR1	Driving a Private Hire vehicle with a roof sign that contravenes section 64(1) of the Act	Level 3	6
s.64(2)(a)	TR2	Causing or permitting a Private Hire vehicle to be driven with a roof sign that contravenes section 64(2)(b)	Level 3	6
Fenland District Council Hackney Carriage and Private Hire Driver Conditions				
Code	Offence		Max Penalty	Penalty Points
Fenland District Council Hackney Carriage and Private Hire Driver Conditions				
FDC01	Failure to comply with Hackney Carriage/Private Hire Vehicle Drivers Conditions of Licence			4
Fenland District Council Hackney Carriage and Private Hire Vehicle Licence Conditions				
FDC02	Failure to comply with Hackney Carriage/Private Hire Vehicle Conditions of Licence			4
Fenland District Council Operator Licence Conditions				
FDC03	Failure to comply with Private Hire Vehicle Operator Conditions of Licence			4

APPENDIX E

CONDITIONS FOR LICENSING STRETCHED LIMOUSINES

Permitted Vehicle Types

Left-hand drive limousines will be permitted as private hire vehicles

Sideways facing seating will be permitted in limousines providing that it conforms to all relevant road traffic vehicle legislation.

All limousines licensed as private hire vehicles must hold a valid Individual Vehicle Approval Certificate and be fitted with tyres of appropriate size and grade for that Approval.

All limousines licensed as private hire vehicles must obtain six-monthly test certificates showing that the vehicle has satisfied the standards of the appropriate MOT Class. The vehicle licence holder is responsible for sourcing a garage approved to carry out such tests and providing documentation attesting to the garage's compliance with the Council's vehicle testing requirements.

All limousines licensed as private hire vehicles must:

- a) reduce their seating capacity to a maximum of eight (8) passengers,
- b) not carry more than eight (8) passengers, including children, at any time,
- c) not carry passengers in any seats in the driver's compartment,
- d) ensure that any advertising of the limousine states the maximum seating capacity.

Legislation

Seatbelts complying to all relevant legislation must be fitted to all forward and rear facing seats and must always be worn by passengers whilst the vehicle is in motion. There is no legal requirement for seatbelts to be fitted on sideways facing seats, however if they are fitted, they must always be worn by passengers whilst the vehicle is in motion.

If alcohol drinks are to be provided in the vehicle:

- a) an appropriate licence under the Licensing Act 2003 must be in effect,
- b) alcohol may only be sold whilst the vehicle is stationary,
- c) whilst the vehicle is in motion, all receptacles containing alcohol shall be securely stored,
- d) if any occupants of the vehicle are below the age of eighteen (18) years old, the vehicle must not contain any alcohol,
- e) all drinking receptacles used in the vehicle must be made of shatterproof glass, plastic or polycarbonate.

The driver shall not play or permit the performance of any media that,

given its age classification or content, is unsuitable for the age of the youngest passenger in the vehicle.

Limousines licensed as private hire vehicles are not permitted to carry luggage within the passenger compartment of the vehicle.

Limousines licensed as private hire vehicles must carry a safety hammer capable of being used to break the window glass of the vehicle. The hammer must be securely located within the driver's compartment.

Limousines that are licensed private hire vehicles may only be booked from and dispatched by a licensed private hire operator and driven by a licensed private hire driver; all three licenses must be issued by the same licensing authority.

APPENDIX F - RIGHT TO WORK

Guidance Notes

From 1 December 2016, the Council is under a new legal duty to ensure that both the driver and operator licenses are only issued to applicants who have lawful immigration status and the right to work in the UK. By law, the Council cannot issue a licence to any applicant that does not satisfy this requirement. This change of law applies to all applicants regardless of where they were born, how long they have lived in the UK and, if they already hold a driver or operator licence, how long they have held that licence.

All applicants will need to attend the Council Offices where a council officer will check your original valid documentation evidencing your right to work in the UK (this can be arranged at the same time as attending for a knowledge test or a DBS appointment). You must attend in person and bring evidence of your right to work in the UK. Only certain types of documentation are acceptable.

- a) For applicants who are British Citizens
All you need to provide is a British passport confirming you are a British Citizen
If you do not have a British passport you can produce any of the other documents contained within **List A**.
- b) For applicants who are not British Citizens but have no restrictions on their right to work in the UK
All you need to provide is any of the other documents contained within **List A**.
- c) For applicants who have restrictions on their right to work in the UK
You will need to produce any of the documents contained within **List B**. If your documentation proves a right to work that expires prior to the normal licence expiry date, your licence will only be granted for the period we have proof of a right to work.

If you have a VISA that confirms your right to reside in the UK, but it is attached to an expired passport we cannot accept this as proof. You will need to apply to the Home Office to obtain acceptable proof, such as a biometric residence permit. Once a valid application to the Home Office has been confirmed, a six-month licence can be granted to allow time for the Home office to process the application.

You must bring original documentation (not a photocopy) and it is your responsibility to make sure you can provide acceptable forms of documentation.

The council officer will check that your documentation is acceptable based on either List A or List B (depending on your circumstances), check that the document is an original and relates to the person providing it, and

take a photocopy for Council records.

If the documentation you provide demonstrates that you have a permanent right to work in the UK (from **List A**) you will not be required to produce documentation for future applications.

In other cases, you will be required to provide your documentation when you next apply to renew your licence so that your right to work can be verified again at that point in time.

List A

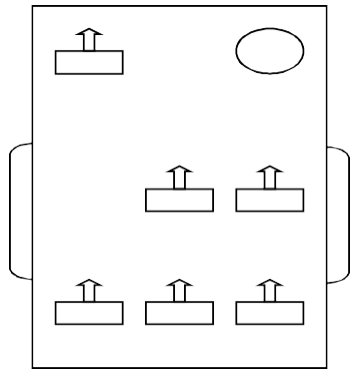
- a) A passport showing the holder, or a person named in the passport as the child of the holder, is a British Citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- b) A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- c) A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- d) A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- e) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- f) A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- g) A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- h) A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- i) A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- j) A certificate of registration or naturalisation as a British Citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

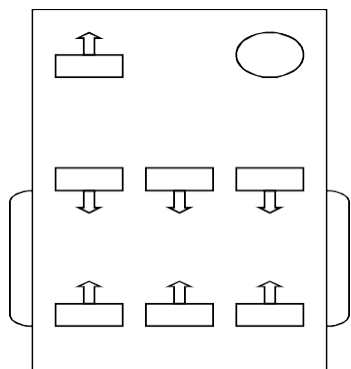
- a) A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- b) A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- c) A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- d) A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- e) A Certificate of Application issued by the Home Office under regulation 17(3) or 18A(2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with Verification from the Home Office Evidence and Enquiry Unit. *This licence may be granted for six months from the date of the Certificate of Application.*
- f) A Verification issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person may stay in the UK because they have an in-time application, appeal or administrative review and which is outstanding. *This licence may be issued for six months from the date of the licence decision.*

APPENDIX G

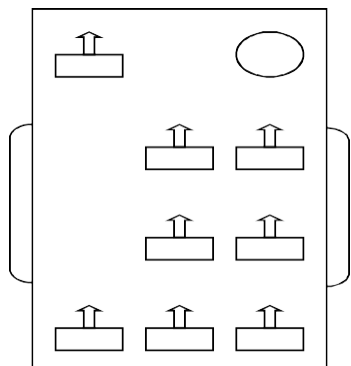
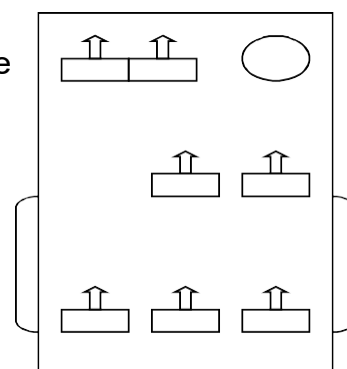
APPROVED SEATING CONFIGURATIONS IN MULTI-PASSENGER



Six-seater vehicle





Seven-seater vehicle



Eight-seater vehicle

 Driver

 Passenger Seat  Passenger facing

 Door

APPENDIX H

VEHICLE COMPLIANCE STANDARDS

Guidance

Standards of vehicle test to be applied in addition to the statutory requirements of the MOT test.

This document is intended to provide practical guidance to the Council's vehicle testers charged with assessing vehicles being issued with a Certificate of Compliance.

It will also give a general insight into the type of examination the vehicle will be subjected to before it can be issued with a Certificate of Compliance.

It is the responsibility of owners, operators and drivers to ensure that their vehicles always comply with the current rules and regulations of the appropriate Road Traffic Act and current Construction and Use Regulations.

Where a vehicle is found not to conform to the requirements of an MOT test and/or the compliance test standards, that vehicle may have its licence suspended until the Councils authorised officers are satisfied that the vehicle is fit to be licensed.

No adaptations, alterations, modifications, additional equipment, optional extras except for tow bars fitted to a professional standard, are to be fitted to the vehicles without the prior approval of the Council.

Any owner wishing to alter or modify the vehicle, including the fitting of extras or alternative parts to those supplied by the manufacturer must seek prior permission from the Council.

Certain modifications may require special inspection by the Council's Authorised Officer or his/her nominee before approval is given. (A fee may be applicable).

When a vehicle presented for compliance test fails that vehicle will have to be re-submitted for a full compliance test and the fee charged will be the re-test fee.

All compliance failure items must be resolved before a vehicle licence plate can be issued.

APPENDIX I – FENLAND DISTRICT COUNCIL BYELAWS

These Byelaws were made under Section 68 of the Town Police Clauses Act, 1847, and Section 171 of the Public Health Act, 1875, by the Fenland District Council with respect to hackney carriages in Fenland District.

Interpretation

1) Throughout these byelaws “the Council” means the District Council of Fenland and “the District” means Fenland District.

Provisions regulating the manner in which the number of each hackney carriage corresponding with the number of its licence shall be displayed.

- 2) a) The proprietor of a hackney carriage shall cause the number of the licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside of the carriage, or on plates affixed thereto;
b) A proprietor or driver of a hackney carriage shall;
 - i. I not willfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire;
 - ii. not cause or permit the carriage to stand or ply for hire with any such painting, marking or plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided

- 3) The proprietor of a hackney carriage shall;
 - a) provide sufficient means by which any person in the carriage may communicate with the driver;
 - b) cause the roof or covering to be kept water-tight;
 - c) provide any necessary windows and means of opening and closing not less than one window on each side;
 - d) cause the seats to be properly cushioned or covered;
 - e) cause the floor to be provided with a proper carpet, mat, or other suitable covering;
 - f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service;
 - g) provide means for securing luggage if the carriage is so constructed as to carry luggage;
 - h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use;
 - i) provide at least two doors for the use of persons conveyed in such a separate means of ingress and egress for the driver.

- 4) (a) The proprietor of a hackney carriage shall cause any taximeter, with which the carriage is provided to be so constructed, attached, and maintained as to comply with the following requirements, that is to say:
- b) the taximeter shall be fitted with a key, flag, or other device the operation of which will bring the machinery of the taximeter into action and cause the word "HIRED" to appear on the face of the taximeter;
 - c) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter;
 - d) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in clearly legible figures a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the tariff fixed by the Council in that behalf;
 - e) the word "FARE" shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon;
 - f) the taximeter shall be so placed that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring;
 - g) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments and determining whether such drivers shall wear any and what badges.

- a) when standing or plying for hire, keep the key, flag or other device fitted in pursuance of the byelaw in that behalf locked in the position in which no fare is recorded on the face of the taximeter;
- b) before beginning a journey for which a fare is charged for distance and time, bring the machinery of the taximeter into action by moving the said key, flag or other device, so that the word "HIRED" is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
- c) cause the dial of the taximeter to be kept properly illuminated throughout any part of the hiring which is during the hours of darkness; this being the time between half-an-hour after sunset to half-an-hour before sunrise, and also at any other time at the request of the hirer.

- 6) A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof or with the seals affixed thereto.
- 7) Every proprietor of a hackney carriage not provided with a taximeter fitted with a flag or other device bearing the words "for hire" shall cause the carriage to be provided with a sign so constructed as to comply with the following requirements, that is to say:
 - a) the sign shall bear the words "For Hire" in plain letters at least one and a half inches in height and
 - b) the sign shall be capable of being so operated that it indicates clearly and conveniently to persons outside the carriage whether or not the vehicle is for hire.
- 8) The driver of a hackney carriage provided with a sign in pursuance of Byelaw 7 shall
 - a) when standing, or plying for hire, operate the sign so that the words "For Hire" is clearly and conveniently legible by persons outside the carriage;
 - b) as soon as the carriage is hired, whether by distance or by time, operate the said sign so that the words "For Hire" are not conveniently legible to persons outside the carriage.
- 9) the driver of a hackney carriage shall, when plying for hire in any street and not actually hired,
 - a) where appropriate proceed with reasonable speed to one of the stands fixed by the Council, where appropriate, in that behalf except that in March the driver shall not station the carriage in the stand if the other two places in the stand are occupied by carriages owned by his firm or by the firm for which he is driving;
 - b) on arriving at a stand in Wisbech not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
 - c) in respect of b) above from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward.
- 10) a proprietor or driver of a hackney carriage, when standing or plying for hire, shall not, by calling out or otherwise, importune any person to hire such

carriage and shall not make use of the services of any other person for the purpose.

- 11) The driver of a hackney carriage shall behave in a civil and orderly manner and shall take all reasonable precautions to ensure the safety of persons conveyed in or entering or alighting from the vehicle.
- 12) The proprietor or driver of a hackney carriage who has agreed or has been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
- 13) A proprietor or driver of a hackney carriage shall not convey or permit to be conveyed in such carriage any greater number of persons than the number of persons specified on the plate affixed to the outside of the carriage.
- 14) If a badge has been provided by the Council and delivered to the driver of a hackney carriage he shall, when standing or plying for hire, and when, hired, wear that badge in such position and manner as to be plainly visible.
- 15) The driver of a hackney carriage so constructed as to carry luggage shall, when requested by any person hiring or seeking to hire the carriage,
 - a. conveys a reasonable quantity of luggage;
 - b. afford reasonable assistance in loading and unloading;
 - c. affords reasonable assistance in removing it to or from the entrance of any building, station, or place at which he may take up or set down such person.

Provisions fixing the rates or fares to be paid for hackney carriages within the district, and securing the due publication of such fares

- 16) The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the Council the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the Council which it may not be possible to record on the face of the taximeter.

- 17) a. The proprietor of a hackney carriage shall cause a statement of the fares fixed by the Council in that behalf to be exhibited inside the carriage, in clearly distinguishable letters and figures.
- b. The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof

- 18) The proprietor or driver of a hackney carriage shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the carriage for any property which may have been accidentally left therein.
- 19) The proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him,
 - a. carries it as soon as possible and in any event within 48 hours, if not sooner claimed by or on behalf of its owner, to the office of the Council, and leave it in the custody of the officer in charge of the office on his giving a receipt for it.
 - b. is entitled to receive from any person to whom the property shall be re-delivered an amount equal to five pence in the pound of its estimated value (or the fare for the distance from the place of finding to the office of the Council, whichever be the greater) but not more than five pounds.

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 - Hackney Carriage and Private Hire Licensing Policy 2021 – 2026

The Council as the Licensing Authority has a duty to review its Taxi Licensing Policy in line with the statutory guidance published in July 2020, with a view to reviewing it every five years or sooner if required. The policy review period coincides with this new guidance of which we have reflected this in our policy and can be viewed <https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards>
The current policy was adopted at Full Council and came into effect on 12 May 2016.

The policy looks at compliance with the legislation to ensure all parties are treated fairly within the confines of the law. All of the steps in place are to ensure the safeguarding needs of both the public and licence holders.

The aim of local authority through the licensing of drivers, vehicles and operators both as Hackney Carriage and Private Hire is to protect the public. This is done by the implementation of legislation and Byelaws and the imposing of licence conditions. Ensuring applicants are “fit and proper” to hold a driver’s licence and the testing of all vehicles which have to be licensed is paramount to the work of the Officer or Officers delegated to carry out “taxi licensing”.

Once Licensed, the continued protection of the public, and the service to the fee-paying licence holder, is carried out by Officers, by enforcement of legislation and the Council’s Byelaws and licence conditions. Enforcement can entail the suspension and revocation of licences, and if necessary, taking Court proceedings for offences committed. The testing and inspection of vehicles is also an ongoing example of enforcement.

By having a robust policy we are providing a framework for officers to measure their actions against to ensure that the delivery of the service and enforcement of relevant legislation is of good quality for residents, businesses, industry and people visiting or working in the District as well as Hackney Carriage and Private Hire drivers, proprietors and Operators

The Hackney Carriage & Private Hire Licensing Policy is to be renewed every five years and the draft policy will cover the period of 2021 - 2026

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

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

Public Health

Trading Standards

Town Councils

Public Consultation

Comments were requested from the Public Consultation that took place from 07 December 2020 until 17 January 2021. 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 policy has considered 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 10 February 2021


Existing Licence Holders

All licence holders were consulted and invited to comment on the draft policy, we also carried out a forum meeting inviting members of the trade to discuss their concerns or comments in relation to the draft policy.

	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"/>	There is no evidence to suggest that this group would be disadvantaged	N	
Sex	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that this group would be disadvantaged.	N	

Gender reassignment	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that this group would be disadvantaged.	N	<p>Proposal in revised policy for Wheelchair accessible Vehicle (WAV's) requirement to service the needs of all those requiring the services within the District</p> <p>Statutory responsibilities to enforce the requirements of the relevant Acts, Byelaws and other legislation placed on all in the District</p>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	✓	Limited number of HC & PH vehicles are registered as Wheelchair accessible Vehicle (WAV's)	Y	
Age	<input type="checkbox"/>	<input type="checkbox"/>	✓	All holders of driver's licence will be required to take a medical examination at initial application, thereafter at the age of 45, 50, 55 60, 65 and thereafter on an annual basis.	N	
Sexual orientation	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	N	
Religion or belief	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	N	
Pregnancy & maternity	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantage	N	
Marriage & civil partnership	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	N	
Human Rights	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	N	
Socio Economic	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	N	
Multiple/ Cross Cutting	<input type="checkbox"/>	✓	<input type="checkbox"/>	There is no evidence to suggest that any group would be disadvantaged.	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 <input type="checkbox"/>	
No major change needed ✓ Adjust the policy Adverse impact but continue <input type="checkbox"/> 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 Taxi Licensing Policy is reviewed in 2026	
Details of any data/ Research used (both FDC & Partners): Results of the public Consultation carried out from 07 December 2020 until 17 January 2021	
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:	16	
Committee:	Council	
Date:	February 2021	
Report Title:	Communication regarding Uncontested Elections	

1 Purpose / Summary

During the May 2019 All Out Local Government Elections a number of District and Parish Council areas had uncontested seats resulting in the nominated candidates being duly elected without the need for an election. As a result a number of Polling stations were not in use despite Poll Cards being sent to all residents registered on the electoral roll, therefore raising awareness of the elections (if contested) and highlighting the location of the relevant polling station.

2 Key issues

Legislation and the associated guidance from the Electoral Commission requires Poll cards to be sent as soon as possible following publication of the Notice of Election. The use of Poll Cards enables local residents to engage with the election, understand when the poll will take place in their local area making clear that this is only if contested, the location of their polling station, as well as encouraging potential candidates to come forward and stand to represent their local area and community should they be elected.

Nominations can be formally submitted by candidates wishing to stand to be elected following publication of the Notice of Election for a specific period of time defined in legislation. The close of the nomination period enables electoral administrators to confirm how many candidates there are standing in each area. If there are more candidates standing than seats available then an election will be required. In the event that the number of nominations received from candidates matches or is fewer than the number of vacant seats, then an election is not required as there is no contest and the nominated candidate(s) is duly elected. In this scenario a number of polling stations would not be required.

In May 2019 a number of District and parish areas only received sufficient nominations for the number of vacant seats and therefore the candidates who stood in those areas were duly elected without the need to run an election, as there were insufficient nominated candidates to warrant a contest.

In previous years, all out local elections had been combined with other electoral events eg In 2015 the all out local elections were combined with the Parliamentary election and therefore in the event that district and/ or parish council seats were uncontested elections for the other polls would still have taken place across the whole of Fenland.

In May 2019 however the all out local government elections were the only polls scheduled. As such when both the district and associated parish council seats were uncontested no electoral events took place in those areas and some Polling stations were therefore not required. This was the case for 8 areas affecting 17,625 local Fenland residents. This situation arose in spite of poll cards having been sent to all electors.

In order to mitigate the risk of local residents attempting to access the Polling station to cast their vote only to find that an election was not taking place, the district council undertook a number of proactive measures as outlined below;

- Press releases which were published in the local media
- Updates advising residents via the District Council Social media feed
- Updates via the FDC website
- Updates via the FDC 'Where's my Polling Station' tool
- Sending information to Town/Parish Clerks to display on local notice boards
- FDC contact centre recorded messages informing residents of the uncontested seats
- Posters at the Polling Station to inform electors that the election is no longer required.

In the majority of cases the proactive measures taken to communicate with local residents that the elections were not contested were successful however there were a number of electors who were not aware that the elections were not taking place. During the Annual Council meeting in May 2019 a question was raised by a member of the public, Mr Martin Curtis, about whether it was appropriate for local electors to turn out to vote at elections that were not contested. The Council was therefore keen to reflect on the mitigating actions taken during 2019 and consider any further proactive measures to communicate with local electors should this scenario arise again in 2023 when the next 'all out' Local Government are scheduled to take place.

As such it is proposed that in addition to the measures outlined above the Council also considers the following:-

- production of flyers advising of the uncontested election that could be delivered by the duly elected candidates should they chose to request such flyers
- publication in the parish magazine and local media if there is sufficient time to do so

3 Recommendations


That Council considers that in addition to the actions previously taken in 2019 to mitigate the risk of local residents attempting to cast their vote at elections that have been uncontested that the following further measures are also introduced:-

- production of flyers advising of the uncontested election that could be delivered by the duly elected candidates should they chose to request such flyers
- publication in the parish magazine and local media if there is sufficient time to do so

Wards Affected	All
Forward Plan Reference	NA
Portfolio Holder(s)	Councillor Chris Boden, Leader of the Council

Report Originator(s)	Paul Medd - Chief Executive and Returning Officer Carol Pilson - Corporate Director and Monitoring Officer Peter Catchpole - Corporate Director and S151 Officer Anna Goodall - Head of Governance and Legal Services
Contact Officer(s)	Paul Medd- Chief Executive paulmedd@fenland.gov.uk 01354 622202 Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360 Peter Catchpole - Corporate Director and S151 Officer pcatchpole@fenland.gov.uk 01354 622201 Anna Goodall - Head of Governance and Legal Services agoodall@fenland.gov.uk 01354 622357
Background Paper(s)	

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Agenda Item No:	17	
Committee:	Council	
Date:	23 February 2021	
Report Title:	Senior Manager Pay Policy Statement	

Cover sheet:

1 Purpose / Summary

The purpose of this report is for Council to adopt the Senior Manager Pay Policy Statement for 2021/22 attached to the report.

2 Key issues

- Last year, Members approved the Council's Senior Manager Pay Policy Statement as part of the Localism Act 2011 (s38) on the 20th February 2020. The act also states that this must be reapproved every year by the 31st March.
- The statement has been updated for 2021/22 to reflect national pay awards.
- The policy must include pay and remuneration for chief officers and other employees, including the lowest paid.
- This statement does not change any policies regarding remuneration and is a set of principles and does not concern data relating to a particular individual.
- Since 2010, the Senior Managers of the Council have been reduced with Corporate Management Team reducing from 11 to 4 members. In addition, further restructuring has reduced the number of Heads of Service and Managers.
- Overall staff numbers (excluding casuals) have reduced by 38% since 2010, delivering over £5.5m of annual savings for the Council and taxpayers (over £2m in management), whilst ensuring the Council continues to deliver excellent services.

3 Recommendation

It is recommended that Council adopts the Senior Managers Pay Policy Statement for 2021/22 at Appendix 1 as required by the Localism Act 2011.


Wards Affected	N/A
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Chris Boden, Leader and Portfolio Holder, Finance Councillor Kim French, Chairman of Audit and Risk Management Committee
Report Originator(s)	Paul Medd, Chief Executive Peter Catchpole, Corporate Director and Chief Finance Officer Sam Anthony, Head of HR & OD
Contact Officer(s)	Paul Medd, Chief Executive Peter Catchpole, Corporate Director and Chief Finance Officer Sam Anthony, Head of HR & OD

1. INTRODUCTION

- 1.1 The Localism Act 2011 (s38) requires English local authorities to produce a pay policy statement for 2013/2014, and for each financial year thereafter. Council approved the 2020/21 statement last year as set out in the act and the 2021/22 statement has been updated to reflect national pay awards and the employee contribution rate changes for pensions.
- 1.2 The Act states that the policy must include pay and other remuneration for chief officers and other employees, including the lowest paid. The Act defines remuneration widely, to include pay, charges, fees, allowances, benefits in kind, pension and termination payments.
- 1.3 This policy has been developed in response to this and sets out Fenland District Council's approach to the pay and remuneration of the Council's Senior Managers.
- 1.4 This statement does not change any policies regarding remuneration and is a set of principles and does not concern data relating to a particular individual.

2. CONSIDERATIONS

- 2.1. As stated, the Localism Act 2011 requires local authorities to produce a pay policy statement. This follows Will Hutton's 2011 Review of Fair Pay in the Public Sector which has been a key driver for the Government's aim for greater transparency and value for money in terms of senior public sector pay.
- 2.2. Fenland District Council, under the direction of the Leader and Cabinet, has been at the forefront of ensuring value for money in the Council's senior management arrangements by looking at business need, capacity and management savings.
- 2.3. A number of reviews have taken place since 2010 which has seen the Corporate Management Team reduce from 11 to 4 members and further restructuring which has reduced the number of Heads of Services and Managers.
- 2.4. Overall staff numbers (excluding casuals and staff transfers associated with the Leisure Management Contract) have reduced by 38% since 2010, delivering over £5.5m of annual savings for the Council and taxpayers (over £2m in management), whilst ensuring the Council continues to deliver excellent services
- 2.5. Therefore, it is important that the Council's approach to Senior Manager's pay is a balance between securing and retaining employees to continue delivering member priorities and quality services whilst providing value for money.
- 2.6. Appendix 1 sets out the Council's Senior Manager's Pay Policy Statement for 2021/2022, in line with the Localism Act 2011 for adoption by the Council.

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1.0 Introduction

The Localism Act 2011 (s38) requires English local authorities to produce a pay policy statement for 2012/2013, and for each financial year thereafter. The Act states that the policy must include pay and other remuneration for chief officers and other employees, including the lowest paid. The Act defines remuneration widely, to include pay, charges, fees, allowances, benefits in kind, pension and termination payments.

This policy has been developed in response to this and sets out Fenland District Council's approach to the pay and remuneration of the Council's Senior Managers.

The Council is committed to equality and fairness for all staff. This policy has been developed for Fenland District Council and with specific reference to national terms and conditions and legislative requirements.

2.0 Scope

The Council's senior managers are classified in the following groups:

- Chief Officers
- Corporate Management Team
- Heads of Service

2.1 Chief Officers

At Fenland District Council, the Chief Officers are:

- The Chief Executive (Head of Paid Service)
- The Chief Finance Officer / Section 151 Officer (a statutory Chief Officer role with responsibility for financial governance)
- The Monitoring Officer (a statutory Chief Officer role with responsibility for legal governance)

These posts are currently also part of the Corporate Management Team.

2.2 Corporate Management Team

At Fenland District Council, there are four posts that fall within this category which include the Chief Officer posts set out in 2.1.

2.3 Heads of Service

At Fenland District Council, there are ten posts that fall within this category.

3.0 Remuneration

Major decisions on pay, such as annual pay awards, are determined for most local authorities in England and Wales by the National Agreement on Pay, arrived at through a system of central collective bargaining between representatives of the Local Government Employers and representatives of the relevant trades unions on the National Joint Council.

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3.1 Heads of Service

a) For Heads of Service subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services' (commonly known as the 'Green Book'), the Council uses a Hay Management pay spine that commences at Hay 1, SCP - 1 and ends at Hay 4, local SCP - 4. This pay spine is divided into 4 pay bands, which each contain a number of incremental points. Hay 1 is the lowest and Hay 4 is the highest of these management pay grades. Posts are allocated to a pay band through a process of job evaluation.

b) The values of the SCPs in these pay grades are updated by the pay awards notified from time to time by the National Joint Council for Local Government Services. In addition to this, these pay grades will receive an annual increment, subject to the top of their grade not being exceeded.

c) The salary range for these posts is shown below at 4.0.

3.2 Corporate Management Team

a) For Corporate Directors subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services', the Council uses a Senior Management pay spine that commences at £70,000 and ends at £90,157.

b) Salaries within these pay grades are updated by the pay awards notified from time to time by the National Joint Council for Local Government Services. In addition to this, progression through the pay grade is also determined by assessment of the employee's performance in line with the Council's Performance and Development Review process, assessed by the Chief Executive in consultation with the Leader of the Council.


c) The salary range for these posts is shown below at 4.0.

d) Chief Officers within the Corporate Management Team may also be subject to the Conditions of Service determined by the Joint Negotiating Committee for Chief Officers of Local Authorities.

3.3 Chief Executive

a) The terms and conditions of employment for the Chief Executive are determined in accordance with collective agreements, negotiated by the Joint Negotiating Committee for Chief Executives.

b) The Chief Executive's salary grade will be updated by the pay awards notified from time to time by the Joint Negotiating Committee for Chief Executives of Local Authorities.

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c) The Chief Executive also receives a Returning Officer fee in respect of County, District and Parish Council Elections. The fee for undertaking this role is calculated in accordance with a formula approved annually by the Chief Executives' Group, based on a recommendation by the County Electoral Officers' Group. These fees currently are £373 for each contested District ward and £55 for each uncontested District ward, and £104 for each contested Town/Parish ward and £28 for each uncontested Town/Parish ward. If a Town/Parish ward is contested along with a District ward the fee is £34 for the Town/Parish element. Fees for conducting Parliamentary Elections, European and Police and Crime Commissioners are determined by way of a Statutory Instrument.

d) Annual increments for progression to the next scale point are subject to successful performance assessed by a Members' Appraisal. This will include the Leader of the Council and two other members nominated by the Leader.

e) The Chief Executive also receives healthcare provision of £2,000 per year.

f) The salary range for the Chief Executive is shown at 4.0 below.

4.0 Salary Ranges

The current salary ranges for Heads of Service, CMT and the Chief Executive are presented in the table below.

Post	Range	
	From	To
Head of Service	£44,865	£62,160
Corporate Management Team	£70,000	£90,157
Chief Executive	£125,000	£150,053

These salary ranges may change if either local or national pay awards are awarded within the financial year and before the next pay policy statement is produced.

5.0 Pensions

The employees within the scope of this Statement are entitled to join the Local Government Pension Scheme (LGPS). Employees contribute between 5.5% and 12.5% of their salary. For the purpose of this statement, employees included with the table in section 4.0 contribute between 6.8% and 12.5%, depending on where they are within the salary range. The employer pension contribution rate is 17.4% for all employees and managers (regardless of their grade or salary rate).

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6.0 Remuneration on Recruitment

On recruitment, individuals will be placed on the appropriate SCP within the pay grade for the post that they are appointed to. Access to appropriate elements of the Council's Relocation Scheme may also be granted in certain cases, when new starters need to move to the area.

All permanent or fixed term posts are advertised in accordance with the Council's recruitment Policy and Process, and appointment of Chief Officers is made on merit, in accordance with the rules governing the recruitment of Chief Executive and Chief Officers set out in the Council's Constitution.

Appointment of Heads of Service is the responsibility of the Chief Executive or his/her nominee. The salary on recruitment will be within the current salary range of these posts at that time.

7.0 Other Benefits

The expenses which may be payable to the Chief Executive, the Corporate Management Team or Head of Service are as follows:

- Re-imbursment of travel and subsistence – Any excess travelling allowance that is paid will be in accordance with the Council's established policies, and any subsistence allowance that is paid will normally be no higher than the current rates set by Her Majesty's Revenues and Customs (HMRC) . All rail travel for officers will be second class unless there are exceptional circumstances.
- Vouchers are issued in accordance with the Councils' Eye Test Policy.
- The employees within the scope of this policy are entitled to participate in the Council's Salary Sacrifice Scheme, which includes a Childcare Voucher scheme Such schemes are exempt from income tax or National Insurance contributions and therefore represent a saving for employees who then use them to purchase childcare, bicycles or technological products.
- Professional fees for employees, including Chief Officers, Corporate Managers and Heads of Service are paid in accordance with the Council's established process for the payment of professional fees for those employees whose role requires professional qualification and continued professional development.

There are no bonus arrangements payable to the Chief Executive, the Corporate Management Team or Heads of Service.

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8.0 Car Allowances

An annual car allowance is also currently payable to the Corporate Management Team and Heads of Service, but whilst this is subject to the normal deductions for tax and National Insurance, this does not count towards pensionable pay and no pension contributions are paid for it, either by the Council or by the employee. The car allowance is linked to grading and salary.

9.0 Relationship to the lowest paid employee

The lowest paid staff within the Council are on Band 2 of the Council's pay structure. This band is therefore defined as the lowest paid for the purposes of this policy.

Band 2 is currently £17,842, and therefore lowest pay point on the council's pay scale is currently £17,842 per annum.

The Chief Executive's salary scale is set out in section 4.

The current ratio between the lowest and highest pay points is - 1:8.4

The current ratio between the actual lowest pay grade and actual Chief Executive's salary is - 1:8.4

The Council does not have a policy on maintaining or reaching a specific pay ratio between the lowest and highest paid staff.

10.0 Termination of Employment

On ceasing to be employed by the Council, individuals will only receive compensation:

- (a) in circumstances that are relevant (e.g. redundancy), and
- (b) that is in accordance with our published Policy Statement on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- (c) that complies with the specific term(s) of a settlement agreement.

Any decision to re-employ an individual, who was previously employed by the Council and, on ceasing to be employed, was in receipt of a severance or redundancy payment, will be made on merit. The Council will not, however, normally engage such an individual under a contract for services.

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11.0 Publication of this policy and salary data

Salary data for the Chief Officers is published on the Council's website within the Council's statement of accounts. This policy is also published on the website.

12.0 Consultation

All changes to terms and conditions of employment are subject to consultation with the trade unions.

13.0 Implications

13.1 Financial Implications

The pay policy has been produced with input from the finance team.

13.2 Legal Implications

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. The pay policy contains all of the information required by the Localism Act.

13.3 Equalities Implications

There are no specific equality implications in relation to the pay policy itself however, impact assessments are completed in respect of any changes to terms and conditions which impact pay.

An initial equality impact assessment (IEQIA) has not been carried out on the pay policy itself. However, IEQIA's are carried out on any changes that are proposed that impact on pay.

14.0 Background Documents

MHCLG Guidance 'Openness and Accountability in Local Pay': Draft Guidance under section 40.

15.0 Review

This policy will therefore be reviewed at annual intervals to ensure that it remains fit for purpose, and it will be submitted to Full Council for approval by the end of March each year.

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Please contact Human Resources for further information.

Author	Human Resources
Date	February 2021
Status	Approved
Date of revisions (if applicable)	February 2013, February 2014, February 2015, February 2016, February 2017, February 2018, February 2019, February 2020, February 2021
Date agreed	February 2012
Date for revision	February 2022
Links to other People Policies	N/A

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