

Public Document Pack

COUNCIL

A meeting of Council will be held at Via Zoom Video Conferencing System on MONDAY, 14 DECEMBER 2020 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, but there will be public participation in line with the procedure for speaking at Planning Committee.

The meeting will be available to view on YouTube:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 20)

To confirm the minutes of 8 September 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 21 - 64)
- 7 Motion (Pages 65 - 66)

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 submitted by Councillor Cornwell and, in accordance with Rule 14.1 of the Council Procedure Rules, supported by Councillors Sutton, Bligh, Booth, Divine, Marks, Meekins, Patrick, Tanfield, Wicks, Wilkes and Yeulett.
- 8 Treasury Management Strategy Statement & Annual Investment Strategy Mid-Year Review 2020/21 (Pages 67 - 80)

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2020/21.
- 9 Polling Districts and Polling Places Review (Pages 81 - 114)

To consider the outcome of the recent review of polling districts and places, as required by the Electoral Registration and Administration Act 2013.

10 Member's Allowances Scope (Pages 115 - 118)

For Council to agree the scope and terms of reference for the forthcoming review of the Member Allowances Scheme by an Independent Remuneration Panel.

11 Statement of Licensing Policy 2021-2026 (Pages 119 - 168)

To adopt the Statement of Licensing Policy for the period of 2021 – 2026.

12 Revised Code of Conduct for Members (Pages 169 - 178)

For Council to consider changes to the Member Code of Conduct as recommended by Conduct Committee.

13 Constitutional Amendments (Pages 179 - 182)

For Council to consider changes to the constitution as outlined in the report.

14 Update on Committees and Panels (Pages 183 - 194)

For Council to consider changes to the Council's Committees and Panels namely the merging of Staff Committee and Corporate Governance Committee.

Fenland Hall
March


Chief Executive

Friday, 4 December 2020

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



TUESDAY, 8 SEPTEMBER 2020 - 4.00 PM

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

APOLOGIES: Councillor S Count, Councillor A Lynn, Councillor M Purser, Councillor M Tanfield and Councillor S Wilkes

C18/20 **PREVIOUS MINUTES**

The minutes of the meeting of 6 August 2020 were confirmed and signed, subject to the amendment on page 9, where reference is made regarding Wisbech Boxing Club receiving the Queens Award, which is incorrect and it should state that March Boxing Club were the recipient of the award.

C19/20 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Miscandlon made the following announcement:

Members may already be aware that I have had to take the difficult decision to cancel this year's annual charity coffee morning and will seek alternative opportunities to raise money for the Chairman's Charity Macmillan Cancer Relief. It is my intention to ask Member Services colleagues to share the link to the Macmillan Cancer fund raising page with Members should they wish to make a personal donation. I will ensure that the link enables any donations made to remain within the Fenland area.

C20/20 **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.**

This item was withdrawn from the agenda due to the absence of the Leader of the Opposition, Councillor Michelle Tanfield.

C21/20 **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:

- Councillor Sutton referred to the last meeting of Full Council, where Councillor Mrs Laws advised that only 4% of planning applications received fulfilled the validation requirements. He added that since that meeting he has analysed the systems and he is concerned about how there still appears a lengthy timeframe. He would like to know how this delay can be rectified going forward and made the point that there is only one note on the Public Access system against an application from the Validation Team which details the status of the application. Councillor Mrs Laws stated that validation rate is still at 4%, with the Planning Team operating a fair and open approach, where they will assist the agents and developers and at the present time there is a 2.5 week backlog with submissions of applications, with the planning portal dictating that it has been the busiest summer on record and this also being the case with some of the neighbouring authorities. She stated that the Local Validation List was adopted in August 2020, following a period of consultation in February 2020, which has resulted in some applications being registered as invalid, whilst agents are provided assistance to understand the new requirements and this has affected the Council's performance, as it is dealing with applications two or three times before they can be registered as valid as well as an accumulation of invalid applications, annual leave, and record numbers of applications having an impact. Councillor Mrs Laws expressed the view that the situation could be improved if applications were submitted and valid on receipt, however, any applications which require amendments are dealt with as soon as the requested information is received. She added that the validation figures in April 2020 were 94.43%, May was 21.83%, June was 79.13% and July was 68.54%, with staffing levels currently being investigated, and made the point that the Developer Forum have received a presentation with regard to validation to enlighten the agents on the process, which does not appear to have had an impact, so other measures are now being looked into. Councillor Sutton thanked Mrs Laws for her response and asked whether all of the interventions, consultations and actions taken by the Validation Team should be documented on the Public Access system? Councillor Mrs Laws stated that it is something that could be considered, however, the Council is trying to build relationships with agents and developers.
- Councillor Sutton asked Councillor Benney whether the motion being determined under agenda item 7 at today's Council meeting has any relevance to the report that was withdrawn from the Cabinet meeting held earlier today? Councillor Benney confirmed in the affirmative.
- Councillor Sutton asked Councillor Murphy whether he could provide an update with regard to Waste Vertical Integration (WVI) and also with regard to the abolition of the charge for brown bin collections as was indicated during the election period? Councillor Murphy stated that there is no update with regard to WVI and that he cannot recall any discussion with regard to the removal of the charge. Councillor Sutton stated that he has seen sight of letters distributed during election time which indicated that the brown bin charge may be removed, but he will follow the matter up going forward, agreeing to send copies of the letters to Councillor Murphy.
- Councillor Sutton asked Councillor Boden whether the details of the recipients of the monies awarded, as part of the different business grants and discretionary grant schemes will be publicised, due to the fact that it is £20,000,000 of public money that has been paid out? Councillor Boden stated that Councillor Sutton is correct, it is public money that has been allocated as part of the scheme, however, there is an implied confidentiality when it comes to disclosure as to who has received that funding. He added that as it is public money and with the amount being so large, there is a public interest to ensure those monies have been spent correctly and prior to the first grant process scheme commencing the Council were advised that there would be an audit process which would be followed up after the grants had been distributed and that process has commenced by Central Government. Councillor Boden stated that an internal audit process has also been initiated to check our records and as a Council we are of the opinion that Central Government will find no matters of concern as part of their external audit process. Councillor Boden added that if there is anybody who wishes to challenge any inappropriate allocation of funds then they should report it to the

Section 151 Officer who will carry out a thorough investigation. Councillor Sutton stated that he has been made aware of various party political offices across the country who has claimed monies as part of the scheme, which, in his opinion, is very wrong and he would hope that this is not the case locally. Councillor Boden stated that under the rules of General Data Protection Regulation (GDPR), he cannot make any comment on any applications for funding, but he will discuss with officers and report back to members of the Council when he has ascertained what his position is to be able to respond. Councillor Boden reiterated that if any member has any knowledge of any improper allocation of grant funding, then they should report it directly to the Section 151 Officer for investigation.

- Councillor Hay referred to the meeting of Council on 6 August where she highlighted the Cambridgeshire Autonomous Metro (CAM) and the routes it will take. She stated that she is passionate about ensuring that Chatteris has better transport links and the Mayor of the Combined Authority has already indicated that there will be a connection to the Fens when the final routes are published and asked Councillor Boden as the Leader of the Council and in his position on the Combined Authority to raise this subject about including Chatteris in the CAM network at every opportunity. Councillor Boden stated that the following the meeting on the 6 August, he spoke to the Mayor and he has stated that he will look at the suggestion made by Councillor Hay, adding that key announcements concerning the CAM are expected over the next few months, including detailed plans with regard to the route map. Councillor Boden invited Councillor Hay to meet with himself and the Combined Authority Mayor concerning the connections for Chatteris and the CAM.
- Councillor Booth referred to a recent article which had been published, concerning the reports of the abolition of District Councils to be replaced with County Councils, which is something that he has alluded to for some time to be considered across Cambridgeshire to save tax payers money and he asked Councillor Boden for clarity as to what his thoughts are and whether it had been discussed at the Combined Authority. Councillor Boden stated that it is not primarily a matter for the Combined Authority (CA), although they had initiated a review several months ago and this was almost finalised until events within Central Government took over. He gave a comprehensive response with regard to this subject at a previous meeting at Council, but recently the County Council Network had produced a report and the District Council Network have also produced a report, which came to a different conclusion from that of the County Council's. Councillor Boden added that the Government had announced that there would be a white paper produced with regard to Local Government Reform, and some of the contents have been leaked, however, the information has not been consistent and, therefore, it would not be prudent for him to speculate on the content of the white paper, this white paper has now been delayed and will be published in October. Councillor Boden stated that the opportunity that is within Cambridgeshire and Peterborough already with the elected Mayor already in place, as well as the Combined Authority, but also the coterminous Clinical Commissioning Group from the National Health Service, mean that there is the opportunity of merging health and adult social care together, which will save money and potentially bring an improvement to public services. He made the point that he has said many times, that there are too many layers of Local Government and another layer is currently being considered with regard to Strategic Planning for Transport, where a regional organisation is attempting to obtain statutory powers to share with existing organisations. He would like there to be a more stream lined approach in Local Government to ensure it is as responsive as possible to local needs and developed as locally as possible.
- Councillor Booth referred to a motion that was submitted in May 2019, with regard to the review of play areas across the district and stated that he is aware that Covid may have delayed such work, but asked Councillor Murphy if he could be provided with an update. Councillor Murphy stated that Covid has had an impact, but this is now being looked into further, agreeing to provide Councillor Booth with an update in due course.
- Councillor Booth referred to page 32 of the agenda pack where the matrix shown provides details of the cumulative totals of household waste collected and highlighted to Councillor Murphy that the performance figure is shown as 27% and the target is 28%, however, the

figure shown is highlighted in green and it should be shown as amber.

- Councillor Booth referred to the matrix shown on page 42, where it details the occupancy of berths at the harbour at Wisbech where the target is 85% and the cumulative performance is 81% and highlighted to Councillor Benney that it is shown as green and it should be shown as amber. Councillor Benney stated that he will check the figures and provide an update to all members.
- Councillor Topgood asked Councillor Tierney, in relation to his role as the other Portfolio Holder for the Environment, whether he has any comment to make regarding the charging for brown bins, which Councillor Sutton had referred to earlier. Councillor Tierney stated that there are two portfolio holders; Councillor Murphy is responsible for operational matters and he is responsible for the strategic side. He expressed the opinion that he would like to remove brown bin charges, but the Government are undertaking various work on what will happen with the collection of bins going forward.
- Councillor Mrs Bligh expressed the view that the new Council website is excellent, is very easy to navigate and find things and asked Councillor Tierney if those officers and teams responsible for the website be congratulated and if there has been any other feedback received concerning it. Councillor Tierney thanked Councillor Mrs Bligh for her feedback and added that there have been very positive comments received and he is very pleased with the outcome.
- Councillor Hoy stated that a number of members of the Council stood under a manifesto of energize change, with the manifesto having a number of commitments, one was to set up a business development centre and the second was to set up community forums. She added that community forums are easy to set up and asked Councillor Boden whether many have been set up to date? Councillor Boden stated that he does not have that information and added that he cannot answer her question. He stated it is the accepted practice that if elected you should carry out the wishes of local electors and to fulfil the promises that were made. Councillor Boden welcomes candidates suggesting particular ideas that they believe are appropriate for their wards even if they may not be the policy of the party that they are representing and added that with regard to waste vertical integration (WVI), there were four candidates who stood under that platform and they were all defeated, and it would appear that the local electorate were supportive of encouraging WVI and their views need to be respected. Councillor Boden stated that with regard to Business Development Centres and Community Forums that is the responsibility of individual councillors to determine how and when they fulfil the promises that they have made to their electorate or if they actually choose to do so.
- Councillor Booth stated that with regard to candidates standing under a particular party political flag, it is normal practice for a manifesto to be in place which states the aims and objectives that a candidate wishes to achieve, however, if all candidates of a particular political party have their own individual views then they should stand as independents. He added that candidates will have their own aspirations, but if major pledges are being made, then it is the expectation that they are being made under a manifesto. Councillor Boden responded that political parties do have to have some cohesion, but there does need to be room for individual candidates within those parties to give their own interpretations and their own causes that they wish to follow.
- Councillor Sutton stated that at Annual Council in May 2019, Councillor Boden was asked whether he would consider a member of the opposition to fulfil the role of the Chairman of the Overview and Scrutiny Panel and asked whether consideration had been given to that approach? Councillor Boden stated that he did consider it and he will continue to consider it in future, but he came to the conclusion that the most important thing was to find the best person to fulfil the role, regardless of political party, and he has every faith in the ability and integrity of Councillor Mason to hold the position of the Chairman of the Overview and Scrutiny Panel.

Councillor Tierney presented a motion regarding the proposal of a moratorium on sales of Fenland District Council (FDC) land in Wisbech within 500 metres of the track of the decommissioned railway line or within 500 metres of any part of the site of the proposed new incinerator and stated that:

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 observe a six-month moratorium on all sales of FDC land in Wisbech 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 unless either:

- (a) the proposed sale assists in the promotion of the re-instatement of the railway line and does not assist in the promotion of the incinerator OR
- (b) the proposed sale assists in the fight to oppose the proposed incinerator and does not harm the proposal to re-instate the railway line.

The moratorium above shall not apply in respect of transactions which FDC is 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.

Councillor Meekins seconded the motion and Councillor Miscandlon opened the motion up for debate:

- Councillor Meekins stated that the proposed construction of the incinerator has provoked the residents of Wisbech, like no other issue that he can recall, adding that prior to the Covid-19 lockdown, the rallies and public meetings that took place saw people of different ages come together to discuss the subject and to make their feelings known. He advised that he spoke to local people at those events and they had informed him that it was the first time that they had ever demonstrated, which in his opinion, shows the strength of local objection and the large amount of yellow banners which have been placed at various locations around the town of Wisbech against the project, show that the incinerator has little or no support in the town or a place in the town, as the proposed site is in close proximity of Thomas Clarkson School and also many houses, including the future development at the disused College of West Anglia site. Councillor Meekins stated that everything legally possible should be done to prevent this incinerator being built and he supports Councillor Tierney's motion wholeheartedly.
- Councillor Booth stated that he will support the motion, but he does have concerns that the moratorium is only for 6 months. He made the point that the Wisbech rail project has been ongoing for a number of years and, in his opinion, 6 months is not long enough to fully utilise the power and effect of the motion and he would like to suggest that after 6 months it is reviewed again to ascertain the status. Councillor Booth added that if the incinerator is brought before the Ministry for Communities and Local Government it can take many years before appeals are considered.
- Councillor Tierney stated that the Council has previously supported a motion to state that it will do everything within its power to oppose the building of the incinerator, but it is not known currently what schemes that those responsible for the building of the incinerator are proposing and whilst it is wrong to speculate, it could be through land that is owned by the Council. He stated that in response to Councillor Booth's concerns regarding the six month period not being long enough, this appears to be the timescale where the proposal may be brought forward, however, if required then the moratorium can be brought back again to

Council. Councillor Tierney made the point that there is also a very specialist school which looks after vulnerable children even closer to the proposed site than Thomas Clarkson school.

- Councillor Marks stated that he has concerns regarding the motion, although he does understand the reasoning behind it and is against the incinerator, however, he believes it has further ramifications for the Council and local businesses. He stated that by placing a six month period and 500 metre area embargo on the sale of land belonging to the Council, it could have serious implications on businesses who may be considering expanding or relocating in that embargoed area, which may mean that those businesses will look to relocate to other areas outside of Fenland, taking employment opportunities and wealth with them. Councillor Marks expressed the view that the embargo could mean that other land owners in the area could look to sell their land to the incinerator company during this time and should the incinerator be given approval or not there is the possibility of appeal which could take years and should the moratorium be kept in place it could stifle growth in Fenland and land owned by the Council. He made the point that the strapline of Fenland District Council is 'Open for Business' and questioned whether that is the case as if the motion succeeds then one of the biggest growth employment areas for Fenland for the foreseeable future has been eradicated. Councillor Marks questioned whether the Council continues to support the March to Wisbech rail link as it could be used in the future for freight movements, which would mean that waste could be used by rail to feed the incinerator and that he would like to see a new motion put forward where instead of embargoes, covenants and ransom strips could be placed on all land around the incinerator that the Council owns, which would ensure that the Council have a safeguard in place for other land which is not being used in conjunction with the incinerator. Councillor Marks asked Councillor Tierney whether he has any written proof, which he could provide to him today, which shows that the incinerator company requires any further land than it has already taken lease on? Councillor Tierney agreed with most of Councillor Marks comments, but added that public land should be used to the best of its ability and the Council should be doing all it can to promote business. He added that it may mean that when it comes to the Secretary of State, there may be an argument whereby the incinerator company tries to make the best case about why the incinerator should be allowed to proceed against the people of Wisbech, with the Council previously promising that they would do everything legally possible to stop the incinerator and whilst he agrees it will effect some companies the residents feelings need to be taken into account and they do not want this incinerator in Wisbech. Councillor Marks reiterated his initial question to Councillor Tierney and asked whether he has any written confirmation concerning additional land being required? Councillor Tierney stated that he has nothing written down which can be disclosed, but stated that there must be the acceptance that the incinerator company could purchase a piece of land from a third party or a third party purchases land and sells it on, which would strengthen the case for the incinerator. Councillor Marks stated that currently any other landowner around the incinerator could sell and Fenland would have the embargoes in place and somebody else could sell and the embargoes would be worthless. Councillor Tierney stated that we do not control that scenario, but we do control the motion before members today.
- Councillor Sutton stated that he agrees with Councillor Marks and all that he has stated. He believes that there is another solution to this situation, which is to allow the sale of the land, and although he has no evidence, he feels that there has been negotiations taking place with regard to the sale of land in close proximity to the site. Councillor Sutton added that he does not disagree with some of the information that Councillor Tierney has provided, but if the Council are to do everything possible to stop the incinerator, it means that the improvements to the A47 must be stopped and also the possibility of the rail line, both of which would impact in the favour of the incinerator. He stated that he would suggest that Councillor Tierney withdraws his motion and brings forward another with regard to covenants on the land, which he would anticipate would receive 100% support from all members. Councillor Sutton expressed the view that there could be reputational damage to the Council if there have been negotiations taking place, it is detrimental to business and he

urged Councillor Tierney to withdraw his motion.

- Councillor Topgood stated that he will support the motion, councillors have been elected to take into consideration the views and thoughts of the local people. He added that posters are being placed in the local villages which are voicing concerns over the proposal and there appears to be little or no support for the incinerator.
- Councillor Boden stated that he is disappointed to hear that Councillor Sutton cannot support the motion as he had hoped that the motion would have been accepted without any opposition, which would have sent a strong message to the proponents of the incinerator but also to our residents. He added that he was sympathetic to the comments made by Councillor Marks, who is correct with the point he made that the Council are not stopping other landowners from selling to the proponents of the incinerator, but all the Council can do is to act within the powers that it has for the land that it owns. Councillor Boden referred to the comment that Councillor Marks made that there is the potential, despite the relatively small number of employment sites which we own in the relevant area, that we may stifle some genuine employment opportunities that have nothing at all to do with the incinerator. Councillor Marks is correct that there is a danger of that. Under the Constitution, Full Council does not have authority to stop land transactions, as these decisions are delegated either to officers or to the Cabinet dependent on the size and value of the land concerned. He added that the motion is a request to those who make those decisions about observing a moratorium, and if there is a situation where any legitimate employer wishes to take action within the area that has been prescribed and it would be in our interest for that to go ahead, and it has nothing to do with the incinerator, he gave assurances to Councillor Marks that he would be open to any direct approach from any such company or from any councillors so that consideration could be given to that legitimate employment opportunity which can have nothing at all to do with the incinerator and discretion will be appropriately used in those circumstances.
- Councillor Benney stated that he fully supports the stopping of the incinerator, but in his role as the Portfolio Holder for Assets and Growth he cannot support the motion. He stated that he is bound by confidentiality but expressed the view that by not selling a piece of land could be detrimental towards the stopping of the incinerator and to the business community of Wisbech. He stated that both he and Councillor Mrs Laws have undertaken work with agents and developers to encourage business and growth in Fenland and by putting this moratorium in place could prove damaging to the reputation of the Council. Councillor Benney stated that the proposed location for the incinerator is not best placed and with it will bring traffic problems and pollution, but in his position as Portfolio Holder he does not think the motion is the correct course of action for the business community and is damaging to the work that he has undertaken since he has been in his role, whilst he fully supports the stopping of the incinerator and he sympathises with the feelings of the people of Wisbech.
- Councillor Hoy stated that the incinerator company have been very clear in some of their documentation that they have a requirement for extra land for their substations and site construction works. She is surprised with the earlier comments made by Councillor Marks and made the point that Councillor Sutton abstained when the previous motion was before Council and now he appears to be against the moratorium. Councillor Hoy referred to a point made by Councillor Sutton with regard to the rail infrastructure and she stated that there has been no suggestion anywhere that waste will be transported by rail and adding that if the incinerator is built it will sever the railway line and there will be no rail station in the town centre. She stated that she is not against business; however, the people of Wisbech deserve to be supported and the reputation of the Council will be effected if the piece of land is sold to assist the proposed incinerator. She concluded by requesting a recorded vote.
- Councillor Mrs Laws stated that she agrees with Councillor Benney and added that she does not want to see the incinerator, but she has not been provided with any evidence to prove this is going to happen being aware of how much time both Councillor Benney and Officers have spent on the subject and she has attended meetings from a planning perspective. Councillor Mrs Laws made the point that the Conservative Group and the

Leader of the Council have provided guidelines to encourage business and growth and economy and she has adhered to those guidelines as has Councillor Benney. She does not support the incinerator, but in her role as Portfolio Holder, she has abided by the request of the Leader of the Council and, therefore, she cannot support the motion.

- Councillor Maul stated that he will be supporting the motion and added that he understands the comments made by other members, and the Leader has made his position clear. He feels the views of the residents of Wisbech have to be taken into consideration and everything possible needs to be undertaken to stop the incinerator being built, which is why the motion should be supported and passed.
- Councillor Tierney stated that Councillor Mrs Laws and Councillor Benney have undertaken great work in their Portfolio Holder roles by promoting growth and business in the area and he understands the points raised by them and by Councillor Marks, however, feels that if the proposed incinerator was to be built in their wards they may take a different view. He does not think that Councillor Sutton will change his opinion even though the proposed site does fall in close proximity to his ward, but he will not withdraw the motion as covenants can be overturned but what cannot be overturned is the Council's refusal to sell its land.

A Recorded vote was taken on the Motion.

In Favour: Councillor Mrs Bligh, Councillor Boden, Councillor S Clark, Councillor Connor, Councillor Cornwell, Councillor Mrs Davis, Councillor Divine, Councillor Mrs French, Councillor Miss French, Councillor Hay, Councillor Hoy, Councillor Humphrey, Councillor Mason, Councillor Mrs Mayor Councillor Maul, Councillor Meekins, Councillor Miscandlon, Councillor Murphy, Councillor Patrick, Councillor Rackley, Councillor Seaton, Councillor Skoulding, Councillor Tierney, Councillor Topgood, Councillor Wallwork and Councillor Wicks.

Against: Councillor Benney, Councillor Mrs Laws, Councillor Marks, Councillor Sutton and Councillor Yeulett.

Abstentions: Councillor Clark

The motion was adopted.

(Councillor Booth left the meeting prior to the recorded vote taking place)

C23/20 CORPORATE GOVERNANCE ANNUAL REPORT 2019/20

Councillor John Clark presented the Corporate Governance Committee Annual Report 2019/20.

The committee is tasked with two key functions:

- Providing independent assurance of the adequacy of the risk management framework and the control environment, and
- Independently scrutinising the authority's financial and non-financial performance and overseeing the financial reporting process.

Councillor Clark thanked all members of the Committee for their comments and input into the report, and also the help given by officers.

Councillor Boden stated that he is delighted to hear the report from Councillor Clark. Further to the point raised earlier by Councillor Sutton with regard to Chairmanship of committees, he expressed the opinion that both the Overview and Scrutiny Panel and the Corporate Governance Committee need Chairmen who are willing to be honest and be able to challenge and he is delighted that Councillor Clark has risen to the challenge, which proves that the committee is carrying out the

function it is in place to do.

Councillor Boden expressed the opinion that with regard to Council Tax freezes and the potential loss of income to the Council of 2.325 million pounds, our residents have a financial gain by freezing Council Tax, which to a certain extent is better than the Council spending it. He added that when previous decisions were made the Council was not aware of Covid-19, or the budget and the implications it would have. Councillor Boden stated that Councillor Clark has correctly stated that the Council faces significant financial challenges as a result of the pandemic and it would be premature for us as a Council to make any medium or long term predications as to the way forward as a result of the pandemic. He added that as a result of previous administrations of the Council and prudent leadership, the Council is in a stronger position to overcome the challenges as a result of Covid-19 compared to many other districts councils' in the country.

Councillor Boden referred to the point raised concerning the internal audit function of the Council, with Councillor Clark being correct with the point he raised regarding bringing the Internal Audit Team back in-house and how we would ensure it was appropriately staffed. He stated that a key member of the Audit Team was redeployed to assist with the administration of the business grant process and as a result there is a 6 month Internal Audit Plan for 2020/2021, rather than the normal 12 month process, which has been the same route taken by many other authorities across the country. Councillor Boden stated that the staffing issue in the Internal Audit Team will be addressed at the Staff Committee meeting on the 21 September.

AGREED to note and acknowledge the work of the Corporate Governance Committee and it's compliance with CIPFA's annual checklist for 2019/20.

C24/20 COATES CONSERVATION AREA APPRAISAL

Councillor Seaton presented to members the report and detail in relation to the public consultation on the Coates Conservation Area Appraisal.

Councillor Seaton highlighted to members a typographical error on the report cover sheet and stated that it should have stated: Benwick, Coates and Eastrea Ward.

Councillor Seaton thanked members and officers for the considerable amount of work which has been undertaken on this project.

AGREED to approve the Coates Conservation Area Appraisal and Management Plan.

(Councillor Miscandlon declared an interest in this item, by virtue of the fact that the Coates Conservation Area forms part of his ward and he has been involved in discussions at Whittlesey Town Council, but he will approach the item and any discussion or vote with an open mind.)

(Councillors Boden, Mason and Mrs Mayor declared an interest in this item, by virtue of the fact that they are members of Whittlesey Town Council where this item has been discussed)

(Councillor Connor declared an interest in this item, by virtue of the fact that this area forms part of his ward as part of his County Council position, but he will approach the report and any discussion or vote with an open mind)

(Councillor Mrs Laws declared an interest in this item, by virtue of the fact that she believes she is pre-determined as she has been involved in the discussions regarding this item at Whittlesey Town Council, and she, therefore, took no part in the discussions or voting thereon)

(Councillor Wicks declared an interest in this item, by virtue of the fact that he believes he is pre-determined, and took no part in the discussions or voting thereon)

C25/20 **O&S ANNUAL REPORT 2019/20**

Councillor Mason presented the Overview & Scrutiny Panel Annual Report for 2019/20 which provides a focus on the work undertaken by the committee during the past twelve months as well as providing a forward look to 2020/21. He stated that all members of the panel remain committed to ensuring it adds value whilst holding the Executive to account and that the panel, both past and present, took an active and enthusiastic role in the overview and scrutiny process.

Councillor Mason drew members' attention to a few key successes:

- Engagement with a number of external partner agencies to highlight and challenge performance in issues directly affecting residents of Fenland, which has included scrutinising the Wisbech Rail project in conjunction with the Cambridgeshire and Peterborough Combined Authority Transport Manager, Freedom Leisure, Anglian Revenue Partnership and the Crime and Disorder Reduction Partnership in addition to the Police,
- Recently the Panel have moved its focus in order to obtain a better understanding of the response and support provided to the residents of Fenland and businesses as a result of the Covid-19 pandemic, with the stated onset of the Covid-19 pandemic having been unprecedented in its nature and it has already resulted in operational and financial challenges, which will require strong, purposeful and effective Overview and Scrutiny both now and throughout the coming municipal year, which will be a direct result of members engagement and enthusiasm and will that they continue to have.

Councillor Mason thanked all members and officers who have contributed to the success of the panel both past and present and would recommend that Council acknowledge the broad scope of the work undertaken by the Overview and Scrutiny Panel.

AGREED to acknowledge the broad scope of work undertaken by the Overview and Scrutiny Panel during 2019/20.

5.55 pm

Chairman

Appendix A

Play Areas Briefing Note

Question from Cllr Booth at Council on 17 September:

A motion was passed in May 2019 to review play areas. Is there an update on this?

Response:

A motion was tabled at Council on 23 May 2019 regarding Play Areas in Fenland which was referred to Cabinet for consideration. This work relies on S106 funding, supplemented by additional funding applications, to landfill tax credit distribution organisations.

On 18 July 2019, Cabinet considered the motion and noted the report recognising that the Council manages many play areas, maintains them safely and is continuing to invest in replacement play areas as and when suitable funding is available. Cabinet also commissioned an update on a complete list of FDC owned and/or maintained play equipment, to be listed by FDC ward and to include a very brief summary of the equipment at each site and its state of repair/maintenance.

On 18 September 2019, Cabinet considered the list of play areas and the associated condition survey of the facilities. Members paused delivery of the play area programme pending an updated work programme.

On 4 November 2019, Members considered and agreed a 5 year capital programme of maintenance on existing FDC play assets which is in the process of being delivered.

In the current financial year, the Parks & Open Spaces team has:

- Completed the new skate park in West End Park March
- Started development of a large play area improvement in Snowley Park, Whittlesey
- Applied, unsuccessfully, for funding to Mick George community fund for play area improvements in Wisbech Park.

Additionally, we have applied for CCC grants for;

- West End park, March – pathway and play area improvements; successful with £75,000 grant. Pathway works to commence shortly, with play area works awaiting outcome of a further funding bid.
- Pavilion in Wisbech Park – successful with a £240,000 grant; awaiting supplementary financial support prior to proceeding.

An additional bid for Growing Fenland funding for the Wisbech Park Pavilion project may be submitted to the CPCA early next year. A bid has already been submitted to the CPCA for a Water Park in Wisbech Park as a part of the Growing Fenland project.

The team is also applying for funding to support the following projects:

- Parks, Play Areas and Open Space in Doddington
- Parks, Play Areas and Open Space in Parson Drove
- Later in the 2020/21 financial year, we shall apply for funding to support play area improvements in Chatteris

Future plans are detailed in the Cabinet report regarding play areas.

APPENDIX B
ACTIONS FROM COUNCIL – 8 SEPTEMBER 2020
(updated 02.12.20)

QUESTION FROM.....	TO.....	QUESTION	ACTION
Cllr Sutton	Cllr Laws	At the last meeting, you stated that only 4% of applications received that fulfilled the validation requirements. How can we try to rectify the situation? Should there be more information on the public access portal to notify the public that validation requirements have not been met first time?	The service has recently run validation training workshops for agents in order to try and improve the completeness of application submissions and is likely to do so again as the performance of agents has worsened following the revisions to the scheme of validation. The agents were consulted on the changes and limited feedback was received and they were advised of their introduction. We are not aware that any other councils publish invalid applications online and it is not considered that this would be beneficial. Applications are published as and when they are valid and the consultation commences. To publish prior to the application being valid risks premature comments being received and drawings or documents that are known to be incorrect. It would also involve staff time publishing information that we know is going to be superseded. The reasons why an application is invalid is retained on the case file and is public information. At present this information is not published as and when an application is made valid but it could be. However, it is considered that to do so risks confusing the public as they will see that there is an application to comment on but at the same time see in the published documents a letter stating the application is invalid.
Cllr Sutton	Cllr Boden	£20m has been paid to various businesses under the COVID-19 business support grants. As this is	The Local Government Transparency Code places a requirement on Local Authorities to publish each individual item of expenditure that exceeds £500, this requirement includes grant payments. For each individual item of expenditure the following information must

QUESTION FROM.....	TO.....	QUESTION	ACTION
		<p>public money, are there any plans to publicise the recipients of the funding?</p> <p>Has funding been allocated to any local political offices?</p>	<p>be published:</p> <ul style="list-style-type: none"> • date the expenditure was incurred • local authority department which incurred the expenditure • beneficiary • summary of the purpose of the expenditure • amount • Value Added Tax that cannot be recovered • merchant category (eg. computers, software etc). <p>It is therefore the intention of the District Council to publish this information however we are aware that there have been a number of issues with the administration of the Business Grant scheme nationally involving fraudulent applications. Whilst we remain committed to complying with the transparency code we also have an obligation to protect public money and therefore the data will be published once the Business Grant Scheme is complete and all outstanding applications have been processed and finalised.</p> <p>All applications for grants from politically related premises have been processed and finalised. To provide additional transparency, there is therefore no reason not to provide that part of the information now. The Council has paid grants of £10,000 to the following organisations. All of these organisations occupy properties which qualified for small business rate relief:</p> <ul style="list-style-type: none"> • Whittlesey Conservative Club • Wisbech Conservative Club Ltd • Wisbech & District Conservative club • The Chatteris & District Conservative Club

QUESTION FROM.....	TO.....	QUESTION	ACTION
			<ul style="list-style-type: none"> North East Cambs Conservative Association <p>A grant of £10,000 was paid to March & District Conservative & Unionist Club Ltd as part of the Retail, Hospitality and Leisure scheme.</p>
Cllr Booth	Cllr Murphy	A motion was passed in May 2020 to review play areas. Is there an update on this?	Please see briefing note attached at appendix A
Cllr Booth	Cllr Murphy/ Benney	<p>Questions were raised over the RAG rating of two KPI's – should they be amber or green:</p> <ul style="list-style-type: none"> Page 18 (CELP 10) % of household waste recycled through the blue bin service Page 28 (MS1) Number of berth holders/occupancy of berths at Wisbech Yacht Harbour (85 berths) 	<p>Ref Page 18 (CELP 10) The percentage of household waste recycled through the blue bin service was 27% with a target of 28%. As this is within 4% of the target then the RAG indicator is green. Anything that was 5% lower than the target would be amber (in this case lower than 26.6%)</p> <p>Ref Page 28 (MS1) The number of occupied berths at Wisbech Yacht Harbour (MS1) is a number, not a percentage. A total of 81 of the 85 berths are occupied which is a 95 % occupancy rate and so the indicator is green (90 – 95% would be amber and less than 90% would be red).</p> <p>A key will be included in the Joint Portfolio Holder report going forward which will explain the RAG ratings.</p>

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Cabinet and Corporate Management Team

Portfolio Holder Briefing Report

December 2020

(For performance in September & October 2020)

Cabinet Members

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

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 29 positive interventions in response to new requests for service for Houses in Multiple Occupation (HMOs) across the district.

The Council has also investigated 122 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	25	54
March	2	26
Chatteris	0	8
Whittlesey	0	10
Villages	2 Leverington = 2	24 Manea =3 Leverington =6 Guyhirn = 2 Wimblington =1 Murrow = 2 Parson Drove =2 Christchurch = 2 Coates = 1 WSM = 2 Tydd SG = 1 Fridaybridge = 1 Gorefield = 1

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

	Served 01/4/20-31/10/20	Notice Amount	Final Amount (Post Review)	Income 1/4/20-31/10/20
Improvement Notices	14	£3,360	NA	£2,640
Prohibition Orders	0	0	0	0
Civil Penalty Notices	7	£69,000	£69,000	£25,508
HMO Applications	10	NA	NA	£7,500
Health Checks	4	£264	NA	£264

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

Since the officer came into post on 25th November 2019 the post has:

- Facilitated the bringing back into use of 90 properties that had been empty for 6 months or more through officer intervention.
- The number of empty homes that are empty for more than 6 months affects the finance that comes into the council on a yearly basis through what is known as the New Homes Bonus calculation. The financial return is finalised in October each year and as a result of this work has projected a net positive impact to FDC of £79,217.
- Since April 2020, 224 properties over 6 months empty have been brought back into use of which 56 was as a result of officer intervention.

In light of this, the project is to continue for another year with the following focus:

- Continued coordination of multi team work on high profile empty properties through problem property intervention group
- Expand on use of contact tracing at no extra cost to the Council. Through this approach the Council received £14,000 of unpaid Council Tax. The officer is likely to use this process with 15 more owners/properties
- Earlier engagement with 0-6months empty to try and prevent them moving into a qualifying property
- Develop an Investor list

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 141 households from becoming homeless since April 2020. The target for the year is 300, but due to COVID-19 and the new Government rulings regarding notices and evictions, this target may not be reached. The team are still working closely with households and landlords to try and resolve issues before notices are served as there is concern about the demand for service for when the Government ruling ends.

Deliver four Golden Age Fairs across the district (Cllr Susan Wallwork)

Due to the pandemic, no events have been held this year. However, all Golden Age partners have received up to date messages particularly surrounding information for the Clinically Extremely Vulnerable (previously referred to as shielded in the 1st lockdown). These messages have included key information for the over 60's ensuring they gain the access to all the 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

This year open spaces have played a larger role in a lot of people's lives than usual due to the lockdowns and pandemic. Tivoli have maintained an excellent level of service in Council managed open spaces, with work continuing throughout the year, uninterrupted by the pandemic.

Government, health partners and the Council's Active Fenland Team continue to promote the increased use of open spaces to maintain community health. Whilst activities in open spaces provided by the Active Fenland team have been paused by the two lockdowns, the team is using social media to get the message across that physical activity remains very important for physical as well as mental health.

National analysis suggests increased use of open spaces this year, particularly during the summer and lockdown. FDC does not monitor usage numbers within parks, so cannot specifically highlight levels of use locally.

See investment in our open spaces in the Environment section.

Other Projects:

Leisure Update (Cllr Sam Clark)

Freedom Leisure were doing an excellent job of managing the leisure centres, despite depressed demand and the reduced capacity due to COVID-19 secure guidance. Customer feedback since reopening has been overwhelmingly positive – despite the measures in place meaning that the experience has changed somewhat, especially when swimming.

The second lockdown meant the closure of the leisure centres once again. This is now a well—practiced procedure for the team and the centres are moth-balled once more, with staff checking plant and security on a daily basis. The Freedom Team is preparing to reopen in early December. Once again, the reopening will mean reduced opening hours that will increase as demand ramps up. It should be noted that December is a tough month for leisure in any case with the weather, dark nights and Christmas. This December is likely to be a particularly difficult month for leisure with income levels and attendances very suppressed. Freedom will be focussing hard on the January 'fitness boom', which will be rather different this year compared with previous years. Nevertheless, it will be important to generate as much interest in the new year to move membership income up as early as possible to promote the income recovery for the business.

Pride In Fenland Awards (Cllr Susan Wallwork)

Work is ongoing to organise a virtual Pride In Fenland Awards with aspirations to hold the event in December 2020.

Health & Wellbeing Update (including COVID-19 Outbreak Plan implementation) (Cllr Susan Wallwork)

During the continuing pandemic situation, the Cambridgeshire and Peterborough Outbreak Control Plan remains the key focus.

The document was reviewed in October as the regulatory and enforcement powers changed to include local actions for closing or stopping large events, businesses and gatherings. These powers have not been used in Cambridgeshire and the focus has been on prevention and guidance for event organisers and businesses to ensure

COVID-19 compliant practices are adopted.

The refreshed document can be found here:

<https://www.cambridgeshire.gov.uk/residents/coronavirus/coronavirus-covid-19-test-and-trace#local-outbreak-control-plan-5-0>

The Council's role in delivering the outbreak plan continues to focus on responding to workplace outbreaks offering support and guidance, reviewing business controls and offering advice in relation to COVID-19 compliance and continuing to deliver a community hub service for residents who have enquiries about financial support packages, self-isolation support and other funding, access to help and support with shopping or transport.

On November 19th a new Cambridgeshire and Peterborough contact tracing partnership will launch. This has been a complex project to pull together and has received support from the national track and trace service. It is modelled on the Peterborough contact tracing pilot which commenced in the summer. The team of staff has been resourced from all councils across the county and Peterborough and will focus on making contact locally with residents who have received a COVID-19 positive test result but have not responded to contact from the national track and trace service. It is evidenced from other areas that this more local approach achieves a better response than from the national system.

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	8	7.9	
ARP2	Housing benefit – days to process new claims and changes	8	8	5.2	
CELP1	Total number of private rented homes where positive action has been taken to address safety issues	NEW	Baseline	151	
CELP2	Number of people prevented from becoming homeless	NEW	Baseline	141	
CELP3	Number of empty properties brought back into use (officer intervention)	NEW	Baseline	224 (56)	
CELP4	Amount of New Homes Bonus achieved as a result of bringing empty homes back into use	NEW	£43,618	£79,217	
CELP5	Customer satisfaction with Golden Age events (as per event)	NEW	80%		
CELP6	Number of Active Health local sessions per year that improve community health	602	400	151	
CELP7	Customer feedback across Freedom Leisure facilities in Fenland	390	300	141	

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

Comments
CELP5, CELP6 and CELP7 are not currently being measured due to COVID-19 restrictions
CELP 6 and CELP 7; Due to the two lockdowns and on-going coronavirus restrictions, both of these targets cannot be met this year. CELP 6 sessions are recommencing on 2 December. Expectations for annual performance are a reduction of 35% – 45% in the number of sessions run. CELP 7 information will be available at year end. Again, expectations are a considerable drop in feedback due to the closures and reduced attendances following the re-opening. Expectations regarding the number of items of customer feedback are currently around 25% of the original total.

Environment

Projects from Business Plan:

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

The main types of environmental offences reported continues to be; waste accumulations, fly tipping and abandoned vehicles. Since September, there have been 465 instances of fly tipping across Fenland. Officers ensure that they attend as many sites as possible to look for evidence. During this time, we have attended 70 of these incidents and have been able to follow up evidence found at 4 sites.

Due to COVID-19 we have not been able to carry out enforcement interviews face to face but have been using alternative resources available to us. We have successfully implemented documents which enable us to carry out interviews via the post.

4 Fixed Penalty notices have been issued for Fly tipping offences in this time.

2 of the tickets issued were for fly tipping offences in Wisbech and 2 for waste being dumped in March. To date 3 of the fines have been paid. We are now moving to prosecute the unpaid fine.

7 Fixed penalty notices have been issued for cars parked on market days in March Market place during this time. All but 1 have been paid.

119 abandoned vehicles have been reported to us during this time and a further 63 nuisance vehicles. Upon investigation this required our contractor to remove 11 vehicles from the highway.

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

The four seasons events programme continues to remain on hold.

The Wisbech Fayre committee have been keen to provide the community with an alternative and support the 'shop local' campaign, subject to current business restriction being lifted. The committee are pulling together the 'Wisbech Christmas Crackers' calendar, showcasing all the different festive events and activities due to take place throughout the town from December 1 through to Christmas Eve.

Deliver the Recycling Action Plan (Cllr Peter Murphy)

During November all households in Fenland received the Christmas 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 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 quality of the recycling is increasing compared to last year along with tonnages of materials collected increasing by around 10%. Food waste remains the largest issue within the blue bins and communications within December will remain focussed on this issue to help customers continue to improve the materials they present.

Deliver a competitive trade waste service (Cllr Peter Murphy)

Commercial waste services have remained operational throughout the pandemic offering commercial waste and recycling services to more than 500 small to medium sized enterprises, including schools and charities, across Fenland. To support these businesses no charges have been raised where they have been required to close for any period and have been reinstated in the most appropriate manner once businesses reopen, whilst also attracting new business in some quarters.

Monitor and respond to the DEFRA Waste & Resources Strategy consultation with RECAP partners (Cllrs Peter Murphy & Steve Tierney)

Defra have postponed the second phase of the consultation on the proposed changes set out in the Resources and Waste Strategy until Spring 2021. Recap partners will be meeting over coming months to review the existing information in readiness for this next phase of consultation.

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

A paper for the implementation of Civil Parking Enforcement (CPE) was presented and approved by Cabinet Members on 21st October. A number of recommendations were endorsed which included the appointment of a specialist CPE consultant to undertake CPE feasibility works to support the development of a detailed business case for an application to the Department for Transport (DfT). The scope of the works will encompass but not be limited to:

- 1) 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 of off-street areas.
- 2) Obtain occupancy and user information associated with on and off-street areas with existing Traffic Regulation Orders (TRO's) in support of a CPE application.
- 3) Produce a CPE feasibility report for the Fenland area with a fully costed enforcement matrix for on and off-street areas for member determination.

Following receipt of the feasibility works report and detailed costings, 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 DfT for the introduction of Civil Parking Enforcement. The report will include a full cost estimate for the capital and operational/revenue costs, together with the costs of professional fees along with a proposed timetable for implementation.

The preparation and submission of an application to the Cambridgeshire and Peterborough Combined Authority (CPCA) to obtain Capital funding for the implementation of CPE shall be required as part of a joint application made by each of the four market towns under the Growing Fenland programme.

Pending the outcome of the application for capital funding, Member approval shall be sought for Cambridgeshire County Council to undertake a signing and lining review of all existing Traffic Regulation Orders in support of a CPE application to the DfT. This shall be accompanied by a programme of statutory consultation with the Police, neighbouring Authorities, and other interested parties.

Deliver the CCTV shared service with Peterborough City Council (Cllr Susan Wallwork)

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 750 incidents across our four market towns including incidents relating to criminal damage, violent crime, illegal drug use, possession of weapons and theft.

As a result, CCTV intervention and support has led to 58 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 and reduce the fear of crime.

The CCTV service also continues to be proactive in delivering services that help 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 3,999 patrols. All patrols are conducted across the 24/7 period ensuring that no matter what time of day and night our local communities are being protected and that any issues or concerns are being identified as early as possible.

The CCTV service also provides the Council's 'out of hours' telephone contact services for homelessness, stray and lost dogs, cleansing incidents, dangerous buildings and structures, environmental complaints, to name but a few areas. Since April 2020, the CCTV service has responded to over 484 calls for services from our telephone contact service, including supporting our local community with COVID-19 advice and signposting for support where identified as vulnerable or shielding.

The CCTV service continues to operate under its business continuity plan, which has been in operation since mid-March, to ensure CCTV delivered services are protected as much as possible during the COVID-19 pandemic going forward.

Other Projects:

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

FDC's open spaces team and Tivoli have delivered an excellent service for our communities this year. Core works (the bulk of which is grass cutting) have been delivered on time and at a good level of quality. Complaints have been very low this year, with compliments coming in on a regular basis.

The Council has delivered the new skate park in West End Park, March and is currently replacing the play area at Snowley Park in Whittlesey. Projects in the pipeline include the 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 includes 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).
- £240,000 for the Wisbech Pavilion project in Wisbech Park.

The Council is also responsible for 5 open cemeteries. Throughout the initial pandemic crisis, burial rates remained at the usual rate with no concern about excess demand. FDC has a mitigation plan in place should burial rates rise or staff become infected.

Street Lighting (Cllr Jan French)

Street Light Repairs & Maintenance

During the months of August, September and October, 96 street light faults were reported to the Council and forwarded onto FDC's street light contractor for rectification.

The Council's street light contractor continues to maintain service provision for all street light emergency, urgent and routine repairs and maintenance works during the COVID-19 restrictions.

Collectively the number of street light faults reported to the Council throughout the summer and autumn months this year has been lower than ordinarily expected. This in part is likely to be attributed to local COVID-19 restrictions but also due to the ongoing capital investment being made by the Council to replace aging FDC lighting assets with modern equivalents.

Capital Street Light Replacement Works

The replacement of the Council's category two defective street lights continues to progress albeit at a slower pace than initially anticipated. This has mostly been attributed to the COVID-19 outbreak and the impact within the manufacturing and supply chain industry, which is operating a reduced and socially distanced workforce. This has subsequently seen material 'lead in' times increase significantly and it is anticipated that this position is unlikely to change during the remainder of this financial year.

Since commencing the replacement works in March this year, 126 of the 275 identified defective FDC street lights have so far been replaced. The works are being undertaken in two sequential phases, with the first phase being aimed at replacing those assets which are structurally defective and are not ornate in nature. The second phase will focus on those assets which have a low estimated remaining life, including ornate units or those requiring a site-specific lighting design.

It is anticipated that phase one will be completed by the end of the year. Phase two is

anticipated to commence in January 2021 and shall be ongoing until completion in the Spring/Summer of 2021.

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, there has been: 11,000 new website hits to www.gettingitsorted.org; almost 30,000 contacts through social media posts; 1,100 orders for additional recycling sacks; regular emails to the network of 1,150 registered recycling pledgers; 1,060 activity boxes to local families; 2 online recycling tutorials; and more than 900 hours of volunteering completed to support all this.



Garden Waste Service Update (Cllr Peter Murphy)

The garden waste communications plan is in place to ensure that all customers are made aware of changes to the service and how best to purchase their subscription for the 2021/22 season.

This year, 77% of the 22,750 subscriptions were purchased by direct debit and will renew automatically in February 2021.

Community Safety Partnership Update (Cllr Susan Wallwork)

Community Safety Engagement Events

Community engagement events are taking place online due to COVID-19 social

distancing regulations. These engagement events raise awareness of key safety messages. Residents are invited to submit their questions to FDC via survey monkey and Facebook before the event. These questions are then answered by the panel of experts.

Information linked to reporting and support is also made available to residents through the video description.



Scams & Cyber Crime Online Engagement Event

A Scams & Cyber Crime engagement session was held on 18/08/2020 in partnership with Charlotte Homent from the Cambridgeshire and Peterborough Against Scams Partnership and Nigel Sutton, Cyber Protect Officer from Cambridgeshire Constabulary.

This panel provided a comprehensive response to the questions submitted from Fenland residents along with links to further information and advice.

To view the Scams & Cyber Crime video click on the link below.

- <https://youtu.be/UuyWTBStMYs> - 159 views to date

Student and Family Safety Online Engagement Event

A student and family online engagement event was held on 03/09/2020 in partnership with Nigel Sutton the Cyber Protect Officer.

The event welcomed questions from the community and provided advice on online security and scams aimed at school and university students including keeping safe online, student housing scams, money laundering scams, dating scams, sexting, student grant payments scams, secure networks, strong passwords and much more.

Back to School Cyber Safety



To view the Student and Family Safety video click on the link below

- <https://youtu.be/f2zHHzDTs3M>

Further information and advice about online safety and scams and can be found at

- <https://www.cambs.police.uk/information-and-services/Online-safety/Internet-safety>
- <https://www.cambridgeshire.gov.uk/residents/community-protection/against-scams-partnership>

Hate Crime Awareness Online Engagement Event

The community safety partnership held a Hate Crime Awareness Event on 08/10/2020 in partnership with David Bailey the FDC diversity & traveller manager and Tiff Lane the Action Against Hate coordinator from Cambridgeshire Constabulary.





The hate crime panel answered questions about hate crime and raised awareness of the importance of also reporting hate incidents.

Links to further reporting and further support was made available through the video description.

The video was released as part of Fenland CSPs contribution towards the National Hate Crime Awareness week between the 10th - 17th October 2020.

To view the hate crime awareness video, click on the link below

- <https://www.youtube.com/watch?v=Ztp7KnBun8k>

CSP Workforce Development Training

Training themes for CSP workforce development are linked to the priorities within the CSP action plan. Frontline staff from statutory and the voluntary sectors 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 Citizen's Advice.

Drug Harm Reduction Training

Following recommendations from the County Substance Abuse Delivery Board, the Community Safety Partnership coordinated a drug harm reduction training event on 30th September 2020.

The training was delivered by Bex Poyser and Tony Firth from Change Grow Live (CGL) and Joe Keegan from the County Public Health Directorate and was attended by 23 Front professionals using video conferencing facilities.

Fenland Op Grippled – Loan Shark awareness Project 2021

The Fenland Community Safety Partnership has been successful in its bid to the Illegal Money Lending Team (IMLT) and has been awarded funding to deliver a loan sharks awareness project in 2021. The IMLT have requested we use the funding to raise awareness amongst the community of Loan Sharks and complete some work within

educational settings.

Street Drinking Update (Cllr Susan Wallwork)

The Wisbech alcohol related Public Spaces Protection Orders were required by law to be subject of a review before the current orders expired in October 2020. The review would allow for the orders to be extended, varied or discharged.

The legislation laid out the requirements to be followed and this included consultation with police, the Police & Crime Commissioner, owners and occupiers of land within the area of the orders and community representatives. Community feedback gathered through the Fenland Community Safety Partnerships survey was also used.

Although there had been evidence of an improved situation in respect of street drinking and associated anti-social behaviour it was felt the orders were necessary to prevent recurrence or to prevent an increase in frequency or seriousness of those activities.

Following the review process the existing restrictions were left unchanged and the order extended for another 3 years.

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 (quarterly)	99%	90%	TBC	
CELP12	Customer satisfaction with our garden waste service (quarterly)	94%	85%	TBC	
CELP13	Number of Street Pride, Green Dog Walkers, and Friends Of community environmental events supported	204	204	30	
CELP14	% of those asked who are satisfied with FDC's events (May, July, October, January)	96%	96%	N/A	

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

Comments
CELP11 & CELP12 – data will be available by the end of 2020 as this is an annual indicator
CELP 13 - Due to COVID-19 restrictions, volunteers have not been able to undertake many events. During July and August, a small number of family group litter picks were undertaken.
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 continues to remain under review in line with the now adopted Commercial & Investment Strategy and the creation of Fenland Future Limited, the Council's development and regeneration company. Suitable 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 or its development company.

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 disposals are on hold pending the appointment of an Officer resource. Despite an extended recruitment campaign, no applications were received, and we are now seeking to appoint to this role via an agency.

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 November 2020

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 is due to be presented to the County Council Highways and Transport Committee on 7 July 2020. A copy of the agenda and any 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 late 2020/early 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

There is no specific update on this project for November 2020

This is a project primarily funded by Cambridgeshire County Council and the CPCA. It is being by Cambridgeshire County Council. In May 2020 Jones Bros Civil Engineering UK were appointed as the contractor to deliver the Kings Dyke Level Crossing scheme. Construction started in July 2020 with the new road expected to open to the public by the end of 2022.

The County Council website includes all the study information, technical details and progress information relating to the [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. This paper updated members on progress, specifically progress with the quick win projects. The Committee agreed to go forward to construction with the quick win schemes and recommended to the CPCA Board that it draw down £900,000 of the budget for this purpose. 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>

A virtual room public consultation was held from 15 May to 28 June 2020. Copies of the project reports and technical information which make up the consultation can be found from the following website link

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

March to Wisbech Railway Line

This is a CPCA funded project.

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.

Highways England Roads Investment Strategy (RIS)

In August 2020, an announcement was made by Highways England about their RIS2 (2020 – 2025) investment programme. This is essentially their scheme delivery plan for the next 5 years. There was no new announcement about A47 schemes as had been hoped. This has been met with considerable anger and disappointment including from the MPs whose constituencies are along the route. A meeting with the Transport Minister has been held and senior level representatives from Highways England attended the October 2020 A47 Alliance meeting. Confirmation has been given that they are listening and want to work with us in the future.

The RIS2 announcement included the commitment to deliver the A47 RIS1 schemes including the Guyhirn roundabout scheme. It also listed a series of pipeline schemes. These are projects which will undergo development work in RIS2 ready for delivery in RIS3. A47 Elm High Road roundabout is listed as a pipeline scheme.

The RIS2 plan can be found from the following website link:

<https://highwaysengland.co.uk/delivery-plan/>

A47 Dualling (CPCA Project)

Following the Highways England RIS2 announcement there was considerable disappointment that despite all the work completed by CPCA the A47 dualling programme was not included. 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)

As part of the RIS2 announcement Highways England have confirmed that the Guyhirn roundabout scheme will be the first of the A47 RIS1 schemes to commence on site. The latest information we have been provided with confirms a start on site in the early part of 2021 with the scheme being open to traffic in 2022. Highways England and their consultants are meeting with FDC later in November 2020 to discuss the start of works and further information should then be available. More detail about this scheme and the latest updates can be found on the [Highways England website](#).

Fenland Walking, Cycling & Mobility Strategy

During November 2020 FDC Cabinet approve £21,335 towards the development of a Walking and Cycling Strategy for Fenland. This will be delivered in partnership with the Hereward Community Rail Partnership (CRP) who are contributing £7,500 towards the project. The development of this strategy which will ensure that the Council is best placed to bid for substantial funds that are expected to be available in due course from Government. The Strategy will consider links to employment, education and public transport interchanges. The strategy is intended to be complete by the Summer 2021. £3,000 of the funding will be used immediately to develop 3 priority schemes all of which link to the Sustrans National Cycle Network Route 63 at March and Whittlesea.

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

The Growing Fenland project continues to attract funding for projects linked to our four market towns. Bids for up to £1m can be submitted to the CPCA for each of our

market towns to help deliver projects that will to boost economic growth and promote recovery from the COVID-19 pandemic.

An update for each town is shown below:

Chatteris

PROJECT	CPCA FUNDING REQUESTED	STATUS
Chatteris Town Centre Renaissance Fund A fund to improve the appearance of the town centre through improvements to street furniture and grants for retail properties.	£100,000	Funding approved
Chatteris Skills Development Provision of ICT equipment for the new training centre being built in Chatteris	£36,178	Due to be submitted to the CPCA Board meeting on 27.01.21

March

PROJECT	CPCA FUNDING REQUESTED	STATUS
March Future High Street Fund Match funding for the £9.3m Future High Street Fund bid which has been submitted to MHCLG	£900,000	Application will be submitted to CPCA when further information is received from MHCLG

Whittlesey

PROJECT	CPCA FUNDING REQUESTED	STATUS
Whittlesey Interactive Flood Signs Interactive highway signs to help redirect traffic at times of flooding and other road emergencies	£56,500	Funding approved
Whittlesey Heritage Centre A new visitor centre to showcases local artefacts and tell the story of Whittlesey, and Fenland more generally, from the Bronze Age to modern day.	£500,000	Funding approved
Whittlesey Heritage Walk A walk starting and ending at the planned	£218,169	Funding approved

Heritage Visitor Centre (with alternative start & finish points in the town) providing residents and visitors with background information on key landmarks in the town.		
Business Capital Grants Scheme A capital grant scheme for the local business community to help mitigate against the effects of the COVID-19 pandemic	£124,331	Due to be submitted to the CPCA Board meeting on 27.01.21

Wisbech

PROJECT	CPCA FUNDING REQUESTED	STATUS
Wisbech Market Place Enhancements Additional funding to deliver improvements to Wisbech Market Place	£200,000	Funding approved
Wisbech Water Park A water play space providing a permanent fun activity for families from Wisbech and the surrounding area, whilst also enhancing Wisbech Park, a key open space in the town	£147,500	Due to be submitted to the CPCA Board meeting on 27.01.21
Wisbech Footfall Counters Provision of additional footfall counters to monitor footfall in Wisbech Market Place	Circa £50,000	Due to be submitted to the CPCA Board meeting on 27.01.21
Wisbech Replacement Shopwatch Radios Replacement of existing Shopwatch radio scheme with digital system	Circa £60,000	Due to be submitted to the CPCA Board meeting on 27.01.21
Business Capital Grants Scheme A capital grant scheme for the local business community to help mitigate against the effects of the COVID-19 pandemic	Circa £200,000	Due to be submitted to the CPCA Board meeting on 27.01.21

District Wide

PROJECT	CPCA FUNDING REQUESTED	STATUS
Civil Parking Enforcement A bid for the capital costs involved with delivering a district wide Civil Parking Enforcement Scheme	Circa £400,000	Due to be submitted to the CPCA Board meeting on 27.01.21

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

Following the second call for sites, these are currently being assessed by statutory partners and town and parish councils to be assessed with the first call for sites to determine which sites will be included in the new plan.

The 5 year land supply report has been published on the Council's website. This shows that we have 5.98 years supply, an additional supply of 551 homes.

We have recently provided 2 consultation responses to government on 'Changes to the current planning system' – consultation closed 1 October and 'Planning for the Future White Paper' – consultation closed on 29 October. The White Paper sets out longer term changes to the planning system and would take 18 months to be adopted into legislation. The first consultation does not require any change in law and concerned a number of matters including a proposed formula to calculate housing numbers allocated to local areas. The calculation would increase Fenland's housing growth target from 550 homes per year to 844 per year. The Council's response to this consultation was publicised in a press release:

<https://fenland.gov.uk/article/15462/Council-joins-forces-with-MP-over-objections-to-planning-system-changes>

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

Manea Station

- Car Park – approval for the scheme was given by FDC Planning Committee in September 2020. The detailed design work to enable work to start on site is nearing completion and discussions are finalising the procurement route. The land acquisition is expected to be complete by the end of November 2020. Work is expected to commence on site to build the scheme in January/February 2021.

March Station

- Car parking and platform 1 building – Greater Anglia are working on the tender pack for a design and build contract which is expected to be complete during November 2020. The tender process will be ongoing through December and work is expected to start on site in late January 2021.

Whittlesea Station

- Car Park – Greater Anglia and their consultants are working on 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 in December 2020.

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)

The Gap – 24 High Street

A project manager has been appointed to deliver the redevelopment of this site on behalf of the Council. An initial site meeting was held and a press release issued relating to the appointment of Pick Everard as project managers.

The next step is for the project manager to work with an architect to create a suitable and viable design to comprise a mixed retail and residential development. Once approved by the project team, a fully costed scheme can be prepared as part of the grant application to be submitted to the National Lottery Heritage Fund. It is expected that a planning application will be ready for submission in the new year.

11-12 High Street

The developer has received the return of tenders for the main build contract and is currently assessing these before submitting a formal funding application. Officers await the outcome of the developer's tender appraisal. Once the application for funding has been agreed, the build lease can be signed. The demolition of the existing structure and façade is expected to be complete in early December.

13-17 High Street

A formal funding agreement has been sent to the applicant to sign. Once returned to us and the appropriate authorisations have been made the contract can be sealed and the applicant can instruct their contractors to make a start on the improvement works.

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. The grant agreement has been signed relating to no 18 and a press release is due to be issued relating to this news. Once amendments are made to the ownership details of No 19 (Evisons), agreements can be signed, and similar press release issued. Works are expected to commence in the Spring.

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 in need of repair. 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. A second lockdown as a result of COVID-19 has obviously impacted on operations and the ability to obtain quotations.

Other Activity

Letters regarding intention to pursue action against some property owners/tenants who are not maintaining their properties have been issued. Our legal team have been advised of those owners/tenants who have failed to respond and therefore instructed to take the next steps in terms of legal action.

Activity Plan:

Due to the outbreak of COVID-19 many events in the Activity Plan have needed to be reviewed, changed or postponed. Digital events have been a popular way of maintaining the activity plan and the projects profile. An online exhibition of old photographs never before seen from the engineer's archives was delivered as part of Heritage open Days in September along with display boards in the window of a vacant High Street store. The project has secured the continued use of this window and has continued to refresh and update the display.

Events planned include: "Wisbech Winter Wanderland" in partnership with the Wisbech & Fenland Museum in December, Annual Gutter Cleaning Day in late November and release of a photo book generated from the recent exhibition.

The College of West Anglia are no longer able to guarantee delivery of the largest of our activities – the traditional repairs skills using the Council's chapel building on Mount Pleasant Road. Following discussions with the NLHF it has been agreed that we can look at amending this activity to deliver a series of public events/short courses. We are in the process of preparing a brief for this.

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

A red poster for the 'Wisbech Window Wanderland' event. The title 'WISBECH WINDOW WANDERLAND' is in large white letters at the top, flanked by white snowflake graphics. Below the title, the text 'Transform our streets into a magical walking trail for all to enjoy!' is written in a smaller white font. The event dates and times, '*Friday 11th & Saturday 12th December 5.30pm to 8.30pm', are listed in white. A line of text says 'For information on how to take part visit the website:' followed by the URL 'www.windowwanderland.com/event/wisbech-2020'. The bottom section of the poster is white with red text stating 'A FREE EVENT ORGANISED BY THE WISBECH & FENLAND MUSEUM IN PARTNERSHIP WITH THE WISBECH HIGH STREET PROJECT, SUPPORTED BY THE NATIONAL LOTTERY HERITAGE FUND'. At the very bottom are three logos: 'W&F Wisbech and Fenland Museum', 'WISBECH HIGH STREET 1838', and the 'HERITAGE FUND' logo with a hand icon.

WISBECH WINDOW WANDERLAND

Transform our streets into a magical walking trail for all to enjoy!

*Friday 11th & Saturday 12th December
5.30pm to 8.30pm

For information on how to take part
visit the website:
www.windowwanderland.com/event/wisbech-2020

A FREE EVENT ORGANISED BY THE WISBECH & FENLAND MUSEUM IN PARTNERSHIP WITH THE WISBECH HIGH STREET PROJECT, SUPPORTED BY THE NATIONAL LOTTERY HERITAGE FUND

W&F Wisbech and Fenland Museum **WISBECH HIGH STREET 1838** **HERITAGE FUND**

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

The High Street Support Officer has worked with a further 180 businesses since the last report. Businesses were asking for support with COVID-19 compliant processes and risk assessments. The feedback from businesses has been very positive.

More recently, the focus of this work has been to assist local high street stores to understand and implement the new business closures requirements and to work as a point of contact with those businesses.

In order to ensure a consistent approach in the interpretation of new regulations and guidance, a county wide group formed earlier this year where queries are referred and officers from all councils can agree a consistent response to queries which often affect similar business types or national companies across our council areas.

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 Grants

Following the Government's announcement regarding a national lockdown it has created two new grants, Local Restrictions Support Grants (LRSG) and Additional Restrictions Grant (ARG).

These schemes, all delivered through local authorities, are to support local businesses during the 5 November to 2 December 2020 national lockdown and during periods of local restrictions.

The national restrictions from 5 November to 2 December 2020 require businesses to close in order to manage the spread of coronavirus and save lives. Businesses in other sectors that aren't required to close will also be affected by the restrictions.

Two of the funds, the LRSG (Closed) and the ARG, are available to support businesses throughout this period of national restrictions.

LRSG (Closed), businesses required to close due to national 'lockdown' restrictions will receive grants of up to £3,000 per 28-day period under the LRSG (Closed).

The ARG provides additional funding for local authorities in areas with Local COVID Alert Level Very High, to support businesses that have had their trade affected by the restrictions. This includes:

- closed businesses that don't pay business rates
- businesses that have not been required to close, but are still severely impacted

Each local authority has the discretion to establish business grant schemes or other business support as best fits their area.

LRSG (Closed) provides grants to businesses in the highest band of local restrictions – Local COVID-19 Alert Level 3 (Very High) – which have been required to close during periods of local restrictions. Funding of up to £3,000 per 28-day period is available. During the period of national restrictions this grant is superseded by Local Restrictions Support Grant (Closed)

LRSG (Open), where local authorities have been subject to Local COVID Alert Level High and / or Local COVID-19 Alert Level Very High restrictions, this grant allows local authorities to make discretionary payments to support businesses that were impacted by the restrictions, but not required to close.

Earlier in the year there was a significant collaborative effort across a range of Council Teams to process and make grant payments. The team has been brought back together to manage this round of grants. The Economic Growth team will again lead on the creation of the ARG application process, assessment of applications and where required engaging with applicants.

Open For Business

In response to the previous national lockdown, the Economic Growth Team created the 'Fenland Open For Business' webpages on the Fenland for Business website (www.fenlandforbusiness.co.uk) with over 120 businesses registering and promotion of the pages via Press Releases and social media and word of mouth. The Open for Business service will be promoted to provide support for business in the current 2nd national lockdown.

Business Database

A database with over 2,000 Fenland businesses has been created to use in continuing direct mail campaigns to promote the initiative and provide information on national, regional and local COVID-19 support.

Major Projects

The Economic Growth team continue to engage with two of the major commercial development projects progressing in the district to understand timescales and issues and any barriers to ensure that the required support is in place to enable successful delivery.

Combined Authority COVID-19 Dashboard

The Council are represented by the Economic Growth Team as a member of the Combined Authority Economic Recovery Team (CAERT). The CAERT has created a "dashboard" of key indicators on the impact of Covid-19.

Future High Streets Fund (Cllrs Ian Benney and Chris Seaton)

FDC continues to await funding decisions from MHCLG. The latest position is that MHCLG has confirmed that these are currently due in autumn.

To match fund the bid, March's Growing Fenland fund has added £900k to the project, with the CPCA adding another £1.1m. This matched funding, along with the compelling bid and good value for money assessments, is hoped to put the March bid in a strong position when assessed by MHCLG.

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 impact of COVID-19 on the industrial portfolio has been relatively limited and due to new lettings, the occupancy rate in October 2020 is 91% compared with 89% in April. A tenant at South Fens Enterprise Park has served notice and will vacate in January.

There is one property which is proving difficult to re-let and that is our 2,770 sq. ft office building on our Venture Court estate in Wisbech. There has been very little interest from the market and what interest we have received was deterred by the onset of COVID-19. The building is suitable for internal sub-division, but as an office property, these are proving less attractive at this time.

Our office premises have started to show a decline in numbers and we anticipate further reductions in occupancy over the next few months. Both business centres have remained open to tenants but conferences have ceased. At both business centres a small number of tenants continue to operate from their offices, but the majority have

not been in attendance as staff continue to work from home, even before the latest lockdown was imposed.

At South Fens Business Centre two tenants vacated in August and unfortunately one of these occupied 3 offices. In the past few weeks, a further 4 tenants have served notice and will vacate in November and December. One office is to be let in December and legal team have instructions. Occupancy peaked in August at 69% but as at October has dropped back to the long-term trend of 60%.

At The Boathouse one tenant surrendered a double office in October but another tenant has taken on the space, releasing a single office. In the last few weeks another tenant has given notice to terminate, although they will retain another office. Current occupancy is at 93% and began declining from 97% in September. One office is under offer and legal team have been instructed.

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.

Port Update (Cllr Ian Benney)

An audit of Nene Ports Port Marine Safety Code – Marine Safety Management System Manual (MSMSM) was conducted on the 13th and 14th October 2020 by Captain C.N. Hallam of Strategic Marine Services Ltd appointed as independent Designated Person for the Harbour Authority. The audit assessed the level of compliance with the Port Marine Safety Code (PMSC) by establishing the level of conformity with the various 'measures' and requirements of the MSMSM.

By assessing the level of conformity with the achievable 'measures' within the MSMSM a score of 96.12% compliance was achieved (95.15% in 2019).

It was confirmed that all recommendations identified in the previous annual audit had been procedurally closed out.

Affordable Homes (Cllr Sam Hoy)

Platform registered provider have confirmed that they have purchased the site at Elm High Road, Wisbech and will be on site shortly to deliver 137 affordable homes. 97 will be for affordable rent and 40 will; be for shared ownership.

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

Since March 2020 the statutory food safety service plan has been either on hold due to episodes of lockdown or being delivered differently through telephone-based assessments and questionnaires.

The Food Standards Agency has continued to update councils throughout the year with how they expect our regulatory role and responsibilities should be delivered.

The food safety service plan set out the annual inspection programme and categorises businesses from category A to E based on the type of business and the level of risk presented.

The inspection programme sets out the number of inspections to be completed each year and this is based on the risk rating which includes the type of food prepared and sold.

The inspection programme was recommenced in September and was again put on hold in November due to the fresh business closure regulations.

Since September this year, 20 inspections and food safety interventions have been completed. A large proportion of the inspections from this point forward will be completed by questionnaire with a follow up as necessary. This is mainly due to the coronavirus closure regulations and the need to protect COVID-19 secure working environments. All open high-risk food preparation businesses will receive an officer visit so customer safety is not compromised.

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%	96%	
EGA1	% occupancy of the business premises estate	87.8%	89%	87.9%	
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	95%	
CELP18	Number of local businesses supported and treated fairly (quarterly)		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

Performance re the speed of determination of planning applications is exceeding target. In respect of the national 24 month rolling tracker performance indicators, we achieved 100% for majors (60% target), 96% for Minors etc (70% target). With regard to appeal performance (again against the Government 24 month rolling tracker) we achieved 0% (of major appeals

allowed) and 1.3% (minor etc appeals allowed) and so we are performing well within target.
CELP18 – Due to COVID-19 restrictions the inspection programme commenced in September 2020. This data is being collected and will be reported in the January report.

Quality Organisation

Projects from Business Plan:

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

The Investment Board has met twice now and further work is being carried out on the potential to develop the Nene Waterfront as requested. A further paper is being researched on residential property investment and will be presented to the next meeting in the New Year.

The first board meeting for Fenland Future Ltd is in the process of being arranged and resourcing requirements are being reviewed to support this activity.

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

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 at present.

During the second national lockdown which commenced on 5 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 from August (as of close of play on 06/11) we have had 64 requests for appointments and have approved 35 of those requests as the other 29 queries were able to be resolved over the phone or by offering a telephone appointment.

Appointments at each location so far have been:

March 12, Wisbech 14, Whittlesey 9 and Chatteris 0.

The PayPoint functionality has been live since 13 July, enabling customers to pay a Council bill via cash or card at any of the PayPoint locations either locally or nationally. This reduces the need for Customers to utilise one of our Customer Service Centres or Community Hubs in order to make payments for Council services. Since go live, up to 9 November, 2,377 payments were successfully made utilising PayPoint with a combined total value of £332,789.

The My Fenland project continues to progress, with all customer facing teams becoming part of the amalgamated My Fenland Team as of 27 July. Work is well underway to build resilience across all services and implement revised processes to increase efficiency where possible. Training has successfully taken place in relation to Cemeteries processes and there are further plans for training in relation to Trade Waste, Business Centre reception duties, invoicing as well as Assets and Projects admin functions.

Enhanced email functionality has now gone live in the Contact Centre. This functionality routes calls as well as emails to My Fenland Advisors via the telephony software. This will enable Advisors to swap between calls and emails as they arise rather than having to designate an officer to deal with customer emails separately. This functionality will ensure that we are able to respond to emails in a more timely manner, as well as being more efficient in our approach to the allocation of staffing resources.

The revised online missed bin form has also gone live, enabling customers to report a missed bin on line as well as receiving an electronic response about why the bin was not collected (if appropriate) or when the bin will be collected if it was missed. This will reduce the amount of time required to resolve these requests from customers as well as enabling customers to self-serve where possible.

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

Several projects under this heading are underway including My Fenland as detailed above. Other projects include Empty Homes work, Private Sector Enforcement, CPE,

Other Projects:

Elections Update (Cllr Chris Boden)

This year's annual canvass is almost complete. Visits have taken place to households where electoral registration forms have not been completed and submitted. All canvassers were trained to undertake the visits ensuring both their own and local resident's safety, during the global COVID-19 pandemic. The republication of the Electoral Register will be delayed this year from 1 December to January 2021. The option for delaying the republished register was introduced to reflect the COVID-19 backdrop to the annual canvass this year.

A Polling District Review is currently underway. Fenland residents are being asked to have their say on where they can cast their vote during elections, as preparations get underway for the May 2021 Local Election polls.

A consultation has been launched by Fenland District Council as part of a review of polling districts, polling places and polling stations for the Fenland area of North East Cambridgeshire constituency.

The review is being carried out to prepare for the Local Elections in May next year and to give the Council an opportunity to ensure the district's busiest polling stations are COVID-19 secure and electors can cast their vote safely. The public consultation closed on 13 November with the final report being submitted to December's full Council meeting.

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 September = 15, and October = 13.

Monthly update on FDC social media sites:

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

September;
Twitter = 124
Facebook = 110

October;
Twitter = 122
Facebook = 101

We currently have 3,951 likes on Facebook and 8,579 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

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 39,000 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.

Key Pls:

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	95.9%	
PRC2	% of customers satisfied with our service (March 2021)	96%	90%	N/A	
PRC3	% of contact centre calls answered within 20 seconds	64%	Rolling monthly target rising to 46.5% by March 2021	87.20%	
PRC4	% of contact centre calls handled	92%	Rolling monthly target rising to 80% by March 2021	98.87%	
ARP3	% of council tax collected	96.84%	97.3%	64.90%	-1.07%
ARP4	Net council tax receipts payable to the Collection Fund	£53,286,255	£53,608,303	£37,721,321.82	£1,115,151*
ARP5	% of NNDR collected	97.7%	98.3%	64.42%	0.30%
ARP6	Net business rates receipts payable to the Collection Fund	£23,969,262	£24,663,273	£11,279,721	£693,702
PRC5	Number of visits to our website	684,190	718,000	475,359	
PRC6	% of staff who feel proud to work for FDC (annually)	84%	82%	95%	+13%

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

Comments

*Amended to reflect changes due to Covid

COUNCIL TAX - Across the Anglia Revenues Partnership (ARP) at the start of the month there were 5458 outstanding processes, and this has increased to 8066 at the end of the month. This is due to an increased number of moves notifications being received 5454 (last month 4572) now that people are able to move to a new house. This back log will be tackled by a 'challenge day' where ARP intend to concentrate on Mmves to bring the total number down and subsequently reduce the outstanding work.

Council Tax collection is below target, but this is as result of the ongoing Covid-19 situation. However, the position at the end of October has improved compared to end of September (-1.19%).

Summons have now been issued for a Court date on 2 December. Debtors will be encouraged to engage with us before the court date with a view to entering into payment arrangements and avoid actual appearances at court given the restrictions in place on the proceedings to meet COVID guidelines.

Focus will continue to be on encouraging and achieving payments arrangements that customers can keep to.

Given the volumes it is likely to be a very busy time for the recovery team over the months leading up to Christmas, which is being resources appropriately.

BUSINESS RATES - There has been a reduction in work outstanding. Now 98 items of post outstanding for Fenland (1225 across ARP) However with the recent announcement of further business closures for further lockdown it is anticipated that the number of enquiries will rise and, added to the correspondence generated by recommencing recovery action this number is likely to increase.

A new Grants scheme was announced at the end of October with new regulations and guidance being made available at the end of the first week in November.

Once received a list of potential qualifying accounts will be made available for the Fenland Scheme. There is also a

discretionary scheme which the authority will be able to utilise to support other local businesses which may not necessarily fall into the statutory scheme but may be suffering from the knock-on effects of other businesses closing.

Summons have been issued for a Court date on 2 December. Debtors will be encouraged to engage with us before the court date with a view to entering into payment arrangements and avoid actual appearances at court given the restrictions in place on the proceedings to meet COVID guidelines.

Collection remains on track.

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THE ~~EXISTING~~ MOTION:

PROPOSED AMENDMENT TO A MOTION PASSED BY FULL COUNCIL ON 8TH SEPTEMBER 2020 IN RELATION TO A MORATORIUM OF FENLAND DISTRICT COUNCIL LAND IN WISBECH SUBMITTED BY COUNCILLOR CORNWELL AND IN ACCORDANCE WITH RULE 14.1 OF THE COUNCIL PROCEDURE RULES, SUPPORTED BY COUNCILLORS SUTTON, BLIGH, BOOTH, DIVINE, MARKS, 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 ~~observe a six-month moratorium on all sales of FDC land in Wisbech~~ 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: unless either:

- (a) ~~the proposed sale assists in the promotion of~~ the re-instatement of the railway line ~~and does not assist in the promotion of~~ but not the incinerator; ~~and OR~~
- (b) ~~the proposed sale~~ assists in the fight to oppose the proposed incinerator ~~and does 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 above shall not apply in respect of transactions which FDC ~~are~~ is 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.

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Agenda Item No:	8	
Committee:	Council	
Date:	14 December 2020	
Report Title:	Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review 2020/21	

Cover sheet:

1 Purpose / Summary

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2020/21.

2 Key issues

- The Treasury Management Mid-Year Review 2020/21 as considered by Corporate Governance Committee on 2 November 2020 is attached.
- As part of the SR2020 announcements on 25 November 2020, the government will reform the Public Works Loans Board (PWLB) lending terms, ending the use of the PWLB for investment property bought primarily for yield.
- In addition, the government has cut PWLB lending rates by 100 base points (1%), reversing the increase in rates made in October 2019 referred to in the attached report.
- The report highlights all the key activities carried out within the Treasury Management function during the first six months of 2020/21. All activities have been conducted in accordance with the approved strategy and policies.
- Prudential indicators for, the Capital Financing Requirement (CFR) and the capital position have been revised.
- 2020/21 continues to be a challenging year and the report highlights the success in maximising investment income whilst ensuring the security and liquidity of the Council's investments.

3 Recommendation

It is recommended that Members note the report.

Agenda Item No:	8	
Committee:	Corporate Governance Committee	
Date:	2 November 2020	
Report Title:	Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review 2020/21	

Cover sheet:

1 Purpose / Summary

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2020/21 and to provide members with an update on matters pertinent to future updates to the Council's Treasury Management Strategy.

2 Key issues

- The Council has operated within its Treasury Management Strategy Statement (TMSS), Annual Investment Strategy, treasury limits and prudential indicators set by Council for the first six months of 2020/21.
- Increases in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31st March 2023.
- From the local authority borrowing perspective, HM Treasury (without any prior warning) added an additional 1% margin over gilts to all PWLB period rates on 9 October 2019. In the March 2020 Budget a consultation with local authorities was announced on possibly further amending these margins; this was to end on 4th June, but that date was subsequently put back to 31st July. It is looking increasingly certain HM Treasury will no longer allow local authorities to borrow money from the PWLB to purchase commercial property if the aim is solely to generate an income stream.
- Prudential indicators for the Capital Financing Requirement (CFR), the capital position and borrowing have been revised downwards in line with 2019-20 capital outturn and latest iteration of the Council's approved capital programme.
- Due to the Council's long term debt portfolio (£7.8m at 31/03/20) currently attracting excessive premiums for early redemption of debt, as has been the case since 2007, it is not financially advantageous for the Council to comply with the Gross Borrowing and Capital Financing Prudential Indicator in 2020/21.
- No new external borrowing is anticipated in 2020/21.
- Investment income received for the first six months of 2020/21 is £33k. This is below that budgeted for during the first 6 months of the year. Investment returns are expected to remain low. The budgeted outturn for the year has been revised downwards from £170k to £55k.
- Property Funds formed part of the Council's Annual Investment Strategy approved in February 2020 as an instrument to increase investment returns from surplus cash balances. There has been a delay in accessing Property Funds whilst the impact of COVID-19 is fully understood, with a corresponding reduction in budgeted income this year of around £75k.

3 Recommendations

It is recommended that Members note the report.

Wards Affected	All
Portfolio Holder(s)	Cllr Chris Boden, Leader and Portfolio Holder, Finance
Report Originator(s)	Peter Catchpole, Chief Finance Officer and Corporate Director Mark Saunders, Chief Accountant
Contact Officer(s)	Peter Catchpole, Chief Finance Officer and Corporate Director Mark Saunders, Chief Accountant
Background Paper (s)	Link Asset Services template Council Report - 20 February 2020 - General Fund Budget 2020/21 and Capital Programme 2020-23 Cabinet Report – 6 August 2020 - Capital Programme Update

Report:

1 Context

- 1.1 The Council's responsibilities in relation to Treasury Management are defined as part of the Local Government Act 2003 ('the Act'). The Act requires the Council to have regard to the Treasury Management Code published by the Chartered Institute of Public Finance and Accountancy, (CIPFA). CIPFA updated the Treasury Management Code in December 2017 and this report has been prepared with reference to the requirements set out in the updated Code.
- 1.2 Additionally, there is a statutory requirement for the Council to comply with the Prudential Code which is also published by CIPFA and was also updated in December 2017. There is a close interaction between the Treasury Management Code and the Prudential Code. The Prudential Code establishes a framework for the Council to self-regulate the affordability, prudence and sustainability of its capital expenditure and borrowing plans whilst the Treasury Management Code is concerned with how the Council uses its Treasury Management function to progress the future plans developed with reference to the Prudential Code.
- 1.3 Reductions in central government funding for local government and declining returns on deposits invested with financial institutions has led some local authorities to explore other avenues for generating investment returns, including investment in non-financial assets. Local authority spending on commercial property takes place in the context of the prudential framework, made up of both powers and duties created by legislation and a set of statutory codes and guidance to which authorities must have regard. In particular, there is a recognition that all authorities need to ensure they can clearly identify the strategic considerations underpinning their investment strategies and effective governance frameworks are in place to protect and preserve each authority's long-term financial sustainability. Specifically, from 2019/20, all local authorities have been required to approve a Capital Strategy which is intended to provide the following:
 - a high-level 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;
 - the implications for future financial sustainability.

The Council's Capital Strategy for 2020/21 was approved by Full Council on the 20 February 2020.

Treasury Management

- 1.5 Treasury management is defined 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 the pursuit of optimum performance consistent with those risks."
- 1.6 The Council complies with the requirements of CIPFA's Code of Practice on Treasury Management (revised 2017).
- 1.7 The primary requirements of the Code applicable to the 2020/21 financial year are as follows:
 - Creation and maintenance of a Treasury Management Policy Statement, which sets out the policies and objectives of the Council's treasury management activities.
 - Creation and maintenance of Treasury Management Practices, which set out the manner in which the Council will seek to achieve those policies and objectives.

- Receipt by Full Council of an annual Treasury Management Strategy Statement, including the Annual Investment Strategy and Minimum Revenue Provision Policy for the year ahead, a Mid-year Review Report and an Annual Report covering activities during the previous year.
- Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- Delegation by the Council of the role of scrutiny of treasury management strategy and policies (including Mid-year Review Report) to a specific named body. For this Council the delegated body is Corporate Governance Committee.

1.8 This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management and covers the following:

- an economic update for the first six months of 2020/21 taking account of expert analysis provided by the Council's Treasury Management Advisors, Link Asset Services;
- a review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- the Council's capital plans;
- a review of the Council's investment portfolio for 2020/21;
- a report of the Council's borrowing strategy for 2020/21;
- a report of debt rescheduling during 2020/21;
- a review of compliance with Treasury and Prudential Limits for 2020/21.

2 Economic Update

2.1 **UK.** As expected, the Bank of England's Monetary Policy Committee kept Bank Rate unchanged on 6th August. It also kept unchanged the level of quantitative easing at £745bn. Its forecasts were optimistic in terms of three areas:

- The fall in **GDP** in the first half of 2020 was revised from 28% to 23% (subsequently revised to -21.8%). This is still one of the largest falls in output of any developed nation. However, it is only to be expected as the UK economy is heavily skewed towards consumer-facing services – an area which was particularly vulnerable to being damaged by lockdown.
- The peak in the **unemployment rate** was revised down from 9% in Q2 to 7½% by Q4 2020.
- It forecast that there would be excess demand in the economy by Q3 2022 causing CPI **inflation** to rise above the 2% target in Q3 2022, (based on market interest rate expectations for a further loosening in policy). Nevertheless, even if the Bank were to leave policy unchanged, inflation was still projected to be above 2% in 2023.

2.2 It also squashed any idea of using negative interest rates, at least in the next six months or so. It suggested that while negative rates can work in some circumstances, it would be “less effective as a tool to stimulate the economy” at this time when banks are worried about future loan losses. It also has “other instruments available”, including QE and the use of forward guidance.

2.3 The MPC expected the £300bn of quantitative easing purchases announced between its March and June meetings to continue until the “turn of the year”. This implies that the pace of purchases will slow further to about £4bn a week, down from £14bn a week at the height of the crisis and £7bn more recently.

- 2.4 In conclusion, this would indicate that the Bank could now just sit on its hands as the economy was recovering better than expected. However, the MPC acknowledged that the “medium-term projections were a less informative guide than usual” and the minutes had multiple references to downside risks, which were judged to persist both in the short and medium term. One has only to look at the way in which second waves of the virus are now impacting many countries including Britain, to see the dangers. However, rather than a national lockdown, as in March, any spikes in virus infections are now likely to be dealt with by localised measures and this should limit the amount of economic damage caused. In addition, Brexit uncertainties ahead of the year-end deadline are likely to be a drag on recovery. The wind down of the initial generous furlough scheme through to the end of October is another development that could cause the Bank to review the need for more support for the economy later in the year. Admittedly, the Chancellor announced in late September a second six-month package from 1st November of government support for jobs whereby it will pay up to 22% of the costs of retaining an employee working a minimum of one third of their normal hours. There was further help for the self-employed, freelancers and the hospitality industry. However, this is a much less generous scheme than the furlough package and will inevitably mean there will be further job losses from the 11% of the workforce still on furlough in mid-September.
- 2.5 Overall, the pace of recovery is not expected to be in the form of a rapid V shape, but a more elongated and prolonged one after a sharp recovery in June through to August which left the economy 11.7% smaller than in February. The last three months of 2020 are now likely to show no growth as consumers will probably remain cautious in spending and uncertainty over the outcome of the UK/EU trade negotiations concluding at the end of the year will also be a headwind. If the Bank felt it did need to provide further support to recovery, then it is likely that the tool of choice would be more QE.
- 2.6 There will be some painful longer-term adjustments as e.g. office space and travel by planes, trains and buses may not recover to their previous level of use for several years, or possibly ever. There is also likely to be a reversal of globalisation as this crisis has shown up how vulnerable long-distance supply chains are. On the other hand, digital services is one area that has already seen huge growth.
- 2.7 One key addition to the Bank’s forward guidance was a new phrase in the policy statement, namely that “it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and achieving the 2% target sustainably”. That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years’ time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate
- 2.8 The Financial Policy Committee (FPC) report on 6th August revised down their expected credit losses for the banking sector to “somewhat less than £80bn”. It stated that in its assessment “banks have buffers of capital more than sufficient to absorb the losses that are likely to arise under the MPC’s central projection”. The FPC stated that for real stress in the sector, the economic output would need to be twice as bad as the MPC’s projection, with unemployment rising to above 15%.
- 2.9 **US.** The incoming sets of data during the first week of August were almost universally stronger than expected. With the number of new daily coronavirus infections beginning to abate, recovery from its contraction this year of 10.2% should continue over the coming months and employment growth should also pick up again. However, growth will be dampened by continuing outbreaks of the virus in some states leading to fresh localised restrictions. At its end of August meeting, the Fed tweaked its inflation target from 2% to maintaining an average of 2% over an unspecified time period i.e. following periods when inflation has been running persistently below 2%, appropriate monetary policy will likely aim to achieve inflation moderately above 2% for some time. This

change is aimed to provide more stimulus for economic growth and higher levels of employment and to avoid the danger of getting caught in a deflationary “trap” like Japan. It is to be noted that inflation has actually been under-shooting the 2% target significantly for most of the last decade so financial markets took note that higher levels of inflation are likely to be in the pipeline; long term bond yields duly rose after the meeting. The Fed also called on Congress to end its political disagreement over providing more support for the unemployed as there is a limit to what monetary policy can do compared to more directed central government fiscal policy. The Federal Open Market Committee’s updated economic and rate projections in mid-September showed that officials expect to leave the fed funds rate at near-zero until at least end-2023 and probably for another year or two beyond that. There is now some expectation that where the Fed has led in changing its inflation target, other major central banks will follow. The increase in tension over the last year between the US and China is likely to lead to a lack of momentum in progressing the initial positive moves to agree a phase one trade deal.

- 2.10 **EU.** The economy was recovering well towards the end of Q2 after a sharp drop in GDP, (e.g. France 18.9%, Italy 17.6%). However, the second wave of the virus affecting some countries could cause a significant slowdown in the pace of recovery, especially in countries more dependent on tourism. The fiscal support package, eventually agreed by the EU after prolonged disagreement between various countries, is unlikely to provide significant support and quickly enough to make an appreciable difference in weaker countries. The ECB has been struggling to get inflation up to its 2% target and it is therefore expected that it will have to provide more monetary policy support through more quantitative easing purchases of bonds in the absence of sufficient fiscal support.
- 2.11 **China.** After a concerted effort to get on top of the virus outbreak in Q1, economic recovery was strong in Q2 and has enabled it to recover all of the contraction in Q1. However, this was achieved by major central government funding of yet more infrastructure spending. After years of growth having been focused on this same area, any further spending in this area is likely to lead to increasingly weaker economic returns. This could, therefore, lead to a further misallocation of resources which will weigh on growth in future years.
- 2.12 **Japan.** There are some concerns that a second wave of the virus is gaining momentum and could dampen economic recovery from its contraction of 8.5% in GDP. Japan has been struggling to get out of a deflation trap for many years and to stimulate consistent significant GDP growth and to get inflation up to its target of 2%, despite huge monetary and fiscal stimulus. It is also making little progress on fundamental reform of the economy. The resignation of Prime Minister Abe is not expected to result in any significant change in economic policy.
- 2.13 **World growth.** Latin America and India are currently hotspots for virus infections. World growth will be in recession this year. Inflation is unlikely to be a problem for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.
- 2.14 The Council’s treasury advisor, Link Group, provided the following forecasts on 11th August 2020 (PWLb rates are certainty rates, gilt yields plus 180bps):

Link Group Interest Rate View 11.8.20										
	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
3 month average earnings	0.05	0.05	0.05	0.05	0.05	-	-	-	-	-
6 month average earnings	0.10	0.10	0.10	0.10	0.10	-	-	-	-	-
12 month average earnings	0.15	0.15	0.15	0.15	0.15	-	-	-	-	-
5yr PWLB Rate	1.90	2.00	2.00	2.00	2.00	2.00	2.10	2.10	2.10	2.10
10yr PWLB Rate	2.10	2.10	2.10	2.10	2.20	2.20	2.20	2.30	2.30	2.30
25yr PWLB Rate	2.50	2.50	2.50	2.60	2.60	2.60	2.70	2.70	2.70	2.70
50yr PWLB Rate	2.30	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.50	2.50

- 2.15 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 meeting on 6th August (and the subsequent September meeting), 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 within the forecast horizon ending on 31st March 2023 as economic recovery is expected to be only gradual and, therefore, prolonged.
- 2.16 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 heightened expectations 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 30 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.
- 2.17 Gilt yields had therefore already been on a generally falling trend up until the coronavirus crisis hit western economies during March. After gilt yields spiked up during the initial phases of the health crisis in March, we have seen these yields fall sharply to unprecedented lows as major western central banks took rapid action to deal with excessive stress in financial markets, 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. At the close of the day on 30th September, all gilt yields from 1 to 6 years were in negative territory, while even 25-year yields were at only 0.76% and 50 year at 0.60%.
- 2.18 From the local authority borrowing perspective, HM Treasury (without any prior warning) added an additional 1% margin over gilts to all PWLB period rates on 9 October 2019.

In the March 2020 Budget a consultation with local authorities was announced on possibly further amending these margins; this was to end on 4th June, but that date was subsequently put back to 31st July. It looks increasingly certain that HM Treasury will no longer allow local authorities to borrow money from the PWLB to purchase commercial property if the aim is solely to generate an income stream (assets for yield).

- 2.19 It is possible that the Certainty Rate will be subject to revision downwards after the conclusion of the PWLB consultation; however, the timing of such a change is currently an unknown, although it would be likely to be within the current financial year.
- 2.20 As the interest forecast table for PWLB certainty rates, (gilts plus 180bps), above shows, there is likely 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. Inflation is also likely to be very low during this period and could even turn negative in some major western economies during 2020/21.

3 Treasury Management Strategy Statement and Annual Investment Strategy Update

- 3.1 The Treasury Management Strategy Statement (TMSS) for 2020/21 was approved by Council on 20 February 2020. There are no policy changes to the TMSS.
- 3.2 Prudential indicators for the Capital Financing Requirement (CFR), the capital position and borrowing have been revised downwards (see below).

4 The Council's Capital Position

- 4.1 This part of the report is structured to update:
- the Council's capital expenditure plans;
 - how these plans are being financed;
 - the impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
 - compliance with limits in place for borrowing activity.
- 4.2 At its meeting on 6 August 2020 the Cabinet approved revised estimates for the 2020/21 capital programme and the financing of that programme. The revised estimate addresses amendments to the programme since February, including re-profiling schemes from 2019/20 and a re-assessment of resources available in the period 2020-23.
- 4.3 The capital programme reflects the Council's decision to allocate a maximum of £25 million (currently budgeted for in 2020/21) to take forward schemes in accordance with the Council's Commercial and Investment Strategy. Specific schemes will be added and profiled across the life of the capital programme once these have been approved by the Investment Board. Currently, the Council expects no new external borrowing to be undertaken in 2020/21.
- 4.4 The table below compares the revised estimates with the original capital programme which was incorporated into the 2020/21 Treasury Management Strategy Statement (TMSS).

Capital Programme	2020/21 Original Estimate £000	2020/21 Revised Estimate £000
Capital Programme (Excluding Commercial and Investment Strategy Schemes)	5,673	5,355
Commercial and Investment Strategy Schemes	25,000	25,000
Forecast Expenditure	30,673	30,355
Financed by:		
Capital Grants	2,063	2,283
Section 106's & Contributions	244	117
Capital Receipts	225	225
Capital Reserves	361	575
Total Financing	2,893	3,200
Borrowing Requirement	27,780	27,155

- 4.5 The table below shows the anticipated CFR at 31 March 2021, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period; this is termed the Operational Boundary.

Prudential Indicators	2020/21 Original Estimate £000	2020/21 Revised Estimate £000
Capital Financing Requirement as at 31 March 2021	31,073	3,352
External Debt / Operational Boundary		
Borrowing	12,000	12,000
Other Long Term Liabilities Finance Leases	1,000	1,000
Commercial Activities/ Non Financial Investments	25,000	0
Total Debt 31 March	38,000	13,000

- 4.6 The Council's revised estimate for CFR is £27.721m lower than the original estimate. This results principally from the Council not currently projecting to take out any external borrowing (£25m) for its Commercial and Investment Strategy before 31 March 2021 although, as explained in paragraph 4.10 below, the Treasury Management strategy enables such borrowing to take place if the Council wished to do so. The remaining estimated reduction in the CFR reflects increases in financing of the capital programme

from internal resources (grants, reserves and contributions) and re-profiling of capital expenditure between years.

- 4.7 The Council has made provision to repay all 'borrowing' liabilities through increased Minimum Revenue Provision (MRP) in the General Fund revenue budget.
- 4.8 Within the prudential indicators there are a number of key indicators to ensure that the Council operates its activities within 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 CFR in the preceding year plus the estimates of any additional CFR for 2020/21 and the next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need. The policy permits borrowing in advance of need where it is prudent to do so. Members should note that the current limits and estimates set out below have been determined with reference to the existing capital programme.

Limits to Borrowing Activity	2020/21 Original Estimate £000	2020/21 Revised Estimate £000
Gross Borrowing (Excluding Commercial and Investment Strategy Schemes)	11,574	7,800
Plus Other Long Term Liabilities Finance Leases	243	243
Commercial Activities/ Non Financial Investments	25,000	0
Anticipated Gross Borrowing as at 31 March 2021	36,817	8,043
Anticipated Capital Financing Requirement as at 31 March 2021	31,073	3,352

- 4.9 As a result of the Council's long term Public Works Loan Board (PWLB) debt portfolio of £4.5m (31/03/2020) currently attracting excessive premiums (£3.235m at the time of writing this report) if it were prematurely repaid, it is not financially advantageous for the Council to fully comply with this prudential indicator. This position has not changed following the change in the pricing of new PWLB borrowing explained in paragraph 2.18 above. A similar issue applies to the fixed rate loan of £3.3m which the Council has with Barclays. 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.
- 4.10 A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit, which represents the limit beyond which borrowing is prohibited and needs to be set and revised by Members. It reflects the level for borrowing which, while not desired could be afforded in the short term but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected

movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised Limit For External Debt	2020/21 Original Estimate £000	2020/21 Revised Estimate £000
Debt	17,000	17,000
Plus Other Long Term Liabilities Finance Leases	1,000	1,000
Commercial Activities/ Non Financial Investments	25,000	25,000
Total Borrowing	43,000	43,000

- 4.11 The Corporate Director & Chief Finance Officer reports that no difficulties are envisaged for the current year in complying with the above prudential indicators.

5 Investment Portfolio

- 5.1 In accordance with the Treasury Management Code, it is the Council's priority to ensure security of capital and liquidity and to obtain an appropriate level of return which is consistent with the Council's risk appetite.
- 5.2 As set out in section 2, it is now impossible to earn the level of interest rates commonly seen in previous decades as all investment rates are barely above zero now that Bank Rate is at 0.10%, while some entities, including more recently the Debt Management Account Deposit Facility (DMADF), are offering negative rates of return in some shorter time periods. Given this risk environment and the fact that increases in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31st March 2023, investment returns are expected to remain low.
- 5.3 While the Bank of England has said that it is unlikely to introduce a negative Bank Rate, at least in the next 6 -12 months, some deposit accounts are already offering negative rates for shorter periods. As part of the response to the pandemic and lockdown, the Bank and the Government have provided financial markets and businesses with plentiful access to credit, either directly or through commercial banks. In addition, the Government has provided large sums of grants to local authorities to help deal with the Covid-19 crisis; this has caused some local authorities to have sudden large increases in investment balances searching for an investment home, some of which was only very short term until those sums were able to be passed on.
- 5.4 Inter-local authority lending and borrowing rates have also declined due to the surge in the levels of cash seeking a short-term home at a time when many local authorities are probably having difficulties over accurately forecasting when disbursements of funds received will occur or when further large receipts will be received from the Government.
- 5.5 During the pandemic all three rating agencies have reviewed banks creditworthiness around the world with similar results in many countries of most banks being placed on negative watch, but with a small number of actual downgrades.
- 5.6 Link Asset Services, the Council's Treasury advisors, have conducted stress testing on the Link credit methodology based list of counterparties supplied to clients, to test for the results of a one notch downgrade to all Long Term Ratings from all agencies. Under

such a scenario some building societies could be removed from the creditworthiness list.


- 5.7 The Council held investments of £24.35m as at 30th September 2020 (£18.3m at 31st March 2020). The investment portfolio yield for the first 6 months of the year is 0.39% (7 day LIBID uncompounded rate -0.06%).
- 5.8 The Council has achieved investment income of £33k to 30th September 2020. The 2020/21 original estimate of £170k has been revised downwards to £55k.
- 5.9 Property Funds formed part of the Council's Annual Investment Strategy approved in February 2020 as an instrument to increase investment returns from surplus cash balances. There has been a delay in accessing Property Funds whilst the impact of COVID-19 is fully understood, with a corresponding reduction in budgeted income this year of around £75k.
- 5.10 In line with the 2017 CIPFA Codes and guidance notes greater emphasis is placed on the enhanced importance of risk management. Should the Council decide to invest in a Property Fund(s) this increases the level of risk associated with the Council's treasury management activity as the value of investments can go down as well as up and the Council may get back less than they originally invested. During the previous five years property funds have generally generated better investment returns (through capital appreciation and income) than bank deposits, though past performance or future projections are not indicative of future returns. One of the main characteristics of investment in Property Funds, compared to bank deposits, is that the Council will need to be prepared to hold on to its investment for a longer period – typically at least five years – to benefit from capital appreciation in the underlying value of the investment. Officers are working with Link Asset Services to examine the opportunities and evaluate the risks associated with investing in this way.
- 5.11 The Corporate Director and Chief Finance Officer confirms that the approved limits within the Annual Investment Strategy were not breached during the first six months of 2020/21.

6 Borrowing Strategy

- 6.1 The Council's original estimated CFR for 2020/21 was £31.073m (including finance lease borrowing facilities). The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions.
- 6.2 The revised estimate for the CFR has been reduced substantially to £3.352m (see paragraph 4.8 above).
- 6.3 The decision whether to undertake internal or external borrowing to meet the Council's financing requirements will be undertaken as and when the financing is required based on an assessment of market conditions and the Council's overall financial position at that time.
- 6.4 During 2020/21 the Council has used surplus cash balances in lieu of any external borrowing.
- 6.5 At this point in time, it is not anticipated there will be any further external borrowing undertaken during this financial year.
- 6.6 Commentary of future changes to PWLB borrowing is detailed in paragraph 2.18 to 2.20 of the economic update above.

7 Debt Rescheduling

- 7.1 Debt rescheduling opportunities have been very limited in the current economic climate and following the various increases in the margins added to gilt yields which have impacted PWLB new borrowing rates since October 2010. No debt rescheduling has therefore been undertaken or is anticipated in the current financial year.

Agenda Item No:	9	
Committee:	COUNCIL	
Date:	14 DECEMBER 2020	
Report Title:	POLLING DISTRICTS AND POLLING PLACES REVIEW	

1 Purpose / Summary

To consider the outcome of the recent review of polling districts and places, as required by the Electoral Registration and Administration Act 2013.

2 Key issues

- The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places, with the last compulsory review being agreed by Full Council on 13 December 2018;
- The next compulsory review takes place from 1 October 2023;
- The legislation allows for Interim Reviews to be undertaken between Compulsory Reviews and this review is being carried out at this time due to the Coronavirus pandemic and the issues that need to be considered for the Elections on 6 May 2021 and to factor in some flexibility into our Polling Places;
- The Council has undertaken a consultation exercise on the proposals within the report and received a number of comments which have been taken into account in the final recommendations. All comments and responses are detailed in Appendix B;
- This review has no effect upon the number of electoral wards or councillors.

3 Recommendations

That the Council

- notes the outcome of the review and the consultation undertaken;
- agrees the changes recommended to polling districts and polling places, as detailed in the report at Appendix C;
- notes that a review of all polling districts will be undertaken at least every five years and delegates 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.

Wards Affected	All
Forward Plan Reference	
Portfolio Holder(s)	Councillor Chris Boden, Leader and Portfolio Holder for Governance
Report Originator(s)	Elaine Cooper, Team Leader Elections, Land Charges and Member Services Anna Goodall, Head of Governance and Customer Services
Contact Officer(s)	Paul Medd, Chief Executive Anna Goodall, Head of Governance and Customer Services Elaine Cooper, Team Leader Elections, Land Charges and Member Services
Background Paper(s)	Electoral Registration and Administration Act 2013 Schedule A1, Representation of the People Act 1983 Consultation responses

4 Background / introduction

- 4.1 The Electoral Registration and Administration Act 2013 places a duty on local authorities to carry out a full review of their Parliamentary polling districts and polling places every fifth year after 1 October 2013. The last compulsory review took place in 2018 and the next scheduled compulsory review will take place from 1 October 2023.
- 4.2 The legislation allows for Interim Reviews to be undertaken between compulsory reviews to ensure all Polling Districts and Places are kept under consideration and remain suitable.
- 4.3 In undertaking a review, the Council must:
- publish a notice indicating the holding of a review
 - consult the Returning Officer for every Parliamentary constituency which is wholly or partly in its area
 - enable any such Returning Officer to make representations to the authority and publish them in a prescribed manner
 - seek representations from such persons that it thinks has particular expertise in relation to access to premises or facilities for persons who have different forms of disability
 - allow any elector in the authority's area to make representations which could include proposals for alternative polling places.
- 4.4 On completion of the review, details of the new polling districts and polling places must be made available to the public.
- 4.5 The definitions of polling district, polling place and polling station are:
- A **polling district** is the area created by separation of a ward, division or constituency into smaller parts, within which a polling place can be determined which is convenient to the electors
 - A **polling place** is the building or area in which polling stations will be selected by the Returning Officer
 - A **polling station** is the actual area where the process of voting takes place. This must be located within the polling place and designated for the particular polling district. This function is the responsibility of the Returning Officer.

The Council is responsible for designating polling places, whereas the Returning Officer is responsible for determining where the polling stations are situated within that polling place.

5 Considerations

- 5.1 When undertaking a review the Council is required to give due regard to the following considerations:
- It must seek to ensure that all electors in the area have reasonable facilities for voting as are practicable in the circumstances;
 - It must seek to ensure that, so far as is reasonable and practicable, every polling place is accessible to all electors.
- 5.2 A schedule of existing polling districts and polling places is set out in Appendix A.
- 5.3 The review gives consideration to the issues that need to be considered regarding the Coronavirus pandemic and the elections that are due to take place on 6 May 2021 and also factors in some flexibility in allocating alternative polling places, which currently does not exist, should our current polling places become unavailable.

- 5.4 The review considers that there will be some form of social distancing measures in polling stations, cleaning of polling booths between electors casting their votes, clear Covid-19 signage, designated way in and out, hand sanitizing stations as well as the need to manage the flow of electors through polling stations.
- 5.5 To provide reassurance to local electors that the Council remains committed to enabling residents to be able to cast their vote in person at a polling station in a manner that is Covid secure, it has been identified that one polling district ward will be required to be split into two and that additional staff will be required to manage the flow of electors.
- 5.6 The review has also provided the opportunity to amend some of the current polling stations in wards to reflect polling stations that have been used successfully in recent elections and allowed some wards to be redrawn to provide a similar number of in person electors at each polling stations or provide electors with access to their nearest polling place.

6 Effect on corporate objectives

6.1 Quality Organisation:

- this review fulfils the Council's legal obligations under The Electoral Registration and Administration Act 2013
- the review ensures voter engagement is maximised in the democratic process by establishing polling stations that electors deem suitable and accessible.

7 Community Impact

- 7.1 The Council undertook a formal consultation period from 19 October to 13 November 2020. A public notice of the holding of the review was displayed on the Council's website. In addition, the following specific consultations were undertaken with:
- all members of Fenland District Council
 - the Returning Officer(s) for East Cambs District Council & Cambridgeshire County Council
 - the Member of Parliament
 - Members of Cambridgeshire County Council representing wards within the Fenland area of North East Cambridgeshire Constituency area
 - all the Clerks for Town / Parish Councils in the Fenland area of the North East Cambridgeshire Constituency area
 - organisations which have particular expertise regarding access to premises or facilities for persons who have different forms of disability including Camsight, The Varrier-Jones Foundation, Age UK, Fenland Association for Community Transport Ltd, Fenland Area Community Enterprise Trust, Caerus Care Ltd, Papworth Trust, Wisbech St Raphael Club, Cambridgeshire and Peterborough NHS Foundation Trust & East Cambs Access Group
 - Candidates and Election Agents who acted at the 2019 District Council elections
 - Polling places within the Fenland area.
- 7.2 30 interested parties responded to the consultation within the deadline, with a further 2 received outside the deadline, and the comments and responses are reported at Appendix B.
- 7.3 Election officers will be visiting the potential new polling station venues to consider their suitability, but the proposal now adds flexibility within it for a first choice and second

choice polling place and then to locate one “anywhere within the polling district” should either of these be unavailable.

The proposed changes to the current polling districts and polling places are detailed in Appendix C.

8 Conclusions

- 8.1 Council is asked to agree the recommended Polling Districts and Polling places outlined in the report, subject to members agreement details of the new polling districts and polling places must be made available to the public. Specified interested parties may make representations to the Electoral Commission to reconsider any polling districts and polling places.
- 8.2 The new electoral register containing revised arrangements for polling districts will be published on 4 January 2021. New polling districts and polling places will become effective at elections held after this date.

FENLAND DISTRICT COUNCIL
SCHEDULE OF CURRENT POLLING DISTRICTS AND POLLING PLACES

DISTRICT WARD	POLLING DISTRICT LETTER	PARISH/ TOWN	POLLING PLACE
BIRCH	AA	Birch, Chatteris	Chatteris Library, Furrowfields Road Or if that polling place is unavailable King Edward Centre, Railway Lane
SLADE LODGE	AB	Slade Lodge, Chatteris	Quaker Way Residents Community Room Or if that polling place is unavailable King Edward Centre, Railway Lane
THE MILLS	AC	The Mills, Chatteris	The Masonic Hall, Huntingdon Road Or if that polling place is unavailable King Edward Centre, Railway Lane
WENNEYE	AD	Wenneye, Chatteris	Emmanuel Church Hall, East Park Street Or if that polling place is unavailable King Edward Centre, Railway Lane
MARCH EAST	BA1	March East, March	Roman Catholic Church Hall, St Johns Road Or if that polling place is unavailable Mill View Scout Hall, Mill View
	BA2	March East, March	Fleming Court off Smiths Drive Or if that polling place is unavailable First March Scout Hall, Badgeney Road
	BA3	March East, March	March and District Children's Centre, Cavalry Drive
	BA4		Or if that polling place is unavailable Cavalry School, Cavalry Drive
	BA5	March East, March	St Peters Church Room, High Street Or if that polling place is unavailable Kingdom Hall, Bevills Place
MARCH NORTH	BB1	March North, March	March Youth & Community Centre, Station Road Or if that polling place is unavailable St Johns Church Hall, Station Road
	BB2	March North, March	St Johns Church Hall, Station Road Or if that polling place is unavailable March Youth and Community Centre, Station Road
	BB3	March North, March	GER Sports Club Function Room, Robingoodfellows Lane Or if that polling place is unavailable March Town Football Clubhouse, Robingoodfellows Lane
	BB4	March North, March	St Marys Church Hall, Wisbech Road, Westry Or if that polling place is unavailable GER, Robingoodfellows Lane
MARCH WEST	BC1	March West, March	Rookwood Club, West End Or if that polling place is unavailable a mobile polling station in the polling district
	BC2	March West, March	March Cricket Club, Burrowmoor Road Or if that polling place is unavailable Burrowmoor Primary School, Burrowmoor Road
	BC3	March West, March	St Wendredas Church Hall, Church Street Or if that polling place is unavailable The Seven Stars PH, The Avenue
	BC4	March West, March	St Marys Church Hall, Wisbech Road, Westry Or if that polling place is unavailable March Town Cricket Club, Burrowmoor Road

DISTRICT WARD	POLLING DISTRICT LETTER	PARISH/ TOWN	POLLING PLACE
BENWICK, COATES & EASTREA	CA	Benwick	Benwick Village Hall, High Street Or if that polling place is unavailable Benwick Primary School, High Street
	DE	Coates & Eastrea, Whittlesey (Coates)	Coates Public Hall, 1 The Fold Or if that polling place is unavailable Coates Primary School, The Fold
	DF	Coates & Eastrea, Whittlesey (Eastrea)	Eastrea Centre, Roman Gardens Or if that polling place is unavailable The Nags Head PH, Eastrea Road
	DG	Coates & Eastrea, Whittlesey (Pondersbridge)	Pondersbridge Village Hall, Oilmills Road Or if that polling place is unavailable a mobile polling station in the polling district
	DH	Coates & Eastrea, Whittlesey (Turves)	The Three Horseshoes Inn, March Road Or if that polling place is unavailable a mobile polling station in the polling district
	DI	Coates & Eastrea, Whittlesey (Kings Delph)	St Johns Ambulance HQ, Plough Road Or if that polling place is unavailable Park Lane Primary School, Park Lane
BASSENHALLY	DA1	Bassenhally, Whittlesey	Straw Bear PH, Drybread Road Or if that polling place is unavailable Alderman Jacobs Primary School, Drybread Road
	DA2		Ivy Leaf Club, Gracious Street Or if that polling place is unavailable Whittlesey Town Council Offices, Queen Street
	DA3		Whittlesey Town Council Offices, Queen Street Or if that polling place is unavailable Whittlesey Library, Market Street
LATTERSEY	DB	Lattersey Whittlesey	Quinion Close Or if that polling place is unavailable New Road Primary School, New Road
ST ANDREWS	DC1	St Andrews & St Marys North, Whittlesey	St Andrews Parish Hall, Parkinson Lane Or if that polling place is unavailable Whittlesey Library, Market Street
	DC2	St Marys South, Whittlesey	
STONALD	DD	Stonald Whittlesey	St Johns Ambulance HQ, Plough Road Or if that polling place is unavailable Park Lane Primary School, Park Lane
CLARKSON	EA	Clarkson, Wisbech	Robert Hall Centre, Lynn Road Or if that polling place is unavailable The Boathouse, Harbour Square
OCTAVIA HILL	EB1	Octavia Hill, Wisbech	College of West Anglia Isle Campus, Ramnoth Road Or if that polling place is unavailable Rosmini Centre, Queens Road
	EB2		Awdry House, Ramnoth Road Or if that polling place is unavailable Thomas Clarkson Academy, Corporation Road

DISTRICT WARD	POLLING DISTRICT LETTER	PARISH/ TOWN	POLLING PLACE
KIRKGATE	EC	Kirkgate, Wisbech	Walsoken Village Hall, Kirkgate Street Or if that polling place is unavailable The Black Bear PH, Old Lynn Road
MEDWORTH	ED	Medworth, Wisbech	Wisbech St Raphael Disabled Club, Love Lane Or if that polling place is unavailable Queen Mary Centre, Queens Road
PECKOVER	EE	Peckover, Wisbech	Wisbech Rugby Football Club, Chapel Road Or if that place is unavailable Peckover Primary School, Leverington Road
STAITHE	EF	Staithe, Wisbech	Meadowgate School, Meadowgate Lane Or if that polling place is unavailable a mobile polling station in the polling district
WATERLEES VILLAGE	EG1	Waterlees Village, Wisbech	The Oasis Village Centre, St Michaels Avenue Or if that polling place is unavailable Orchards Primary School, Cherry Road
	EG2		
DODDINGTON & WIMBLINGTON	FA	Doddington	Doddington Village Hall, Benwick Road Or if that polling place is unavailable Doddington Primary School, High Street
	KA	Wimblington	Wimblington Parish Hall, Addison Road Or if that polling place is unavailable Parkfield Sports Centre, Chapel Road
	KB	Wimblington (Stonea)	The Golden Lion Public House, Sixteen Foot Bank Or if that polling place is unavailable Skylark Centre, Manea Road
ELM & CHRISTCHURCH	GA	Elm (Friday Bridge)	Fridaybridge Tower Hall, Maltmas Road Or if that polling place is unavailable Friday Bridge Primary School, Maltmas Road
	GB	Elm	Elm Centre, Main Road Or if that polling place is unavailable Elm Primary School, Main Road
	GC	Elm (Coldham)	Mobile Polling Station at Coldham Playing Field, Station Road Or if that polling place is unavailable a mobile polling station in the polling district
	GD	Elm (Rings End)	The Oliver Twist, High Road Or if that polling place is unavailable Guyhirn Primary School, High Road
	GE	Christchurch	Christchurch Community Centre, Upwell Road Or if that polling place is unavailable Townley Primary School, Crown Road
MANEA	HA	Manea	Manea Village Hall, School Lane Or if that polling place is unavailable Manea Primary School, Station Road
PARSON DROVE & WISBECH ST MARY	PA	Parson Drove	Parson Drove Village Hall, Main Road Or if that polling place is unavailable Alderman Payne Primary School, Main Road
	PB	Wisbech St Mary	Wisbech St Mary Sports and Community Centre, Beechings Close Or if that polling place is unavailable Wisbech St Mary Academy, Church Road
	PC	Wisbech St Mary (Murrow)	Murrow Village Hall, Murrow Bank Or if that polling station is unavailable The Bell Inn, Murrow Bank

DISTRICT WARD	POLLING DISTRICT LETTER	PARISH/ TOWN	POLLING PLACE
	PD	Wisbech St Mary (Guyhirn)	The Oliver Twist, High Road Or if that polling place is unavailable Guyhirn Primary School, High Road
	PE	Wisbech St Mary (Thorney Toll)	Thorney Toll Village Hall, Main Road Or if that polling place is unavailable a mobile polling station in the polling district
ROMAN BANK	RA	Gorefield	Gorefield Community Hall, Wolf Lane Or if that polling place is unavailable Gorefield Village Hall, Gote Lane
	RB1	Leverington	Leverington Village Hall, Gorefield Road Or if that polling place is unavailable Leverington Sports and Social Club, Church Road
	RB2	Leverington	Leverington Sports and Social Club, Church Road Or if that polling place is unavailable Leverington Village Hall, Gorefield Road
	RC	Newton-in-the-Isle	Newton-in-the-Isle Village Hall, Church Lane Or if that polling place is unavailable St James Church, Church Lane
	RD	Tydd St Giles	Tydd St Giles Community Centre, Broad Drove East Or if that polling place is unavailable Kinderley Primary School, Church Lane

APPENDIX B

Consultation Comments and Responses

Consultee	Comment	Response
Councillor Chris Boden	<p>My comments concerning the proposed changes to polling districts and polling places are as follows:</p> <p>The Mills Ward: I see justification in changing the current arrangements neither for the existing polling district AC nor for the existing polling place which is The Masonic Hall (or if that is unavailable King Edward Centre). Polling stations remain in the proposed revised list of polling stations which serve a larger number of local government electors include those, for example, serving polling districts DD/DI and AA. Given the good size and flexibility of the premises at The Masonic Hall, there is no good reason to split this polling district in two when larger electorates continue to be serviced by polling stations which, (at least one case) are far less able to implement Covid-19 measures than The Masonic Hall.</p>	<p>When undertaking the calculations for polling districts, a formula was used to identify polling district wards which needed splitting so that less than 1,500 electors visit a polling station. AC's elector figure came out at 1575 whereas AA's came out at 1479, less than the 1500 threshold, which is why the conclusion was made to split the polling district of AC in two.</p> <p>The reason for proposing it be split into two was due to the potential number of electors coming into contact with one another during a Covid-19 pandemic and giving the public assurances that the Council is committed to enabling residents to be able to cast their vote in person at a polling station in a manner that is Covid secure.</p> <p>However, it is appreciated that The Masonic Hall does have a big hall and social distancing and Covid-19 measures could be adhered to</p> <p>It is proposed that the polling district not be split into two and remain as AC with electors voting at The Masonic Hall, with Chatteris Town Football Club as the alternative polling station.</p>

Consultee	Comment	Response
	<p>Bassenhally Ward: The new proposed polling districts and polling places do not provide a better and more convenient split of Bassenhally Ward than the current arrangements. The majority of those being assigned to the proposed new polling district DA1 would not even know where the proposed polling station is at "Willow Court, Sorrell Avenue". For half of the Birds' Estate to be allocated to vote at this location is quite perverse, when two far more reasonable, and previously used, sites are available: The Straw Bear Public House and Alderman Jacobs School. Most of the Birds Estate consists of bungalows, and it has a very high proportion of elderly residents. There would be a significant barrier to voting if half of these residents were expected to go all the way to the Queen Street Council Offices to vote, whilst the other half would be left to find where Sorrell Avenue is and how it's possible to get there. The interim plans for the May 2021 elections are even more bizarre, with residents in Mallard Close and the Western side of Plover Road, if they wished to vote, having to walk right past the immediately adjacent polling station site at the Straw Bear (proposed for use for another polling district in May 2021) and having to walk the 15 minutes or so into Town to vote.</p> <p>I would propose maintaining the existing polling districts and polling places, with the exception that the westernmost parts of the existing polling district DA1 be transferred to DA2, whilst the parts of the existing polling district DA3 which are closest to the Straw Bear polling station should be transferred to polling district DA1. This would both even out the number of electors at each polling station whilst shortening the distance from home to polling station for almost a thousand voters in the ward.</p>	<p>The proposal was to try to provide an equality of electors across all three polling districts and in trying to do this there are always going to be electors who lose voting at their nearest polling station. The proposal was also trying to eliminate having to use the Straw Bear PH as whilst we have used the venue in the past it is an open area which makes the secrecy of the vote difficult and it does not have the best facilities for disabled access. For future elections, we are looking to use a mobile polling station in the car park, which in itself is not ideal especially in a Covid-19 situation. The proposal planned to use Willow Court, Sorrell Avenue as the main polling station for this ward, but it is acknowledged that in a Covid-19 pandemic situation due to the vulnerable nature of residents residing in the building that it is not acceptable to use in 2021. We have been required to introduce a number of new polling places resulting from previous Polling District Reviews and in order to ensure the new venues are understood by local electors we take proactive measures to communicate and publicise changes of this nature to ensure electors are informed and, therefore, able to cast their vote in person, should they chose, without issue. Please be assured, therefore, that just because a new polling station is proposed this should raise concerns about the implementation of the proposed change as we are able to evidence numerous previous changes which have been communicated and implemented seamlessly. The Alderman Jacobs is no longer viable as we wish to move away from using schools if at all possible due to cost and the many security measures that have been introduced at the school to safeguard the children which makes it very difficult for staff and electors accessing the building.</p>

Consultee	Comment	Response
	<p>St Andrews Ward: Because the polling station at St Andrews Parish Hall is somewhat constrained, i support the proposal to move the polling station for polling district DC2 to the Library for elections in 2021.</p> <p>Stonald Ward: To avoid doubt, the word "polling" should be inserted in the Proposed Polling Place section on page 30 of the consultation document.</p> <p>Octavia Hill Ward: The proposed new polling districts and polling stations would significantly increase the difficulty that many residents would experience in voting in person, I would therefore suggest retaining the existing split of polling districts and the existing polling stations in this ward.</p>	<p>However, having said all of the above, it is proposed in the main to leave the wards as they currently stand with some properties at Councillor Boden's suggestion moving from DA1 to DA2, DA3 to DA2 and DA3 to DA1. However, due to the number of electors in DA1, this polling district will be spilt into two and renamed DA1 and DA2, DA1 will vote at the Straw Bear PH and DA2 will vote at a Mobile Polling Station in the car park of The Straw Bear PH, Electors in DA1 will continue to vote at The Straw Bear PH, the current DA2 will be come DA3 and electors in DA3 will vote at the Ivy Leaf Club and the current DA3 will become DA4 and electors in DA4 will normally vote at Willow Court, Sorrell Avenue, but for the May 2021 Elections the polling place will be Peel House, Queen Street.</p> <p>None required.</p> <p>None required.</p> <p>The proposal was trying to eliminate the need for electors from both polling districts EB1 and EB2 having to cross the busy Churchill Road to cast their votes at either Awdry House or College of West Anglia, with the proposal seeking to address this in polling district EB2 by providing a polling station at the Rosmini Centre, which is on the same side of Churchill Road as the electors live, which negates the need for crossing the busy road.</p>

Consultee	Comment	Response
	<p>Waterlees Village Ward: I would ask that alternatives, such as the Boathouse or the Wisbech Institute, be considered for the "remote" polling station for COVID-19 purposes in 2021, rather than Wisbech Town Football Club. This should then obviate the need to split the existing polling district EG2.</p>	<p>It was also trying to seek an alternative to a polling station at the College of West Anglia, which whilst useable does not have any toilet, kitchen or running water facilities for the staff, which is not desirable or satisfactory for staff or local electors during a global pandemic. We have to provide bottled water and a portaloo has to be hired and used as staff cannot gain access to the college. We have an obligation to our polling staff, especially during the Covid-19 pandemic, to ensure that Government guidelines can be met, especially in providing them with facilities where they can wash their hands more frequently, therefore, reducing the potential spread of the virus to and between staff and electors. The College of West Anglia venue does not fulfil that obligation.</p> <p>Whilst Awdry House and College of West Anglia are known to electors this does not mean that electors cannot vote at another polling station as long as it is well publicised and bearing in mind that previously one of the polling stations for this polling district used to be The Salvation Army Hall in John Thompson Road, which has been changed.</p> <p>In light of the comments made, however, it is proposed that the polling district is unchanged with electors for EB1 voting at College of West of Anglia (Wisbech Campus) and electors for EB2 voting at Awdry House.</p> <p>The Wisbech Institute is in Hill Street which lies in polling district ED and The Boathouse lies in polling district EA. EG2 still needs to be split into two polling districts as when the formula was applied</p>

Consultee	Comment	Response
		<p>there are over 1500 in-person electors at one polling station, therefore, it was proposed that both parts of EG2 vote at the Oasis Centre in separate rooms with separate entrance and exit arrangements. This means that an alternative polling station is still required for EG1 and whilst it is recognized that Wisbech Town Football Club does lie outside the district, it is the nearest polling station to the eastern most properties of EG1.</p> <p>However, in light of the comments, I would propose that polling districts EG2A be renamed EG3 and EG2B be renamed stay as EG2, <u>for the Elections in May 2021</u> electors for EG1 and EG2 vote at the Oasis Centre in separate rooms with separate entrances and exits and electors for EG3 vote at The Boathouse as this venue is nearest to this polling district.</p>
Councillor Sam Clark	RC Suitable as a polling place, easy to locate and easily accessible.	None required.
Councillor Anne Hay	<p>AC - Mills Ward</p> <p>I have met up with George Brennan who takes the bookings for the Masonic Hall and have had a guided tour of the internal spaces, the hall itself I would say is easily as big as the one used at Quaker Way in Chatteris, and entry can be made via the doors that open on to the car park, with the exit at the other end of the hall which leads out to a small courtyard space which has a gate out on to Huntingdon Road, having spoken to George at length he like I feel that with careful signposting that there is more than enough room to conform to Covid distancing rules, the only caveat I would have is the exit is not suitable for disabled people, but in Chatteris I would say the majority if not all disabled people would choose to have a postal vote and if a disabled person did come along to vote in person this could be easily managed. The problem with using the Football Club in West Street is as follows</p>	<p>When undertaking the calculations for polling districts, a formula was used to identify polling district wards which needed splitting so that less than 1,500 electors visit a polling station. AC's elector figure came out at 1575 whereas AA's came out at 1479, less than the 1500 threshold, which is why the conclusion was made to split the polling district of AC in two.</p> <p>Suggestions regarding the layout of a polling station falls outside the remit of the consultation process as this responsibility lies solely with the Returning Officer and polling staff. The purpose of the consultation is in relation to the general suitability of a venue, its accessibility for local electors whether</p>

Consultee	Comment	Response
	<ol style="list-style-type: none"> 1. The main room is easily 1/2 of the size of the Masonic Hall if not more 2. Particularly of an evening the parking along West Street is highly congested 3. On a Thursday evening the youth football teams practise at this venue 4. I am unsure if there is any disabled access/exit should it be needed <p>I truly believe that there is no reason to change the polling station arrangement for 2021.</p>	<p>physically able or otherwise and facilities for being used as a polling station. The reason for proposing it be split into two was due to the potential number of electors coming into contact with one another during a Covid-19 pandemic and giving the public assurances that the Council is committed to enabling residents to be able to cast their vote in person at a polling station in a manner that is Covid secure.</p> <p>However, it is appreciated that The Masonic Hall does have a big hall and social distancing and Covid-19 measures could be adhered to.</p> <p>It is proposed that the polling district not be split into two and remain as AC with electors voting at The Masonic Hall, with Chatteris Town Football Club as an alternative polling station.</p>
Councillor Sam Hoy	<p>EB1 and EB2</p> <p>I have reviewed the proposed arrangements for Octavia hill polling districts and I am not happy with them. The proposal to use the Rosmini Centre is not a good one as it's not close to a large part of the ward and also people have never polled there before so will not be used to it. I think the polling districts and places should be left as they currently are as it's a sensible divide geographically in terms of the districts. Also Awdry House and the college are central to the ward and well known. They also have good disabled access.</p>	<p>The proposal was trying to eliminate the need for electors from both polling districts EB1 and EB2 having to cross the busy Churchill Road to cast their votes at either Awdry House or College of West Anglia, with the proposal seeking to address this in polling district EB2 by providing a polling station at the Rosmini Centre, which is on the same side of Churchill Road as the electors live, which negates the need for crossing the busy road.</p> <p>It was also trying to seek an alternative to a polling station at the College of West Anglia, which whilst useable does not have any toilet, kitchen or running water facilities for the staff, which is not desirable or satisfactory for staff or local electors during a global pandemic. We have to provide bottled water and a portaloos has to be hired and used as staff cannot</p>

Consultee	Comment	Response
		<p>gain access to the college. We have an obligation to our polling staff, especially during the Covid-19 pandemic, to ensure that Government guidelines can be met, especially in providing them with facilities where they can wash their hands more frequently therefore reducing the potential spread of the virus to and between staff and electors. The College of West Anglia venue does not fulfil that obligation.</p> <p>Whilst Awdry House and College of West Anglia are known to electors this does not mean that electors cannot vote at another polling station as long as it is well publicised and bearing in mind that previously one of the polling stations for this polling district used to be The Salvation Army Hall in John Thompson Road, which has been changed.</p> <p>In light of the comments made, however, it is proposed that the polling district is unchanged with electors for EB1 voting at College of West of Anglia (Wisbech Campus) and electors for EB2 voting at Awdry House.</p>
Councillor Dee Laws	<p>DA1 – DA3</p> <p>We need to register strong objections and challenge the proposal for over 50% of residents of the 'Birds' estate having to cast their votes at Willow Court/Sorrel Avenue, Whittlesey.</p> <p>Further examples we cannot see any logical reason for Mallards Close or Plover Road (Bird Estate) residents casting their votes at the Town Council Offices, Peel House, Queen Street, Whittlesey (Town Centre location) when they are in close proximity and only a short walking distance from the Polling Station at the Straw Bear Public House, 103, Drybread Road, Whittlesey.</p>	<p>The proposal was to try to provide an equality of electors across all three polling districts and in trying to do this there are always going to be electors who lose voting at their nearest polling station. The proposal was also trying to eliminate having to use the Straw Bear PH as whilst we have used the venue in the past it is an open area which makes the secrecy of the vote difficult and it does not have the best facilities for disabled access. For future elections, we are looking to use a mobile polling station in the car park, which in itself is not ideal especially in a Covid-19 situation. The proposal</p>

Consultee	Comment	Response
	<p>We are requesting ALL of what is known locally as the 'Birds' Estate, these residents are able to cast their votes at The Straw Bear Public House Polling Station in close proximity to their properties.</p>	<p>planned to use Willow Court, Sorrell Avenue as the main polling station for this ward, but it is acknowledged that in a Covid-19 pandemic situation due to the vulnerable nature of residents residing in the building that it is not acceptable to use in 2021</p> <p><u>However, having said all of the above, it is proposed in the main to leave the wards as they currently stand with some properties at Councillor Boden's suggestion moving from DA1 to DA2, DA3 to DA2 and DA3 to DA1. However, due to the number of electors in DA1, this polling district will be split into two and renamed DA1 and DA2, DA1 will vote at the Straw Bear PH and DA2 will vote at a Mobile Polling Station in the car park of The Straw Bear PH, the current DA2 will become DA3 and electors in DA3 will vote at the Ivy Leaf Club and the current DA3 will become DA4 and electors in DA4 will normally vote at Willow Court, Sorrell Avenue, but for the May 2021 Elections the polling place will be Peel House, Queen Street.</u>Having said all of the above, we are happy to leave the wards as they currently stand with some properties moving as suggested by Councillor Boden from DA1 to DA2, DA3 to DA2 and DA3 to DA1. Electors in DA1 will continue to vote at The Straw Bear PH, electors in DA2 at the Ivy Leaf Club and electors in DA3 will normally vote at Willow Court, Sorrell Avenue, but for the May 2021 Elections the polling place will be Peel House, Queen Street.</p>
Councillor Wallwork	<p>Susan</p> <p>EB1 and EB2</p> <p>I have seen the proposed arrangements for Octavia Hill polling districts and feel the need to raise concerns. The proposal to use the Rosmini centre is not a good one in my view, it's not close to a large part of the ward and as it's never been used before so will cause confusion and possibly deter people from attending</p>	<p>The proposal was trying to eliminate the need for electors from both polling districts EB1 and EB2 having to cross the busy Churchill Road to cast their votes at either Awdry House or College of West Anglia, with the proposal seeking to address this in</p>

Consultee	Comment	Response
	<p>and voting. I believe the polling districts and places should be left as they currently are as it's a sensible divide geographically in terms of the districts. Also Awdry House and the college are well known and prominent parts of the ward and centrally located. Moreover Awdry House and college have disabled access and lots of parking.</p>	<p>polling district EB2 by providing a polling station at the Rosmini Centre, which is on the same side of Churchill Road as the electors live, which negates the need for crossing the busy road.</p> <p>It was also trying to seek an alternative to a polling station at the College of West Anglia, which whilst useable does not have any toilet, kitchen or running water facilities for the staff, which is not desirable or satisfactory for staff or local electors during a global pandemic. We have to provide bottled water and a portaloo has to be hired and used as staff cannot gain access to the college. We have an obligation to our polling staff, especially during the Covid-19 pandemic, to ensure that Government guidelines can be met, especially in providing them with facilities where they can wash their hands more frequently therefore reducing the potential spread of the virus to and between staff and electors. The College of West Anglia venue does not fulfil that obligation.</p> <p>Awdry House does not have lots of parking as this is for staff only and not available for electors, the only electors that are able to park in the grounds of Awdry House are disabled. Electors are only able to park in the grounds of Awdry House once the offices have closed after 17.00.</p> <p>Whilst Awdry House and College of West Anglia are known to electors this does not mean that electors cannot vote at another polling station as long as it is well publicised and bearing in mind that previously one of the polling stations for this polling district used to be The Salvation Army Hall in John Thompson Road, which has been changed.</p>

Consultee	Comment	Response
		In light of the comments made, however, it is proposed that the polling district is unchanged with electors for EB1 voting at College of West of Anglia (Wisbech Campus) and electors for EB2 voting at Awdry House.
Diane Cutler Liberal Democrat Candidate District Elections May 2019	PA No issues, suitable as a polling place, ample parking, building very accessible, disabled access, toilet facilities, kitchen and easy to locate.	None required
Councillor Ray Jack March Town Councillor	BA1, BA2, BA3 and BA5 Happy with the status quo on polling stations.	None required
Joanna Melton Chatteris Town Council	AA Chatteris Library meets all criteria for a polling place, is easy to locate and easily accessible. Chatteris Town Council offices are given as an alternative location, but the offices are not suitable. It would be better to use the King Edward Centre or The Bricstan Room at the rear of the Parish Church.	We have used Chatteris Town Council offices previously as a polling station. However, the point made by Chatteris Town Council is noted and it is acknowledged that it is not ideal due to the large Council table that it is the room and cannot be moved, limiting space available. It is proposed that the alternative polling station will either be the Bricstan Room if suitable or if not King Edward Centre, although it does lie outside the polling district.
	AB Quaker Way Residents Community Room meets all criteria for a polling place, is easy to locate and easily accessible. Councillors also agreed to alternative polling place as either Chatteris Children's Centre or the King Edward Centre.	None required.
	AC1 and AC2 The Masonic Hall and Chatteris Town Football Club meet all criteria for a polling place, are easy to locate and easily	The Sportsman PH has been discounted as a polling place as we are aware that it has closed. The

Consultee	Comment	Response
	accessible. For AC1 the Sportman PH is suggested as an alternative polling station, which is not possible as it has closed. Councillors agree to the district being split into two to enable Covid-19 measures to be implemented.	polling station normally will be Masonic Hall, with the alternative as Chatteris Town Football Club Pavilion. However, in light of the comments made by other consultees, it is proposed that the polling district not be split into two and remain as AC with electors voting at The Masonic Hall, with Chatteris Town Football Club as an alternative polling station.
	AD Emmanuel Church Hall meets all the criteria for a polling place, is easy to locate and easily accessible. Councillors agree to suggestion of King Edward Centre if Emmanuel Church Hall is not available. Another possible alternative is the Bricstan Room.	The Bricstan Room lies in AA, whilst King Edward Centre does lie in AD so this will be the alternative polling place for this polling district.
Ray Wilkin Doddington Parish Council	FA No issues, suitable polling place that has been used to hold various Elections for many years, easy to locate and easily accessible.	None required
Pat Wilkinson Newton-in-the-Isle Parish Council	RC No issues, only suitable polling place in village, easy to locate and easily accessible.	None required
Pat Amos Wimblington Parish Council	KA and KB No issues, suitable polling places, easy to locate and easily accessible. Wimblington Parish Hall central in village, sufficient in size with good facilities – heated, wif-fi, kitchen.	None required
Chris Hazlewood, CCC Awdry House	EB1 No issues, suitable polling place, easy to locate and easily accessible	None required
John Brand Coldham Playing Field	GC As the portacabin on the playing field was not suitable, Fenland District Council are, again, supplying a suitable building which will be connected to the electricity and have use of the toilet facilities in the cabin.	None required
Darren Adams, Doddington Village Hall	FA No issues, suitable polling place with a convenient location and easily accessible	None required

Consultee	Comment	Response
Colin Minister, Friday Bridge Tower Hall	GA No issues, suitable polling place as it is a large hall with adequate parking and , easy to locate and easily accessible . Easily accessible for all disabilities – parking and toilets and 4 means of fire exit.	None required
Michael Humphrey Gorefield Playing Field Association	RA No issues, suitable as a polling place, modern building with good access and parking, easy to locate and easily accessible.	None required
Pamela Manley Leverington Village Hall	RB1 No issues, suitable as a polling place as large, central location with level access. As Covid secure as they can make it. Easy to locate and easily accessible.	None required
Mrs P Pickering Manea Village Hall	HA No issues, suitable polling place, easy to locate and easily accessible.	None required
Mr L Mills March Town Cricket Club	BC2 No issues, suitable polling place in a central area with lots of parking and accessible for persons with disabilities	None required
Michelle Flanz Meadowgate Academy	EF No issues, suitable as a polling place, easy to locate and easily accessible	None required
Christine Carr Murrow Village Hall	PC No issues, this is a community facility with all the facilities needed for a polling place, easy to locate and easily accessible. Murrow Village Hall is centrally positioned in the village. It has a car park. The facilities for polling staff are adequate, although there is no cooker in the kitchen there is a microwave. The polling station was held in the village pub on one occasion recently but this was not large enough and was unsatisfactory. The village hall is accessible for wheelchair users and other people with a disability. The hall will be available in the long term for use as a polling place.	The comments regarding Murrow Bank and Back Road are acknowledged, however changing polling district boundaries falls outside the remit of a Polling District Review.

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Consultee	Comment	Response
	There are some properties in Murrow Bank that come under Parson Drove Parish, but they are within 100 yards of the hall. Also, one side of Back Road (the odd numbers) are in Parson Drove, so have to drive past a polling place in Murrow to vote in Parson Drove.	
Geoffrey Wilkinson Newton Village Hall	RC No issues, only location in parish which is spacious and convenient, easy to locate as signposted and easily accessible.	None required
John Penn, Pondersbridge Village Hall	DH No issues, suitable polling place, easy to locate and easily accessible	None required
Sheila Otter Robert Hall Centre	EA No issues, suitable polling place that complies with all requirements, easy to locate and easily accessible. The Council has used this venue for many years. It is in a good state of repair and all required checks (eg gas etc) are done annually. It complies with DDA requirements, has modern toilet facilities and a good kitchen. There is parking for official's cars inside the gates.	None required
Jane Groome St Marys Church Hall	BB4 and BC4 No issues, suitable polling place with disabled access, entry in and out by different doors for social distancing, easy to locate	None required
B A Rowell Tydd St Giles Community Centre	RD No issues, suitable as a polling place, easy to locate and accessible for all.	None required
Jakki Racey Whittlesey Library	DC2 – Whittlesey Library No issues, suitable as a polling place with plenty of space and good access, easy to locate and easily accessible.	None required
Chris Stevens Wisbech Community Development Trust	EG1 and EG2 Oasis Community Centre No issues, suitable as a polling place, easy to locate and easily accessible for all residents	None required
Joanne Hardy Wisbech St Mary Sports and Community Centre	PB No issues, suitable as a polling place, spacious hall, large car park, easy to locate and full disabled access.	None required

Received after deadline for response:

Alan Melton Manea Parish Council	HA Manea Parish Council are happy with the current polling place: Manea Village Hall	None Required
Sue Whittlesey Town Council	<p>DA1, DA2, DA3</p> <p>We understand the proposal would (except for 2021) move one of the polling stations from the Straw Bear Public House to Willow Court in Sorrel Avenue, and would change the configuration of the three polling districts. For residents in the Birds Estate this would result in far greater difficulty in accessing their polling station. In 2021 we would have the bizarre situation that half the residents in Plover Road would have a polling station fronting their road (at the Straw Bear) but they would be expected to walk right past that immediately adjacent polling station in order to vote in the Town Centre, a full ten or fifteen minutes walk away. Conversely, after 2021 half of the Birds Estate would need to find their way to Willow Curt to vote, which would be a very long journey for them even if they knew where Sorrel Avenue is (which most of them certainly do not). The Birds estate has a high proportion of more elderly voters.</p> <p>Whittlesey Town Council recommended that the current three polling stations should remain in use, but with slight variation to the existing three polling districts to reduce the average distance between residents' homes and the polling station where they are meant to vote"</p> <p>Whittlesey Town Council also recommend that DC 2 voters will vote at the library and not St Andrews hall, and DC1 will continue to vote at St Andrews Church Hall. This would only be for May 2021.</p>	Please see response in relation to these polling districts against Councillor Boden's comments.

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**FENLAND DISTRICT COUNCIL
SCHEDULE OF POLLING DISTRICTS AND POLLING PLACES**

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
BIRCH	AA	Birch Ward, Chatteris	Chatteris Library, Furrowfields Road Or if that polling place is unavailable Bricstan Hall, Church Lane or any within the polling district	No change
SLADE LODGE	AB	Slade Lode Ward, Chatteris	Quaker Way Residents Community Room Or if that polling place is unavailable Chatteris Children's Centre, Larham Way or any within the polling district	No change
THE MILLS	AC	The Mills Ward, Chatteris	The Masonic Hall, Huntingdon Road Or if that polling place is unavailable Chatteris Town Football Club Pavilion, West Street or any within the polling district	No change
WENNEYE	AD	Wenneye Ward, Chatteris	Emmanuel Church Hall, East Park Street Or if that polling place is unavailable King Edward Centre, Railway Lane or any within the polling district	No change
MARCH EAST	BA1	East Ward, March	Roman Catholic Church Hall, St Johns Road Or if that polling place is unavailable Mill View Scout Hut, Mill View or any other within the polling district	No change
	BA2	East Ward, March	Fleming Court Residents Community Room, off Smiths Drive Or if that polling place is unavailable First March Scout Hall, Badgeney Road/United Services Club, New Road or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
MARCH EAST	BA3	East Ward, March	March Child and Family Centre, Cavalry Drive Or if that polling place is unavailable Cavalry School, Cavalry Drive, March or any within the polling district	No change
	BA4	Eastwood Ward, March	March Child and Family Centre, Cavalry Drive Or if that polling place is unavailable Cavalry School, Cavalry Drive, March or any within the polling district	No change
	BA5	East Ward, March	St Peters Church Room, High Street Or if that polling place is unavailable St Peters Church, High Street or any within the polling district	No change
MARCH NORTH	BB1	North Ward, March	March Youth and Community Centre, Station Road Or if that polling place is unavailable a mobile polling station at March Youth and Community Centre, Station Road or any within the polling district	No change
	BB2	North Ward, March	St Johns Church Hall, Station Road Or if that polling place is unavailable Estover Road Playing Field Pavilion or any within the polling district	No change
	BB3	North Ward, March	GER, Robingoodfellows Lane Or if that polling place is unavailable March Town Football Clubhouse, Robingoodfellows Lane or any within the polling district	No change
	BB4	Rural North Ward, March	St Marys Church Hall, Wisbech Road, Westry Or if that polling place is unavailable GER, Robingoodfellows Lane or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
MARCH WEST	BC1	Central Ward, March	Rookwood Club, West End Or if that polling place is unavailable a mobile polling station in the polling district or any other venue within the polling district	No change
	BC2	South Ward, March	March Town Cricket Club, Burrowmoor Road Or if that polling place is unavailable March Library, City Road/Providence Baptist Church Hall, Burrowmoor Road or any within the polling district	No change
	BC3	South Ward, March	St Wendreda's Church Hall, Church Street Or if that polling place is unavailable Neale Wade Academy, Wimblington Road or any within the polling district	No change
	BC4	Rural South Ward, March	St Marys Church Hall, Wisbech Road, Westry Or if that polling place is unavailable March Town Cricket Club or any within the polling district	No change
BENWICK, COATES & EASTREA	CA	Benwick	Benwick Village Hall, High Street Or if that polling place is unavailable Benwick Primary School, High Street or any within the polling district	No change
	DE	Coates and Eastrea Ward, Whittlesey (Coates)	Coates Public Hall, 1 The Fold Or if that polling place is unavailable Coates Primary School, The Fold or any within the polling district	No change
	DF	Coates and Eastrea Ward, Whittlesey (Eastrea)	Eastrea Centre, Roman Gardens Or if that polling place is unavailable The Nags Head PH, Eastrea Road or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
BENWICK, COATES AND EASTREA	DG	Coates and Eastrea Ward, Whittlesey (Pondersbridge)	Pondersbridge Village Hall, Oilmills Road Or if that polling place is unavailable a mobile polling station in the polling district or any other venue within the polling district	No change
	DH	Coates and Eastrea Ward, Whittlesey (Turves)	The Three Horseshoes Inn, March Road Or if that polling place is unavailable a mobile polling station in the polling district or any other venue within the polling district	No change
	DI	Coates and Eastrea Ward, Whittlesey (Kings Delph)	St Johns Ambulance HQ, Plough Road Or if that polling place is unavailable a mobile polling station at St Johns Ambulance HQ, Whittlesey Baptist Church or any other venue within the polling district	No change
BASSENHALLY	DA1	Bassenhally Ward, Whittlesey	Straw Bear PH, Drybread Road Or if that polling place is unavailable Ivy Leaf Club, Gracious Street or any within the polling district For the Elections in May 2021, a mobile polling station in the car park of the Straw Bear PH will be used	Constable Close, Constable Crescent, Curlew Close, Davie Lane, Drybread Road (300), Godwit Close, Grebe Close, Gull Way, Heron Close, Kingfisher Road, Lapwing Drive, Mallard Close, Moorhen Road, Newlands Road, Plover Road, Redshank Close, Sandpiper Close, Skaters Street, Swallow Close, Swan Close, Swan Road, Teal Road
	DA2		Straw Bear PH, Drybread Road Or if that polling place is unavailable Ivy Leaf Club, Gracious Street or any within the polling district For the Elections in May 2021, the Straw Bear PH building itself will be used.	Anglers Avenue, Coronation Avenue (81-123 odds, 78-128 evens), Crescent Close, Crescent Road, Drybread Road (except 300), Feldale Place, Fenscape, Ferry Close, Ladysmith Avenue, Marshlands Drive, Moretons Close, Otago Close, Otago Road, Roman Close, The Close, Victory Avenue (57-75 odds, 50-72 evens), Wetland Way, Whiteacres

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
BASSENHALLY	DA3	Bassenhally Ward, Whittlesey	Ivy Leaf Club, Gracious Street Or if that polling place is unavailable Peel House, Queen Street or any within the polling district	Arnolds Lane, Bassenhally Court, Bassenhally Road, Cemetery Road (15-81 odds, 26-60 evens), Claygate, Delph Court, Delph Street, Delph, Doublet Drive, East Delph, Elm Park, Gale Gardens, George Gardens, Gilbert Close, Gracious Street, Hailward Gardens, Harpers Close, Harts Lane, Hemmerley Drive, High Causeway (37-67 odds, 50-72 evens), James Gardens, Low Cross(10-68 evens), Martin Court, Meadow View, Merefield View, Monks Close, Munday Gardens, Norman Close, Odin Close, Old Crown Lane, Oldfield Gardens, Orchard Street, Owls End, Pinewood Avenue, Reubens Yard, Richardson Way, Searles Court, Spire View, Stonald Road (11-49 odds), Syers Lane, The Baulk, The Paddocks, Viking Way, Wash Lane, Whitmore Street, Willow Lane, Windmill Street, Wittel Close
	DA4		Willow Court, Sorrell Avenue Or if that polling place is unavailable Peel House, Queen Street or any within the polling district For the Elections in May 2021, Peel House will be used to avoid conflict with vulnerable residents at Willow Court in a Covid situation.	Blunts Lane, Broad Street (10-24A evens), Cemetery Road (1-9 odds), Cornflower Close, Coronation Avenue (5-79 odds, 6-76 evens), Cowslip Close, Dandelion Drive, Eastgate (34-40 evens, Eastgate Court, Eastgate Mews), Eastrea Road (1-311 odds), Edgars Row, Foxglove Close, Guildenburgh Crescent, Harebell Close, High Causeway (5B-13 odds, 6-38 evens, Causeway Centre, Bruces Court, Lovells Court, Millers Court, Whit Court), Larkspur Way, Lattersey Close, 2-3 Market Place, Market Street (2A-44B evens, Market Street Mews), Queen Street, Sansom Gardens, Sorrell Avenue, Stanley Court, Teasel Close, Victory Avenue (1-55 odds, 2-48 evens), Violet Avenue
LATTERSEY	DB	Lattersey Ward, Whittlesey	Quinion Close Residents Community Room Or if that polling place is unavailable Manor Leisure Centre, Station Road or any within the polling district	No change
ST ANDREWS	DC1	St Andrews and St Marys North Ward, Whittlesey	St Andrews Parish Hall, Parkinson Lane Or if that polling place is unavailable Whittlesey Library, Market Street or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
ST ANDREWS	DC2	St Marys South Ward, Whittlesey	St Andrews Parish Hall, Parkinson Lane Or if that polling place is unavailable Whittlesey Library, Market Street or any within the polling district For the Elections in 2021, Whittlesey Library to be used as the polling station for this polling district.	No change
STONALD	DD	Stonald Ward, Whittlesey	St Johns Ambulance HQ, Plough Road Or if that polling place is unavailable a mobile polling station at St Johns Ambulance HQ, Whittlesey Baptist Church or any other venue within the polling district	No change
CLARKSON	EA	Clarkson Ward Wisbech	Robert Hall Centre, Lynn Road Or if that polling place is unavailable The Boathouse, Harbour Square or any within the polling district	No change
OCTAVIA HILL	EB1	Octavia Hill Ward, Wisbech	College of West Anglia (Isle Campus), Ramnoth Road Or if that polling place is unavailable Rosmini Centre, Queens Road or any within the Polling District	No change
	EB2		Awdry House, Ramnoth Road Or if that polling place is unavailable Thomas Clarkson Academy, Corporation Road or any within the polling district	No change
KIRKGATE	EC	Kirkgate Ward, Wisbech	Walsoken Village Hall, Kirkgate Street Or if that polling place is unavailable The Black Bear PH, Old Lynn Road or any within the polling district	No change
MEDWORTH	ED	Medworth Ward, Wisbech	Wisbech St Raphael Disabled Club, Love Lane Or if that polling place is unavailable Queen Mary Centre, Queens Road or any within the polling district	No change


WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
PECKOVER	EE	Peckover Ward, Wisbech	Wisbech Cricket & Hockey Club, Harecroft Road Or if that polling place is unavailable Barton Road Pavilion or any within the polling district	No change
STAITHE	EF	Staithe Ward, Wisbech	Meadowgate Academy, Meadowgate Lane Or if that polling place is unavailable another room or mobile polling station at Meadowgate Academy or any other venue within the polling District	No change
WATERLEES VILLAGE	EG1	Waterlees Village Ward, Wisbech	The Oasis Centre, St Michaels Avenue Or if that polling place is unavailable a mobile polling station at The Oasis Centre or any other venue within the polling district	No change
	EG2		The Oasis Centre, St Michaels Avenue Or if that polling place is unavailable a mobile polling station at The Oasis Centre, St Michaels Avenue or any within the polling district For Elections in 2021, another room at The Oasis Centre, will be used	Acacia Avenue (1-3 odds), Bath Road (1-87 odds, 2-66 evens), Bramley Road, Cherry Road, Coblands, Edinburgh Drive (2-90 evens), Gloucester Court, Goddard Crescent, Grosvenor Road, Haley Close, Hedgelands, Henson Close, Kinderley Road, Maple Avenue, Mount Pleasant Road (2-70 evens), Potter Court, Richard Young Close, St Michaels Avenue, Storbeck Road, Tindall Close (2-20 evens), Tinkers Drove (1-73 odds, Elton House), Worcester Road
	EG3		The Oasis Centre, St Michaels Avenue Or if that polling place is unavailable a mobile polling station at The Oasis Centre, St Michaels Avenue, a room at The Boathouse, Wisbech or any other venue within the polling district For the Elections on 6 May 2021, a room at The Boathouse will be used.	Acacia Avenue (2-46 evens, 5-37 odds), Bath Road (89-105 odds, Bath Bungalows), Brigstock Road, Conference Way, Crab Marsh, Edinburgh Drive (1-67 odds, 92-138 evens), Hawthorne Avenue, Lime Avenue, Mount Pleasant Road, Myles Way, Osborne Road, Savory Road, Southwell Road, Timber Yard Gardens, Tindall Close (5-33 odds, Newlands House), Weston Miller Drive

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
DODDINGTON & WIMBLINGTON	FA	Doddington	Doddington Village Hall, Benwick Road Or if that polling place is unavailable Doddington Scout Hall, Benwick Road or any within the polling district	No change
	KA	Wimblington	Wimblington Parish Hall, Addison Road Or if that polling place is unavailable Parkfield Sports Centre, Chapel Lane or any within the polling district	No change
	KB	Wimblington (Stonea)	The Golden Lion Public House, Sixteen Foot Bank Or if that polling place is unavailable Skylark Centre, Manea Road or any within the polling district	No change
ELM & CHRISTCHURCH	GA	Elm & Friday Bridge Ward, Elm (Friday Bridge)	Fridaybridge Tower Hall, Maltmas Road Or if that polling place is unavailable Friday Bridge Primary School, Maltmas Road or any within the polling district	No change
	GB	Elm & Friday Bridge Ward, Elm (Elm)	Elm Centre, Main Road Or if that polling place is unavailable Elm Parish Council Offices or any within the polling district	No change
	GC	Coldham Ward, Elm	A mobile polling station at Coldham Playing Field, Station Road Or if that polling place is unavailable a mobile polling station in the polling district or any other venue within the polling district	No change
	GD	Rings End Ward, Elm	Play2Day, The Old Station Yard, Gull Road Or if that polling place is unavailable The Oliver Twist, High Road or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
ELM & CHRISTCHURCH	GE	Christchurch	Christchurch Community Centre Or if that polling place is unavailable Townley Primary School, Crown Road or any within the polling district	No change
MANEA	HA	Manea	Manea Village Hall, School Lane Or if that polling place is unavailable Manea British Legion, East Street or any within the polling district	No change
PARSON DROVE & WISBECH ST MARY	PA	Parson Drove	Parson Drove Village Hall, Main Road Or if that polling place is unavailable Parson Drove Pavilion, Main Road or any within the polling station	No change
	PB	Wisbech St Mary Ward, Wisbech St Mary Wisbech St Mary)	Wisbech St Mary Sports and Community Centre, Beechings Close Or if that polling place is unavailable Wisbech St Mary Academy, Church Road or any within the polling district	No change
	PC	Murrow Ward Wisbech St Mary (Murrow)	Murrow Village Hall, Murrow Bank Or if that polling place is unavailable The Bell Inn, Murrow Bank or any within the polling district	No change
	PD	Wisbech St Mary Ward, Wisbech St Mary (Guyhirn)	Play2Day, The Old Station Yard, Gull Road Or if that polling place is unavailable The Oliver Twist, High Road or any within the polling district	No change
	PE	Wisbech St Mary Ward, Wisbech St Mary (Thorney Toll)	Thorney Toll Village Hall, Main Road Or if that polling place is unavailable a mobile polling station in the polling district or any other venue within the polling district	No change
ROMAN BANK	RA	Gorefield	Gorefield Community Hall, Wolf Lane Or if that polling place is unavailable Gorefield Village Hall, Gote Lane or any within the polling district	No change

WARD	POLLING DISTRICT LETTERS	PARISH/TOWN	POLLING PLACE	DESCRIPTION OF POLLING DISTRICT (changed polling districts only)
ROMAN BANK	RB1	Leverington	Leverington Village Hall, Gorefield Road Or if that polling place is unavailable Leverington Sports and Social Club, Church Road or any within the polling district	Bledwick Drove, Carlton Close, Chapter Gardens, Church End, Church Road (100,102), Fendyke Lane, Glendon Gardens, Gorefield Road, Gull Lane, Ivesdyke Close, Kentra Close, Knights Close, Leafere Way, Leverington Common (142-218 evens), Littlechild Drive, Mays Lane (Ansted-Mayville), Maysfield Drive, Mitchell Gardens, Park Lane, Parson Drove Lane, Perry Road, Popes Lane, Richmond Way, Ringers Lane (Ashwell House, East View, Leonard House, Orchard House, The Chimes, The Ridge), Roman Bank, Roman Court, Seafield Road, St Leonards Road, Stables Court, Sutton Meadows, Sutton Road (49-125 odds, Springvale Mobile Homes, named properties), Troughton Way, Walton Road, Woodgate Road
	RB2	Leverington	Leverington Sports and Social Club, Church Road Or if that polling place is unavailable Leverington Village Hall, Gorefield Road or any within the polling district	Anderson Close, Bank Drive, Chaucer Close, Christopher Drive, Church Road (1-43 odds, 6-28 evens), Crown Close, Donington Park, Dowgate Road, Farriers Court, Gadds Lane, Hawthorne Gardens, Horseshoe Terrace, Keillers Close, Lancewood Gardens, Leverington Common (19-143 odds, 2-140 evens), Leverington Road (142-198 evens), Little Dowgate, Malvern Gardens, Mays Lane (Almond Cottage-Chandos), Milton Drive, Mountbatten Drive, Munday Way, Orchard Close, Orchard Gardens, Oxburgh Close, Pear Tree Crescent, Peatlings Lane, Popes Lane, Ringers Lane, River Terrace, Short Lane, Sutton Road (1-45 odds, 2-104 evens), The Chase, The Paddocks, The Still
	RC	Newton-in-the-Isle	Newton-in-the-Isle Village Hall, Church Lane Or if that polling place is unavailable St James Church, Church Lane or any within the polling district	No change
	RD	Tydd St Giles	Tydd St Giles Community Centre, Broad Drove East Or if that polling place is unavailable Kinderley Primary School, Church Lane or any within the polling district	No change

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Agenda Item No:	10	
Committee:	Council	
Date:	14 December 2020	
Report Title:	Members' Allowances Scheme Review Scope	

1. PURPOSE/SUMMARY

- 1.1. For Council to agree the scope and terms of reference for the forthcoming review of the Member Allowances Scheme by an Independent Remuneration Panel.

2. KEY ISSUES

- 2.1. The Local Authorities (Member Allowances) (England) Regulations 2003 require Councils to make a scheme of Member Allowances and establish an Independent Remuneration Panel to make recommendations to the Council about the scheme.
- 2.2. The Regulations require that a scheme of allowances must include a basic allowance, payable to all members, and may include provision for the payment of special responsibility allowances as well as childcare and dependent carers' allowances.
- 2.3. The Local Government Act 1972 stipulates the provision of the payment of travel and subsistence allowances. Expenses for the Chairman and Vice-Chairman of the Council also fall under this Act.
- 2.4. The current Member Allowances scheme was implemented following a review by the Independent Remuneration Panel in November 2019. A review must be completed at least every 4 years, however one of the recommendations resulting from the previous Independent Remuneration Panel was that the next review of Members' Allowances is to take place no later than 18 months from the date of the November 2019 review in order to monitor both the commitments required of Members in relation to the Cambridgeshire and Peterborough Combined Authority (CPCA) in addition to any impact from the implementation of the Commercial and Investment Strategy.
- 2.5. The Council is under a duty to have regard to the recommendations of an Independent Remuneration Panel when agreeing its Members Allowances Scheme. The Independent Remuneration Panel will make its recommendations to Full Council following a full Member consultation

3. RECOMMENDATIONS

It is recommended that Council:

- 3.1. Agree the scope of the Member Allowances Scheme review as set out within the report

- 3.2. Agree that should any member of the existing Independent Remuneration Panel (IRP) be unavailable to fulfil the requirements and timescales associated with the current review of Member allowances, that the process for appointment and final selection of any outstanding Independent Remuneration Panel member is delegated to the Monitoring Officer and Head of Legal and Governance in consultation with Group Leaders.

Wards Affected	All
Forward Pan Reference	N/A
Portfolio Holder(s)	N/A
Report Originator(s)	<p>Peter Catchpole – Corporate Director and S151 Officer Petercatchpole@fenland.gov.uk 01354 622201</p> <p>Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360</p> <p>Anna Goodall - Head of Governance and Legal Services agoodall@fenland.gov.uk 01354 622357</p>
Contact Officer(s)	<p>Paul Medd – Chief Executive</p> <p>Peter Catchpole – Corporate Director and S151 Officer</p> <p>Carol Pilson - Corporate Director and Monitoring Officer</p> <p>Anna Goodall - Head of Governance and Legal Services</p>
Background papers	<p>Constitution</p> <p>The Local Authorities (Member Allowances) (England) Regulations 2003</p>

4. THE INDEPENDENT REMUNERATION PANEL

- 4.1 An Independent Remuneration Panel (IRP) consisting of three individuals members,

- Amanda Orchard – Marketing Consultant, Magistrate - Chairman of the IRP Panel.
- Gerard Dempsey - Business Consultant, Magistrate and former CEO of national business chains
- Carol Hart - Local Resident with previous experience of Scrutiny and IRP's within health settings.

were recruited in 2019. It was agreed at that time that the panel were to be appointed for an initial three year period, to be reviewed in 2022. When

appointing the Remuneration Panel the requirements set out in The Local Authorities (Member Allowances) (England) Regulations 2003 were adhered to.

- 4.1. Should any member of the existing of the IRP be unavailable to fulfil the requirements and timescales associated with the current review of Member allowances then it is recommended that the process for appointment and final selection of any outstanding Independent Remuneration Panel member is delegated to the Monitoring Officer and Head of Legal and Governance in consultation with Group Leaders.


5. THE REVIEW

- 5.1. It is suggested that the Independent Remuneration Panel be given the following general Terms of Reference, which are limited in their scope and reflect the focus that the Independent Remuneration Panel identified should be the emphasis of the interim review, prior to the next statutory review. The scope is based upon the regulations subject to the views of Members:
- 5.1.1. To make recommendations about the roles and responsibilities for which a Special Responsibility Allowance should be payable and the amount of each such allowance including roles associated with the Cambridgeshire and Peterborough Combined Authority, Investment Board and in relation to any changes to Committee responsibilities.
 - 5.1.2. To determine any other issue covered by the 2003 Regulations including whether annual adjustments should be made to allowance levels by means of an index and, if so, for how long such a measure should last, up to a maximum period of 4 years;
 - 5.1.3. To report any recommendations to Council as soon as is reasonably practicable following member engagement and completion of the review, no later than July 2021;
 - 5.1.4. To compare and contrast schemes in existence at other Councils.
- 5.2. Following completion of the review, the Monitoring Officer will prepare a revised Scheme of Allowances reflecting the recommendations made for consideration and approval by Full Council alongside the report of the Independent Panel.

6. PUBLICITY

- 6.1. The Regulations place certain duties on local authorities in connection with publicising the recommendations made by their Independent Remuneration Panel. The Council will follow the guidance in ensuring the regulations are met in relation to publicity which includes publicising the report of the panel, the scheme of allowances and the sums paid to each member on an annual basis.
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Agenda Item No:	11	
Committee:	COUNCIL	
Date:	14 December 2020	
Report Title:	Revised Statement of Licensing Policy Document - Licensing Act 2003	

1 Purpose / Summary

- To adopt the Statement of Licensing Policy for the period of 2021 - 2026

2 Key issues

- The last policy was adopted by Council on 12 May 2016.
- The legislation states that the policy should be reviewed every five years
- On 17 September 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/g2481/Printed%20minutes%2017th-Sep-2020%2011.30%20Licensing%20Committee.pdf?T=1>
- The consultation for the draft policy took place from 21 September 2020 until 15 November 2020
- Three consultation responses were received in respect of the draft policy, all were in support of the draft policy being approved.
- 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/g2482/Public%20reports%20pack%2003rd-Dec-2020%2010.00%20Licensing%20Committee.pdf?T=10>
- On 03 December 2020, 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/documents/g2482/Printed%20minutes%2003rd-Dec-2020%2010.00%20Licensing%20Committee.pdf?T=1>
- Licensing Committee agreed that the policy set out in **Appendix A** should be adopted. The appendix shows the changes (as track changes and comments) from the last policy adopted in 2016.

3 Recommendations

That Council:

- Adopt the Statement of Licensing Policy 2021 - 2026 as set out at APPENDIX A

Wards Affected	All Wards
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Sam Clark, Portfolio Holder with responsibilities for Licensing
Report Originator(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk
Contact Officer(s)	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)	Licensing Act 2003, Section 182 Guidance The Council's Licensing Policy Statement Current Licensing Policy Government Policies and Guidance

1 Background / introduction

- 1.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Licensing Policy under the Licensing Act 2003 every five years.
- 1.2 The current policy was adopted at Full Council and came into effect on 12 May 2016.
- 1.3 The Licensing Act 2003 requires each Licensing Authority to prepare and publish a Statement of Licensing policy under the Licensing Act. The statement sets out how the authority intends to approach its licensing responsibilities and how it intends to promote the four licensing objectives namely:
 - the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm
- 1.4 The Licensing Policy is to be renewed every five years and the draft policy will cover the period of 2021 - 2026
- 1.5 On 17 September 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/g2481/Printed%20minutes%2017th-Sep-2020%2011.30%20Licensing%20Committee.pdf?T=1>

2 Considerations

- 2.1 The consultation on the draft Statement of Licensing Policy took place from 21 September 2020 until 15 November 2020.
- 2.2 All Responsible Authorities were notified by email of the draft Licensing Policy. Notification of the draft policy was also given to Town/Parish Councils, made available on our Council's website and in the Customer Service centres.
- 2.3 The draft policy was publicised in the local newspaper and promoted on social media using Facebook/Twitter.
- 2.4 Responsible Authorities, resident associations and other public consultees were invited to comment on the draft policy.
- 2.5 Three responses were received, one from a member of public and the other two from Responsible Authority Officers.... FDC Env Health and Public Health, all of which are in support of the draft policy to be approved. The details of the response can be seen below.

Response 1

On the whole I am impressed by the document but have 2 concerns which I may have misread or misunderstood,

1. Page 9 item 1.4 reduce the supply and use of illegal drugs in licensed premises

Surely that should read Stop the supply and use of illegal drugs in licensed premises, it implies that some drugs will be allowed and that can't be right, the license holder & staff have a duty to make sure the premises are not used for that. If the Landlord or Licensee do nothing that is wrong, they should be actively engaged in stopping it being used in their premises.

2. Page 32 item 6.7 Review of Licenses use of licensed premises for the sale and distribution of Class A drugs and or laundering of the proceeds of drug crimes.

Shouldn't that be use of licensed premises for the sale and distribution of all illegal drugs, ie not just Class A, class B & C shouldn't be allowed either.

Response 2

I have no representations

Response 3

I am have read the consultation and I supportive of the Policy

- 2.6 In response to the feedback the wording for these two points have been amended and reflect the changes to the draft policy.

3 Community impact

- 3.1 Community Impact Assessment was undertaken in relation to the draft policy for the Statement of Licensing Policy. The impact assessment can be seen at **APPENDIX B**.

4 Conclusions

- 4.1 The recommendation to the Licensing Committee is to:
- Recommend to Full Council that it adopts the revised Statement of Licensing Policy as attached at **APPENDIX A** of the report.

Policy title: Statement of Licensing Policy

Effective from 2021 - 2026



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Summary of Changes

Section	Title	Comments/Updates
1.1, 1.3 & 1.4	Introduction	New Sections added to explain the policy
4	Links to Strategies and Plans	New section added for into of GDPR under the DPA 2018
5.3	Licensing Committee	New Section added to further explain the process
5.6	Licence Conditions	Addition of wording to clarify
5.7	Shadow Licence	New section added to update applicants
5.8	Licensing Hours	New section added to update applicants
5.10	Large scale events	New section added to update applicants
5.11	Personal Licence	Updated to include Home Office as a Relevant Authority
6.4	Inspection of Licensed Premises	New section to reflect the Responsible Authority Officer group (RAO) and inspection programme.
6.5	Complaints regarding Licensed Premises	New section to explain the process
6.6	Annual Fees	New Section added to remind applicants of the yearly fee required
6.7	Review of licenses	New section to explain the process
6.8	Crime & Police Act 2014	New Section updated to include the legislation
6.8	Immigration Act 2016	New Section added to include the legislation
7.1	CumulativeCumulative Impact Policy	Amended wording to reflect the change in the Licensing Act 2003
7.4	Special Policy - PSPO's	Section added to reflect the Public Spaces Protection order's (PSPO's)
8	Further Guidance	Updated section - Added the website and Email address Reflection of the paid Pre-Application service that is available.

Published: - TBC

Effective: - 01 January 2021

DRAFT

Preface

This Statement of Licensing Policy has been prepared by Fenland District Council acting as the licensing authority under section 5 of the Licensing Act 2003. It represents the authority's policy with respect to the exercise of its licensing functions for the licensing of the sale and supply of alcohol, certain forms of entertainment and the provision of late night refreshment

This statement of licensing policy will be kept under review throughout its period of validity and amended as considered necessary. Any amendments will be subject to consultation, with the exception of changes that may be required in line with legislation requirements.

The statement ~~comes into~~^{takes} effect from 01 January 2021 and will be scheduled for review in 2026~~12 May 2016~~.

The Act has introduced greater flexibility for the entertainment industry, which can have a positive impact upon local communities in Fenland. This is balanced by tougher controls for the police and the licensing authority and an opportunity for other businesses and residents to raise concerns in the event of those greater freedoms having an adverse effect on our communities.

~~The licensing authority consulted widely in the preparation of the Statement and took into account the views submitted in its adoption.~~

Fenland District Council covers an area of 54,645 hectares and is situated in the north-east of Cambridgeshire between the larger and contrasting centres of Cambridge, Peterborough, King's Lynn and Huntingdon. The area is predominantly rural in character with four market towns at Chatteris, March, Whittlesey and Wisbech plus a number of villages and hamlets. It has a population of approximately 95,262.

Fenland district offers a wide and developing variety of culture, history, businesses, recreation and dwellings with transport infrastructure provided by the mainline railway to London, Peterborough, Cambridge and Stansted Airport, and local bus services.

1 INTRODUCTION

1.1 Foreword

The licensing regime implemented by the Act and operated by Fenland District Council as licensing authority is about the appropriate control of licensed premises, qualifying clubs and temporary events. It also covers the people who manage these premises or hold personal licences within the terms of the Act. Applications covered by the Act and relevant to this statement include:

- personal licences
- premises licences – including provisional statements
- variations
- transfers
- interim authorities
- temporary events
- club premises certificates
- designated premises supervisors

Fenland District Council is the “Licensing Authority” under the Licensing Act 2003 and is responsible for granting premises licences, club premises certificates, personal licences and authorising temporary event notices in the district in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment.

Each application will be determined on its own merits having regard to the licensing objectives; relevant guidance including that issued under Section 182 of the Licensing Act 2003, and local criteria.

However, it should be recognised that this policy covers a wide variety of premises and activities undertaken therein, including theatres, cinemas, restaurants, pubs, nightclubs, private members’ clubs, village halls and community centres, as well as off-licences and late night food premises and vehicles selling hot food or hot drink after 23:00 hours. For this reason, it is not practical to detail all the possible factors that could influence the achievement of the licensing objectives in any given scenario.

1.2 Licensing Committee

The Licensing Act gained Royal Assent on 10 July 2003 and replaced regimes previously administered by either the Licensing Justices or the local authority with a unified system of licensing under the control of the local authority. The new regime came into effect on 24 November 2005. The council set up a Licensing Committee as part of these changes

The Licensing Authority is required to discharge its licensing function through a committee of between 10 and 15 members known as the Licensing Committee. The

Council has appointed a Licensing Committee compatible with this requirement and a Licensing Sub-Committee has been established to determine applications. The quorum of the Sub-Committee is three of members, which operates on the basis of convening panels of 3 members drawn from the 12 members.

No licensing functions may be discharged by the Council's executive. The vast majority of licensing functions cannot be undertaken by the Council itself, but are the responsibility of a special Licensing Committee which has been established by the Council. The responsibilities and powers are detailed in the Act. Fenland's statutory Licensing Committee comprises twelve councillors appointed by the whole Licensing Authority, that is, the Full Council.

1.3 Licensing Function

The licensing authority recognises that the provision of entertainment is a major contributor to the economy of the council's area. It makes for a vibrant and attractive area, which subsequently has a positive effect on employment. The licensing authority also recognises that owners and occupiers of commercial premises have a legitimate expectation of an environment that makes and keeps their businesses sustainable.

The licensing authority welcomes the opportunity to encourage the development of the cultural, artistic, leisure and hospitality sectors in Fenland. It will assist all applicants in endeavouring to meet their aspirations within the law.

The licensing authority also has regard to wider considerations affecting the residential population and the amenity of any area. These include dropping litter and street fouling, noise and street crime. It is, however, recognised that the licence holder has limited control over individuals once they are away from the premises.

The licensing authority recognises that the diverse range of licensed premises throughout Fenland makes a major contribution to attracting both initial and repeat visitors to both the historic localities, and diverse venues.

1.4 Key Aims

The key aims of this statement of licensing policy are for the council as the licensing authority to:

- Promote and give precedence to the licensing objectives.
- Recognise the need to assist in building a fair, vibrant, and prosperous society in Fenland that properly balances the rights of residential communities, the business sector and other relevant parties.
- Secure the safety and amenity of residential communities whilst facilitating a sustainable, diverse, entertainment and hospitality sector in Fenland.
- Integrate its aims and objectives with other initiatives that will:
- create an attractive and vibrant area, which has a positive effect on employment

- reduce local crime, disorder and anti-social behaviour
- reduce alcohol harm
- stop the supply and use of illegal drugs in licensed premises
- encourage the self-sufficiency of local communities
- reduce the burden of unnecessary regulation on businesses and promote self-help
- reduce the health impacts of alcohol misuse and dependence; reduce the impact of alcohol related incidences on Emergency Services
- continue its commitment to working in partnership with other agencies and organisations through both formal and informal arrangements towards the promotion and achievement of the objectives set out in this policy
- give direction to applicants, so that they can make informed decisions in respect of their own ventures.

When assessing applications, the Licensing Authority must be satisfied that the measures proposed in the applicant's operating schedule aim to achieve the four licensing objectives

However, it should be recognised that this policy covers a wide variety of premises and activities undertaken therein, including theatres, cinemas, restaurants, pubs, nightclubs, private members' clubs, village halls and community centres, as well as off-licences and late night food premises and vehicles selling hot food or hot drink after 23:00 hours. For this reason, it is not practical to detail all the possible factors that could influence the achievement of the licensing objectives in any given scenario.

2 LICENSING OBJECTIVES

The 2003 Act requires the Licensing Authority to undertake its various licensing functions in a manner that promotes the four licensing objectives.

These are

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

These objectives are the only matters to be taken into account in determining the application and any conditions to be attached must be necessary to achieve the licensing objectives.

In respect of each of the four licensing objectives, applicants will need to provide evidence to the Licensing Authority that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style and characteristics of their premises and events. Reference will need to be made to whether additional measures will be taken on an occasional or specific basis such as when a special event or promotion is planned, which is intended to, or likely to attract, larger audiences.

The section below sets out the Local Authority policy in relation to each objective:

2.1 Prevention of Crime and Disorder

The District Council acknowledges that the Police are the main source of advice on Crime and Disorder

Fenland District Council is committed to improving further the quality of life for the people of the district by continuing to reduce crime and the fear of crime.

Section 17 of the Crime and Disorder Act 1998 introduced a wide range of measures for preventing crime and disorder and imposed a duty upon Fenland District Council, Cambridgeshire Police, Cambridgeshire County Council and others to consider crime and disorder reduction in the exercise of all their duties. The Licensing Act 2003 reinforces this duty for local authorities.

The promotion of the licensing objective to prevent crime and disorder places a responsibility on licence holders to become key partners in achieving this objective. Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to reduce or prevent crime and disorder on and in the vicinity of their premises, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of crime and disorder, the applicant should demonstrate that those factors that impact upon crime and disorder have been considered. These could include

- under-age drinking
- drunkenness on premises
- public drunkenness
- drugs
- violent behaviour
- anti-social behaviour.

Within the operating schedule for premises from which alcohol will be sold, the premises licence holder must specify a personal licence holder as the 'Designated Premises Supervisor' (DPS). The Licensing Authority will normally expect the premises licence holder to give the DPS the day-to-day responsibility for running the premises.

Although there is no legal obligation for the DPS to be on the premises at all times, the Licensing Authority acknowledges that the premises licence holder and the DPS, in particular with regard to the sale of alcohol, remain responsible at all times, including in their absence from the premises, for compliance with the terms of the Licensing Act 2003 and conditions attached to the premises licence to promote the licensing objectives.

In addition to the DPS holding a personal licence, the Licensing Authority would strongly encourage the DPS to undergo additional training and to have experience commensurate with the nature and style of entertainment provided and the capacity of the premises.

Whilst the Licensing Act 2003 requires each sale of alcohol to be made or authorised by a personal licence holder, there is no requirement for every sale to be made by a personal licence holder or for them to be personally present at every transaction. In determining whether real authorisation is given, the Guidance issued by the Secretary of State encourages the practice of an overt act of authorisation, such as a specific written statement being given by personal licence holders to persons not holding a personal licence to make sales of alcohol in their absence.

Certain temporary events are not required to be licensed but can be notified to the Licensing Authority using the Temporary Event Notice procedure. However, depending upon the nature and location of such events, these can have serious crime and disorder implications.

Organisers of these events are encouraged to submit their notification as soon as reasonably practicable, giving at least ten working days minimum statutory notice, to enable the police and the Licensing Authority to work with them to identify and reduce the risk of crime and disorder. The Licensing Authority acknowledges that 'ten working days' notice means ten working days exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.

2.2 Public Safety

Fenland District Council is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. To this end, applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety, relevant to the individual style and characteristics of their premises and events.

Licence holders have a responsibility to ensure the safety of those using their premises as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

When addressing the issue of public safety, an applicant must demonstrate that those factors that impact upon the standards of public safety have been considered.

The following non exhaustive examples of good management practice are given to assist applicants who may wish to take account of them when preparing their operating schedule, having regard to their particular type of premises and/or activities:

- suitable and sufficient risk assessments
- effective and responsible management of premises

- provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
- appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons
- adoption of best practice guidance (e.g. licensing trade voluntary codes of practice, including those relating to drinks promotions)
- provision of effective CCTV in and around premises
- The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The District Council expects applicants to consider these when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

2.3 Prevention of Public Nuisance

Licensed premises have a significant potential to impact adversely upon communities through public nuisances that arise from their operation. Fenland District Council wishes to maintain and protect the amenity of residents and other businesses from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

The Licensing Authority intends to interpret "public nuisance" in its widest sense and takes it to include such issues as noise, light, odour, litter and anti- social behaviour, where these matters impact upon those living, working or otherwise engaged in normal activity in an area.

In the case of shops, stores and supermarkets selling alcohol, the Licensing Authority will normally permit the hours during which alcohol is sold to match the normal trading hours unless there are exceptional reasons relating to disturbance or disorder.

Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events.

When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship
- the hours of opening, particularly between 23.00 and 07.00
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and, in particular, the presence of noise-limiting features

- the availability of public transport
- 'wind down period' between the end of the licensable activities and closure of the premises
- last admission time.

The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- effective and responsible management of premises
- appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, e.g. to ensure customers leave quietly
- control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries
- adoption of best practice guidance (e.g. licensing trade voluntary codes of practice, including those relating to drinks promotions)
- installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices
- management of people, including staff, and traffic (and resulting queues) arriving and leaving premises
- liaison with public transport providers
- siting of external lighting, including security lighting
- management arrangements for collection and disposal of litter
- effective ventilation systems to prevent nuisance from odour.

2.4 Protection of Children From Harm

It is an offence under the 2003 Act to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

In addition it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate, or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity.

Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises.

It is not intended that the definition 'exclusively or primarily' in relation to the consumption of alcohol should be applied in a particular way by reference to turnover, floor space or any similar measure. The expression should be given its ordinary and natural meaning in the context of the particular circumstances. It will normally be quite clear that the business being operated at the premises is predominantly the sale and consumption of alcohol. Mixed businesses may be harder to pigeonhole and we would advise operators to consult with enforcement agencies where necessary about their respective interpretations of the activities taking place on the premises before any moves are taken which may lead to prosecution

The protection of children from harm is a most important issue. It is hoped that family-friendly premises will thrive but the risk of harm to children remains a paramount consideration when determining applications.

The general relaxation in the Licensing Act giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family-friendly leisure. Clearly, this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and others accompanying children also have responsibilities.

The protection of children from harm includes the protection of children from moral, psychological and physical harm and in relation to the exhibition of films, or transmission of programs or videos. This includes the protection of children from exposure to strong language and sexual expletives. In certain circumstances, children are more vulnerable and their needs will require special consideration.

Conditions requiring the admission of children to any premises cannot be justified and will not be attached to licenses or certificates.

The Licensing Authority considers that, on the one hand, there should be no presumption of giving children access or, on the other hand, no presumption of preventing their access to licensed premises. The Licensing Authority has no intention of imposing conditions requiring the admission of children and where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee or club, or person who has given a temporary event notice.

Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events.

Whilst children may be protected adequately from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact upon harm to children have been considered. Areas that will give particular concern in respect of children include:

- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with evidence of under-age drinking
- with a known association with drug taking or dealing

- where there is a strong element of gambling on the premises, and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. No other conditions concerning the presence of children on premises will be imposed by the District Council in these circumstances.

The District Council recognises the Cambridgeshire Safeguarding and Standards Unit as the lead responsible authority in relation to the protection of children from harm.

The following examples of control measures are given to assist applicants and are considered to be amongst the most essential that applicants should take account of in their operating schedule, having regard to their particular type of premises and/or activities:

- effective and responsible management of premises
- provision of a sufficient number of people employed or engaged to secure the protection of children from harm
- appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm
- adoption of best practice guidance (e.g. licensing trade voluntary codes of practice, including those relating to drinks promotions)
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of PASS accredited 'proof of age' cards and/or 'new type' UK driving licences with photographic ID
- measures to ensure that children do not purchase, acquire or consume alcohol
- measures to ensure that children are not exposed to incidences of violence or disorder.

These examples can be adopted in any combination.

In the case of film exhibitions, the Licensing Authority will expect licence and certificate holders and those who have given notice of a temporary event within the terms of the 2003 Act to implement measures that restrict children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or Fenland District Council. In the case of a film exhibition that has not been classified, the Licensing Authority will expect the licensee to conduct an assessment of the

suitability of the film for exhibition to children and to implement measures that restrict viewing by children if necessary

3 STATEMENT OF LICENSING POLICY

The 2003 Act further requires that the Licensing Authority publishes a 'Statement of Licensing Policy' which sets out the policies that the Licensing Authority will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

The Licensing Authority for Fenland ('the Council') makes this Statement of Licensing Policy in accordance with section 5 of the Licensing Act 2003 ('The Act').

The policy sets out how Fenland will exercise its licensing functions. Licensing functions are the duties and powers of the Council in its capacity as 'the Licensing Authority'. ~~No licensing functions may be discharged by the Council's executive. The vast majority of licensing functions cannot be undertaken by the Council itself, but are the responsibility of a special Licensing Committee which has been established by the Council. The responsibilities and powers are detailed in the Act. Fenland's statutory Licensing Committee comprises twelve councillors appointed by the whole Licensing Authority, that is, the Full Council.~~

The licensing authority under the Licensing Act 2003 and is responsible for the licensing of licensable activities as defined under the Act.

These are:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- The provision of regulated entertainment;
- The provision of late night refreshment (i.e. the supply of hot food or hot drink between 11pm & 5am).

3.1 Regulated Entertainment

This is where the entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience. The descriptions of entertainment are:

- A performance of a play,
- An exhibition of a film,
- An indoor sporting event,
- A boxing or wrestling entertainment,
- A performance of live music,
- Any playing of recorded music,
- A performance of dance,

Entertainment of a similar description to a performance of live music, recorded music or performance of dance.

~~2.5 — This policy shall apply to all applications and notices given under the Act in respect of the following:~~

- ~~• Premises licences;~~
- ~~• Club Premises Certificates;~~
- ~~• Personal Licences;~~
- ~~• Temporary Event Notices~~

3.2 Other Legislation

This policy statement will not seek to regulate matters which are provided for in other legislation e.g. planning, health & safety, fire safety etc.

The Secretary of State has provided guidance on the relationship between planning and licensing stating that they are separate regimes. Where the Licensing Authority receives relevant representations that a licensing proposal is contrary to a planning consent and that to grant a licence for such activity would be likely to affect the licensing objectives then a refusal, or the attaching of conditions to prevent such a use until the position has been regularised may be appropriate. It would be expected that a responsible and prudent applicant would ensure that an appropriate planning consent was in place before submitting a licence application.

3.3 Policy Consultation

This 'Statement of Licensing Policy' has been prepared in accordance with the provisions of the 2003 Act and having regard to the Home Office Guidance issued under Section 182 of the Act.

The 2003 Act further requires the Licensing Authority to monitor, review, and, where appropriate, amend its Statement of Licensing Policy

Before determining its policy for any five year period, the Licensing Authority will consult the community and in particular:

- a) The chief officer of police for the area (Cambridgeshire Constabulary);
- b) The fire authority for the area (Cambridgeshire Fire and Rescue Service);
- c) Persons/bodies representative of local holders of premises licences;
- d) Persons/bodies representative of local holders of club premises;
- e) Persons/bodies representative of local holders of personal licences; and
- f) Persons/bodies representative of businesses and residents in its area.

The views of all these persons/bodies listed will be given appropriate weight when the policy is determined. It is recognised that it may be difficult to identify persons or bodies' representative for all parts of industry affected by the provisions of the 2003 Act, but the Licensing Authority will make reasonable efforts to identify persons or bodies concerned.

The consultation process was conducted by way of an email to those identified and also via publication on the council's website. Responses received were listed on a matrix document and each point made was given due consideration

In determining its policy, the Licensing Authority will have regard to the guidance issued under Section 182 of the Licensing Act 2003 ~~and give appropriate weight to the views of those it has consulted.~~

This Statement of Licensing Policy was reviewed in 2020~~16~~, circulated for consultation between ~~10 Februaryxx~~ 2020~~16~~ and ~~9 Marchxx~~ 2020~~16~~ prior to being ratified by Council on ~~12 Mayxx~~ 2020~~16~~

2.63.4 Disclaimer

Advice and guidance contained in the Statement of Licensing Policy is intended only to assist readers and should not be regarded as legal advice. Readers are strongly advised to seek their own individual legal advice if they are unsure of the requirements of the Licensing Act 2003 or of the Guidance or Regulations issued under the Act.

2.73.5 Consultation Stake Holders

There are a number of groups which have a stake in the leisure industry, including providers, customers, residents and enforcers, all of which have views and concerns that require consideration as part of the licensing function and promotion of the licensing objectives.

In developing this policy statement, the Licensing Authority consulted widely. Along with the statutory consultees (the Responsible Authorities), the views of existing licence holders, businesses, voluntary groups and residents were also taken into account. Due consideration was given to the views of all those who responded to that consultation process.

2.93.6 Need for Licensed Premises

There can be confusion about the difference between "need" and the "cumulative impact" of premises on the licensing objectives. "Need" concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a Licensing Authority in discharging its licensing functions or for its Statement of Licensing Policy.

4 LINKS TO STRATEGIES AND PLANS

3 Links to other Strategies

In preparing this Statement of Licensing Policy, the Licensing Authority has had regard to and consulted with those involved in Fenland District Council's local strategies on crime prevention, planning, transport, culture, tourism, community, eGovernment and economic development, to ensure the proper co-ordination and integration of the aims and actions of these policies. Review and amendment of these strategies will be considered for their impact upon this Statement of Licensing Policy.

This Statement of Licensing Policy will have key links to Cambridgeshire's Health & Wellbeing Board, [the Clinical Commissioning Groups emerging Primary Care Network](#)

and [Fenland District Council's Health and Wellbeing Strategy](#), local work undertaken by the Fenland Health and Wellbeing Partnership. Public Health has been working closely with representations from Fenland District Council and Fenland Community Safety Partnership to work collaboratively to address alcohol misuse and we welcome an inclusion of the role of this partnership and associated strategies in this section.

The Licensing Authority recognise that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

[The Licensing Authority also recognises its responsibilities under the Data Protection Act 2018, and the General Data Protection Regulation \(GDPR\) when it comes to handling and storing personal data, and has created a data retention and sharing policy which is available via the Council's website](#)

5 LICENSING PROCESS

3.45.1 Applications - Overview

When considering applications, the Licensing Authority will have regard to

- the Licensing Act 2003 and the licensing objectives
- Home Office Guidance issued under Section 182 of the Licensing Act 2003
- any supporting regulations
- this Statement of Licensing Policy.

This does not, however, undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, nor does it override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act.

~~The Licensing Authority recognises that, in some circumstances, longer licensing hours for the sale of alcohol may help to avoid concentrations of customers leaving premises simultaneously and to reduce the potential for disorder. It also recognises that overly restrictive hours may inhibit the development of night time economies that are important for investment, employment and tourism.~~

~~When determining applications by the Licensing Committee, the Licensing Authority will seek to balance those factors against its duty to promote the four licensing objectives and the rights of residents to peace and quiet.~~

When the Licensing Authority is considering any application, it will avoid duplication with other regulatory regimes, so far as possible, and does not intend to use the licensing regime to achieve outcomes that can be achieved by other legislation.

When one part of Fenland District Council seeks a premises license from the Licensing Authority, the Licensing Committee and its officers will consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly and impartially by the committee. Those making representations genuinely aggrieved by a positive decision in favour of a local authority application by the Licensing Authority are entitled to appeal to the Magistrates' Court and thereby receive an independent review of any decision made.

It should be noted that incomplete applications will not be accepted and processed, but will be returned with an explanation of why it is incomplete.

The licensing authority welcomes applications made via Fenland District Council's electronic application facility.

3.25.2 Administration Delegation of Function

The District Council appreciates the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process. The District Council delegates decisions and functions and has appointed officers and established sub-committees to deal with them.

Where under the provisions of the Act, there are no relevant representations on an application for the grant of a premises licence or club premises certificate or police objection to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters will be dealt with by officers to speed matters through the system.

With the exception of the approval and review of its Licensing Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. The Council has an approved scheme of delegation of functions under the Licensing Act 2003

The Act itself requires that applications be granted unless a representation or objection is raised. Where a function is delegated to an officer they will be responsible for liaising with the applicant, interested parties and the responsible authorities to ensure that any licence granted is subject to proportionate and necessary conditions. Where objections/representations are made, the officer will liaise with the applicant, those making the representation and the responsible authorities to see if a settlement is possible to overcome the representations without the need for the matter to go before the licensing subcommittee. Only where issues are raised which cannot be agreed will the application be referred through to the licensing sub-committee for determination.

3.35.3 Licensing Committee Hearings

Whilst contested licensing applications are quasi-judicial in nature, the licensing sub-committee will try to keep the proceedings as informal as possible. However, some degree of formality is needed to ensure that all parties receive a fair hearing. The procedures are designed to ensure that all parties are able to express their views openly and fairly. The procedure is inquisitorial rather than adversarial and, whilst applicants, individuals and businesses who may be affected, and responsible authorities are entitled to bring legal representation with them if they wish, this is not a requirement.

Whilst the licensing sub-committee usually meets in public, it does have power to hear certain applications in private and to receive legal advice similarly. A decision is made publicly when the matter has been determined.

The licensing sub-committee will determine each case on its individual merits whilst taking into consideration the terms of this policy document. Where the licensing sub-committee determines that it is appropriate to attach conditions to a licence or certificate it will ensure that those conditions are focused on the direct impact of the activities taking place at the premises concerned. Such conditions will be proportionate to the activity to be controlled and will only be imposed in the interests of the licensing objectives.

The licensing authority will expect the applicant to have had due regard to the contents of this policy and the attached appendices that provide guidance only.

A decision of the licensing authority can be the subject of an appeal at the magistrates' court. As a consequence the licensing authority will record full reasons for any decision(s) made. The refusal of an application does not prevent a further application being made, but the licensing authority would expect the applicant to carefully consider the issues of concern before doing so.

Regulation 24 of the Licensing Act 2003 (Hearings) Regulations requires the District Council to give all parties at licensing hearings an equal maximum period of time to present their case.

~~For the purpose of this regulation it is the District Council's policy that a maximum of 15 minutes will be allowed.~~

Copies of applications and letters of representation will be included within the report and distributed prior to hearings before a Licensing Sub Committee. Applicants, Responsible Authorities, and Other Persons wishing to present additional evidence in support of their application/representations should do so at least 3 working days before the hearing starts. Failure to do so may result in the Licensing Sub-Committee dis regarding this additional evidence.

~~In all cases, applicants and those making representation in respect of applications to the Licensing Authority have a right of appeal to the Magistrates' Court against the decisions of the Licensing Authority~~

5.4 Applications for Premises Licence/Club Certificate

Where no premises licence or club premises certificate exists in respect of a premises, an application for a new premises licence or club premises certificate must be made to enable the carrying out of licensable activities.

3.4 — Premises Licence/Club Premises Certificate Applications

Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a two-set s of plans, ~~one of~~ which will be endorsed and issued with the premises licence/club premises certificate.

Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a '~~certificate of display~~copy of the public notice'. This acknowledges the applicants understanding for the requirement of displaying notices and should avoid any undue delay in the application process.

Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a '~~certificate of service~~copy of the public notice'. This acknowledges the applicants understanding for giving a copy of the application to the responsible authorities and should avoid any undue delay in the application process.

Where applications have to be advertised, licensing officers will routinely check that public notices are displayed at the premises and in a local newspaper as part of the application validation process.

The District Council is required under the Act to suspend premises licenses and club premises certificates where the annual fee has not been paid. The District Council will invoice each licence/certificate holder when the annual ~~fee~~ is due. Where the fee has not been paid or there has been no claim of administrative error, the District Council will serve a notice to suspend the licence until such time as the fee has been paid.

5.5 Applications to Vary a Premises Licence/Club Premises Certificate

An application to vary an existing premises licence or club premises certificate should be made where the proposed variation is in respect of changes to the types of licensable activities that are to be undertaken and/or the hours that those activities are to take place, or where structural changes are to be made to the premises.

Where the proposed variation to a premises licence or club premises certificate is in respect of structural alterations, the application must always be accompanied by a plan of the proposed alterations in addition to the existing premises licence or club premises certificate and the plan to which it relates.

If the actual date when the alterations have been completed differs from that requested, applicants must inform the licensing authority so that the premises licence or club premises certificate can be issued correctly. Failure to do so may result in an offence being committed under Section 136 of the Licensing Act 2003 of carrying on a licensable activity otherwise than under and in accordance with an authorisation.

3-55.6 Licence Conditions

The District Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or Other Persons, such as a local resident or local business, which is a relevant representation, or is offered in the applicant's Operating Schedule. Any conditions will be proportional and appropriate to achieve the Licensing Objectives.

Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act.

The Licensing Authority may not impose any conditions unless its discretion has been engaged following the making of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It may then only impose such conditions as are necessary to promote the licensing objectives arising out of consideration of the representations.

The Licensing Authority actively promotes the benefits of partnership working between the Council and local businesses to enhance business operations and thereby achieve the community benefits of minimisation of waste, enhancement of the street scene, promotion of community safety, reduction of the fear of crime and the encouragement of tourism and inward investment.

To maximise the efficiency of administering licences and reduce the necessity for hearings, the Licensing Authority will actively encourage applicants and clubs to consult with Responsible Authorities and seek professional guidance from Council services, when operating schedules are being prepared to allow for proper liaison to take place in such areas as noise reduction, CCTV, refuse and litter, etc., to avoid representations being necessary. The Licensing Authority accepts that while some applicants may find it useful to contact the Responsible Authorities and Council services for advice and professional assistance, others will not need to do so, and that applications cannot be refused on the basis that such consultation has not taken place.

Where relevant representations are made, the Licensing Authority will seek to make objective judgements as to whether conditions may need to be attached to various authorisations and others in possession of relevant authorisations, to secure achievement of the licensing objectives.

Any conditions arising from the operating schedule or as a result of representations will focus primarily upon the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters that are within the control of individual licensees.

The Licensing Authority acknowledges that the licensing function cannot be used for the general control of the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms

may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned.

If an applicant volunteers a prohibition or restriction in his/her operating schedule because his/her own risk assessment has determined such prohibition or restriction to be appropriate, such volunteered prohibitions or restrictions will become conditions attached to the licence or certificate and will be enforceable as such. The Licensing Authority reserves the legal right to amend the wording of offered prohibitions or restrictions to ensure they are clear and enforceable, but will ensure that the amended wording does not go beyond the original offering

The Licensing Authority will consider all applications on an individual basis and any condition attached to such a licence will be tailored to each individual premise, depending upon the facts of each particular application, to avoid the imposition of disproportionate, unnecessary and other burdensome conditions on those premises. Standard conditions, other than mandatory conditions, will, therefore, be avoided and no condition will be imposed that cannot be shown to be necessary for promotion of the licensing objectives.

5.7 Shadow Licence

Nothing within the 2003 Act prevents two or more authorisations having effect concurrently in respect of the whole or a part of the same premises or in respect of the same person. (section 2, Licensing Act 2003). The s.182 Guidance further provides at paragraph 8.19, "There is nothing in the 2003 Act which prevents an application being made for a premises licence at premises where a premises licence is already held."

Shadow Licences may occur where for example a Landlord seeks to protect the Premises Licence by creating a 'shadow licence' where the licensed premises are operated by a tenant. Shadow licences are usually created on the same terms as the existing premises licence.

When granting a licence on a premises that already holds a premises licence, the responsible authorities may seek to add conditions to the additional licence, that mirror the current premises licence or may seek to impose a 'cooling off' period before trading can begin. Responsible authorities are also able to review the shadow licence whenever the original licence is under review. It must always be clear to the responsible authorities as to which licence is in operation to avoid two individuals trading within the same licensed area at the same time under a different premises licence.

5.8 Licensing Hours

The licensing authority deals with the issue of licensing hours on the individual merits of each application. However, when issuing a licence with hours extending beyond 11pm, higher standards of control generally need to be included in operating schedules in order to promote the licensing objectives, especially for premises, which are situated in,

or near, residential areas or in areas where crime and / or anti-social behaviour takes place. There is no presumption within the legislation for longer opening hours.

In considering all licence applications, the licensing authority takes into account the adequacy of the measures proposed to deal with the potential for nuisance and/or public disorder and has regard to all the circumstances of the case.

Where no representations are received an application is approved as applied for. Where a hearing or a review takes place the licensing authority may set an earlier terminal hour where it considers this is appropriate to the nature of the activities and the amenity of the area. In addition the licensing authority may in the case of an application refuse to grant a licence and at a review, revoke an existing licence. Throughout the application process consultation with relevant partners is welcomed and encouraged.

The licensing authority recognises that having fixed and artificially early closing times in certain areas can lead to peaks of disorder and disturbance on the streets when large numbers of people leave licensed premises at the same time. The licensing authority aims, through the promotion of the licensing objectives, to reduce the potential for concentrations of people and thus achieve a slower dispersal of people from licensed premises through longer opening times when appropriate.

The licensing authority does not seek to adopt fixed terminal hours in designated areas (known as "zoning"), as this can lead to the significant movement of people across boundaries in search of premises opening later.

Shops, stores and supermarkets are generally permitted to sell alcohol for consumption off the premises during their normal trading hours, unless there are exceptional reasons relating to the licensing objectives, in particular the prevention of crime and disorder and public nuisance.

3.65.9 Permitted temporary activities (TEN's) Temporary Event Notices

The Act requires that a minimum of 10 working days' notice must be given for a standard temporary event notice and a minimum of 5 working days' notice for a late temporary event notice. Section 193 of the Act defines a 'working day' as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. 'Working days' notice means working days exclusive of the day on which the event is to start, and exclusive of the day on which the notice is given.

There is no discretion to relax either the 10 working days' notice or the five working days' notice so the District Council encourage notice givers to provide the earliest possible notice within 12 months of events likely to take place.

5.10 Large scale events

These are events that are temporary but more than 499 people are expected to attend. Much larger crowds may be attracted to large-scale events and the risk to public safety

and to crime and disorder, as well as public nuisance, may be considerable. The licensing authority and all other statutory consultees, should be given at the earliest opportunity, notice of such major events to discuss operating schedules with the organiser, prior to a formal application being submitted. It is the responsibility of the event organizer / applicant to provide the licensing authority and all other statutory consultees, at the earliest opportunity, notice of such major events. This will enable discussion about operating schedules prior to a formal application being submitted.

It is expected that the applicant will consider how their event will take place safely and how it will impact on the surrounding area. For large events such as festivals the licensing authority will expect to receive an event management plan to be submitted with their application for a licence. An event management plan should be a working document to include information which outlines how the premises will be run during the event. Details should be provided of (although not limited to):

- Roles and responsibilities of the event organiser
- Crowd management
- Contractor management
- Electrical, gas and water supply
- Temporary structures
- Fire safety
- Medical and first aid provision
- Site accessibility
- Traffic Management
- Security staff/stewards/marshals
- Incident management
- Health and Safety management for members of the public
- Welfare provision for members of the public

The licensing authority requires they are given at least six months' notice to allow for a sufficient lead in time. Failure to consult in sufficient time may result in an objection on the grounds that insufficient time has been allowed to properly assess and consult to ensure that, in particular, public safety is not undermined.

Fenland Council has an established Events Safety Advisory Group (ESAG). This includes relevant council officers, representatives of the emergency services and the voluntary first aid sector. ESAG's aim is to advise on safety at public events held throughout Fenland, regardless of whether or not a premises licence or a temporary event notice is required. Event organisers are encouraged to make contact with the Licensing team for advice at the earliest opportunity when planning their community events.

3.75.11 ~~Personal Licenses~~Applications for Personal Licenses

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The Police and Home Office Immigration will have the right to object to a person applying for a personal licence if that person has a relevant unspent conviction (at the time of application) or if they obtain a relevant conviction during the application period of their licence.

An individual may seek a personal licence regardless of whether or not they have current employment or business interests associated with the use of the licence. Applications cannot be made in the name of a corporate body.

The licensing authority must grant a personal licence if the applicant:

- is aged 18 years or over
- is in possession of a relevant licensing qualification or is a person of a prescribed description
- has not forfeited a personal licence in the previous five years, beginning with the day the application was made
- has not been convicted of any relevant offence under Schedule 4 of the Act, or a foreign offence
- has the right to work in the UK
- has paid the appropriate fee to the licensing authority

Applicants with unspent criminal convictions for the relevant offences set out in the Licensing Act 2003 are encouraged to first discuss their intended application with the police and licensing authority before making an application.

In order to substantiate whether or not an applicant has a conviction for an unspent relevant offence, applicants will be required to produce a relevant criminal record office basic disclosure certificate, with the application form, together with a signed disclosure form by them.

The licensing authority and police may arrange a joint interview with a prospective personal licence holder(s) to discuss the circumstances surrounding their conviction(s). Ultimately, the police may be minded to object to the grant of the personal licence. In these circumstances, the applicant is entitled to a hearing before the licensing sub-committee. The application will be refused, based on the police's objection, if the licensing authority considers it appropriate for the crime prevention objective to do so.

Fenland District Council licensing authority will be the 'relevant licensing authority' for all personal licences, regardless of the subsequent place of residence of the holder. It will maintain all notified changes of address on its database.

The Policing and Crime Act 2017 amended the Licensing Act 2003 to allow the Licensing Authority to suspend, for up to 6 months, or revoke a Personal Licence upon a Personal Licence Holder being convicted of a Relevant Offence.

~~An application for a personal licence and 'disclosure of convictions and declaration' form should be dated by the applicant within one calendar month of the application being received by the District Council. This is to ensure that the information on the application is as current as the basic disclosure.~~

~~Basic disclosures with a 'Care of' address will not be accepted by the District Council. The disclosure must have been obtained against an applicant's residential address. For third party applications, confirmation in writing will be acceptable stating the residential address used during the process of obtaining the disclosure.~~

5.12 Responsible Authorities and Other Persons

Responsible authorities are public bodies that are statutory consultees that must be notified of licensing applications. A list of the responsible authorities in respect of applications and notices made to the District Council can be found at Appendix A to this policy or alternatively at www.fenland.gov.uk/licensing

An "other person" is defined as any person who lives or is involved in a business in the relevant authority's area, who is likely to be affected by the application.

The Licensing Authority will also consider the term 'involved in any businesses in its widest possible context, which might include partnerships, charities, faith groups and medical practices'.

Cambridgeshire County Council Director of Public Health (DPH) are now responsible authorities with all of the powers and responsibilities this brings. This Licensing Authority acknowledges that DPH will be useful in providing evidence of alcohol-related health harms when there is a revision of policy particularly in relation to cumulative impact policies or early morning restriction orders. This Licensing Authority envisages that DPH's will also be useful in providing evidence such as alcohol-related A & E admissions or ambulance service data that might be directly relevant to an application under the Act.

When dealing with licensing applications for premises licences and club premises certificates the District Council is obliged to consider representations from two categories of persons, referred to as responsible authorities and other persons. This allows for a broad range of comment to be received both for and against the licensing applications.

The District Council has carefully considered its role as the Licensing Authority as a Responsible Authority under the Act. It achieves separation of responsibilities through procedures and approved delegations within the authority to ensure procedural fairness and eliminate conflicts of interest.

The District Council does not expect to act as a Responsible Authority on behalf of third parties but accepts that there may be exceptional circumstances where this approach may be required.

In cases where this Licensing Authority is also acting as responsible authority there will be a separation of powers between those officers who exercise that role and those who administer the licensing application to ensure procedural fairness and eliminate conflicts of interest.

3.85.13 Representations

Any Responsible Authority or Other Person may make relevant representations on applications for the grant of a premises licence or club premises certificate and request reviews of licences or certificates that have been granted.

A representation will only be 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. In addition, the representation in relation to Other Persons must not be frivolous or vexatious.

Only the Chief Officer of Police may make representations in respect of the grant of a personal licence relating only to the crime prevention objective of the Act.

As the Licensing Authority must be satisfied that the representation is made by an Other Person, which can generally only be determined by reference to the name and address of the person making it, this authority will not consider any representation that fails to provide those details.

Where relevant representations are made, the Licensing Authority must provide copies of those representations to the applicant or his/her representative. The Licensing Authority accepts that in exceptional circumstances an Other Person may not wish for his/her personal details to be disclosed to the applicant.

Where the Licensing Authority considers that a relevant representation has been made and that exceptional circumstances exist, details of the name and address may be deleted from the copy of the representation that is provided to the applicant or his/her representative.

In all cases, applicants and those making representations that are genuinely aggrieved by a decision of the Licensing Committee are entitled to appeal to the Magistrates' Court against the decision of the committee.

Where the Responsible Authorities or Other Persons do not raise any relevant representations about the application made to the Licensing Authority, the Licensing Authority will grant the premises licence or club premises certificate subject only to conditions that are consistent with the operating schedule and any mandatory conditions prescribed by the Licensing Act 2003.

6 COMPLIANCE

3.96.1 Cultural ~~Activites~~Activities

The Licensing Authority recognises the need to encourage and promote a broad range of entertainment for the wider cultural benefit of the communities. A natural concern to prevent disturbance in neighbourhoods will always be carefully balanced with these wider cultural benefits, particularly the cultural benefits for young people. In determining what conditions should be attached to licence and certificates as a matter of necessity for the promotion of the licensing objectives, the Licensing Authority is aware of the need to avoid measures which deter regulated entertainment by imposing indirect costs of a disproportionate nature.

3.106.2 Duplication

The District Council has a firm commitment to avoid duplication with other regulatory regimes so far as possible. For example legislation governing health and safety at work and fire safety will place a range of general duties on the self-employed, employers and operators of venues both in respect of employees and of the general public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are 'necessary' for the promotion of that licensing objective and if already provided for in other legislation, they cannot be considered as necessary in the context of licensing law. Such regulations will not however always cover the unique circumstances that arise in connection with licensable activities particularly regulated entertainment, at specific premises and tailored conditions may be necessary.

3.116.3 Enforcement

The District Council recognises that most licence, certificate and notice holders seek to comply with the law. Notwithstanding, any enforcement action will take a graduated approach and in the first instance will include education and guidance. Where holders of authorisations continue to flout the law or act irresponsibly then firm action, including prosecution ~~may~~will be taken.

Fenland District Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can trade fairly. The administration and enforcement of the licensing regime is one of these services. The authority has adopted the Government's Enforcement Concordat designed to ensure effective and efficient public protection services. Specifically, Fenland District Council is committed to accord with the principles of good enforcement practice by carrying out its regulatory functions in a fair, open and consistent manner.

The Enforcement Concordat is based upon the principles that businesses should

- receive clear explanations from enforcers of what they need to do and by when
- have opportunities to resolve differences before enforcement action is taken, unless immediate action is needed
- receive an explanation of their rights of appeal.

A copy of the Council's Enforcement Policy is available [on www.fenland.gov.uk](http://www.fenland.gov.uk) ~~upon request.~~

The Licensing Authority recognises the interests of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law and the four licensing objectives that it seeks to promote. However, proportionate but firm action will be taken against those who commit serious offences or break the law consistently.

6.4 Inspection of licensed Premises

The licensing authority aim to inspect premises on a risk based approach to secure compliance with the Licensing Act and to promote the licensing objectives.

Authorised officers will have the discretion as to which premises require a 'during performance' inspection and the frequency when they are undertaken. Where appropriate, joint visits will take place encompassing a number of relevant agencies.

The Licensing Authority works in partnership with all of the Responsible Authorities under the Licensing Act 2003 on enforcement issues. This joint working protocol provides for a more efficient deployment of staff and police officers who are commonly engaged in enforcing licensing law and the inspection of licensed premises. In particular, these protocols should also provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch in respect of low risk premises, which are well run.

The 2003 Act does not require inspections to take place save at the discretion of those charged with this role. The principal of risk assessment and targeting will prevail and inspections will not be taken routinely but if and when they are judged necessary. This should ensure that resources are more effectively concentrated on problem premises.

6.5 Complaints regarding licensed premises

The licensing authority will investigate or refer to other relevant agencies/council services complaints received against licensed premises where appropriate, normally providing that the complainant's personal details and the nature of the issue(s) must be provided from the outset. For certain matters the complainant may be encouraged to raise the issue of concern directly with the licensee.

In exceptional circumstances the personal details referred to above may not be required, whilst the facts of the complaint are referred onto the police.

6.6 Annual Fees for premises Licence and Club Premises Certificates

The Police Reform and Social Responsibility Act 2011 introduced a requirement for Licensing Authorities to suspend Premises Licences and Club Premises Certificates when the annual fee is not paid by the due date.

Where a licence or certificate holder disputes the presented fee, or claims an administrative error prior to the annual fee due date, the suspension will start after the 21 day permitted grace period has expired.

3.426.7 **Review Of Licenses**

Where possible and appropriate, the Licensing Authority and the Responsible Authorities will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

The Act sets out the arrangements to enable a review of a premises licence where it is alleged that the licensing objectives are not being promoted. This arrangement will follow an application from a responsible authority or any other person. The Section 182 guidance will be used to ensure that all matters for review are considered appropriately. The process shall not be subject to abuse by disaffected parties. Matters for consideration must be relevant, and not vexatious, frivolous or repetitious. However, matters involving the following may be considered as serious shortcomings by the licensing sub-committee at their hearings:

- use of licensed premises for the sale and distribution of illegal drugs and/or the laundering of the proceeds of drug crimes
- use of licensed premises for the sale and/or distribution of firearms
- evasion of copyright in respect of "pirated" films and music
- underage purchase and/or consumption of alcohol
- use of licensed premises for prostitution or the sale of unlawful pornography
- use of licensed premises for unlawful gaming
- use of licensed premises as a base for organised criminal activity
- the closure of the premises by a senior police officer, or an environmental health officer due to noise nuisance
- use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks
- use of licensed premises for the sale of smuggled tobacco or goods
- the use of licensed premises for the sale of stolen goods
- where the police are frequently called to attend to incidents of disorder
- prolonged and/or repeated instances of public nuisance
- where serious risks to public safety have been identified, and the management is unable or unwilling to correct those
- where serious risks to children have been identified e.g. repeat underage sales
- significant or repetitive breaches of licence conditions/licensing law
- failure to act on previous warnings/advice/uncooperative attitude towards authorised officers.

In a hearing to determine an application for a licence or consider a review application, the overriding principle adopted by the licensing authority is that each application will be

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considered on its own individual merits. Licence conditions applied at such a hearing will be tailored to the individual premises and activities and only those necessary to meet the licensing objectives will be applied.

Upon review of a premises licence, the licensing authority must, having regard to the application for review and any relevant representations, take such steps as it considers necessary for the promotion of the licensing objectives. Such steps might be:

- the modification of the conditions of the licence
- the exclusion of a licensable activity from the scope of the licence
- the removal of the designated premises supervisor
- the suspension of the licence for a period not exceeding three months
- the revocation of the licence.

Any Responsible Authority or Other Person may apply for a review of a Premises licence or a club premises certificate by serving a notice containing details of the application on the holder of the licence or certificate and to each of the Responsible Authorities.

An application for review will only be 'relevant' if the grounds upon which it is made relate to the promotion of at least one of the four licensing objectives and is not frivolous, vexatious or repetitious. An evidential basis will be required to be presented to the Licensing Authority.

Where an Other Person applies for a review, the Licensing Authority must be satisfied that the application is relevant. There is no appeal to the decision of the Licensing Authority other than by the way of Judicial Review.

This Authority will not consider any application that fails to provide the name and address applicable to the Other Persons

6.8 Crime and Policing Act 2014

A senior police officer, of the rank of superintendent or higher, or an inspector of weights and measures, may issue a closure notice where there is evidence that a person has committed the new offence of persistently selling alcohol to children at the premises in question, and he considers that the evidence is such that there would be a realistic prospect of conviction if the offender was prosecuted for it.

A closure notice will prohibit sales of alcohol at the premises in question for a period not exceeding 48 hours; and will offer the opportunity to discharge all criminal liability in respect of the alleged offence by the acceptance of the prohibition proposed in the notice. The premises licence holder will have fourteen days to decide whether or not to accept the proposed prohibition or to elect to be tried for the offence. Where the licence holder decides to accept the prohibition, it must take effect not less than fourteen days after the date on which the notice was served at a time specified in the closure notice.

Closure notices may be served by police officers, trading standards officers and community support officers.

Anti- Social Behaviour, Crime and Policing Act 2014 permits an authorised officer acting on behalf of the council, to require the immediate closure, for a period of up to 24 hours of any licensed premises if it is considered that noise emanating from within its curtilage is causing a public noise nuisance. The 'test' is a lesser one than required to determine a statutory noise nuisance and the statutory defence of 'best practicable means' is not available.

The licensing authority also recognises that there are other tools and powers at their, and their partner agencies', disposal. All powers are subject to change and amendments, in particular by the Anti-Social Behaviour, Crime and Policing Act 2014. More details can be made available on request to the licensing authority.

6.9 Immigration Act 2016

The Immigration Act 2016 amends the Licensing Act 2003 to provide Immigration Officers enforcement powers. An Immigration Officer will be able to issue an "illegal working closure notice" for up to 48 hours if he or she is satisfied, on reasonable grounds, that an employer operating at the premises is employing a person who does not have the correct work status.

The closure notice prohibits access to the premises unless authorised in writing by the immigration officer.

An application to the Court for a compliance order must be made by the immigration officer and heard within 48hrs after service of the closure notice. The Court may issue the compliance order if satisfied, on the balance of probabilities, that an illegal worker was working on the premises and that it is necessary to make the order to prevent the employer at the premises from employing illegal workers.

The Court can make an order which includes, prohibiting the access to the premises; requiring right to work checks to be carried out; requiring right to work documents to be produced and specifying times for an immigration officer to enter the premises. A compliance order can have effect for a maximum of 12 months, but the immigration officer may apply for this to be extended.

The Court will notify the licensing authority of the order and the licensing authority must then review the premises licence. If an offence is committed in relation to the compliance order, the court can impose a prison sentence for up to 51 weeks or a fine.

The licensing authority will have regard to the European Convention on Human Rights particularly:

- Article 6- entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal and
- Article 8 - the right to respect for home and private life; and
- Article 1 of the First Protocol - that every person is entitled to the peaceful enjoyment of their possessions, as they may interface with the licensing objectives.

3.136.10 Regulated Entertainment

Having regard to Fenland District Council's equality and diversity policies and the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified in 1976, a diverse provision of cultural activities is welcomed for the benefit of communities.

The Licensing Authority will monitor the licensing of regulated entertainment, especially with regard to live music and dancing, theatrical performances, circuses, etc. to ensure that such events are promoted without unreasonable restrictions being imposed, which would discourage such events.

The Licensing Authority will need to balance the natural concern to prevent disturbance in neighbourhoods with the wider cultural benefits, particularly the cultural benefits for children & young people.

3.146.11 Planning and Building Control

The licensing authority will ensure that planning, building control and licensing regimes will be separated to avoid duplication and inefficiency.

The licensing authority would normally expect that applications for premises licences for permanent commercial premises should normally be from businesses with planning consent for the property concerned. However, the licensing authority acknowledges that applications for premises licences or club premises certificates may be made prior to any relevant planning permission having been sought or granted by the planning authority. Applicants would be expected to ensure that all relevant permissions are obtained.

The licensing authority recognises that licensing applications should not be a re-run of planning applications nor should they cut across decisions taken by the planning committee or following appeals against decisions taken by the Council's planning committee. The licensing authority's licensing committee will not be bound by decisions made by the Council's planning committee and vice versa.

Where the granting of any variation to a premises licence or club premises certificate involves a material alteration to a premise, the licensing authority would expect the applicant to apply for relevant planning permission or building control consent where appropriate.

The licensing authority recognises that when, as a condition of planning permission a terminal hour has been set for the use of the premises for commercial purposes, and where these hours are different from the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law.

7 SPECIAL POLICIES

The Licensing Act 2003 permits a Licensing Authority to introduce a number of special policies within its Statement of Licensing Policy where evidence exists to support the introduction of such a special policy. ~~OTHER LICENSING AUTHORITY POWERS~~

3.457.1 Cumulative Impact of a Concentration of Licensed Premises

“Cumulative impact” means the potential impact upon the promotion of the licensing objectives where there are a number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its Statement of Licensing Policy.

The Licensing Authority acknowledges that a concentration of licensed premises in a particular area can result in an increased number of people walking through or congregating in streets during the night with the potential impact of an increase in crime, anti-social behaviour, noise pollution and other disturbance to residents, together with an increase in littering or fouling. In such cases, the amenity of local residents can be placed under severe pressure but may not be attributable to any individual premises.

The Licensing Authority ~~may adopt~~ **has adopted** a special policy on cumulative impact based on evidence that a significant number of licensed premises concentrated in one area are resulting, in unacceptable levels of crime and disorder or public nuisance.

During the adoption of such policy, Section 5A of the Licensing Act will be observed and any policy of this nature will be considered by the Licensing Sub - Committee.

3.467.2 Early Morning Restriction Orders (EMRO)

The power for this licensing authority to introduce an EMRO is specified in sections 172A to 172E of the 2003 Act which was amended by Section 119 of the Police Reform and Social Responsibility Act 2011. These provisions and the regulations prescribing the requirements in relation to the process were brought in force on 31st October 2012. Government Guidance has also been produced.

The legislation provides this licensing authority with the discretion to restrict sales of alcohol by introducing an EMRO to tackle high levels of alcohol related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of this licensing authority's area and if relevant on specific days and at specific times. This licensing authority must be satisfied that such an order would be appropriate to promote licensing objectives.

The only exemptions relating to EMRO's are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service. The decision to implement an EMRO will be evidence based. The function of making, varying or revoking an EMRO is specifically excluded from the delegation of functions and may not be delegated to the Licensing Committee.

3.477.3 Late Night Levy

The legislative provisions relating to the late night levy are not part of the Licensing Act 2003 but are contained in Sections 125 to 139 of the Police Reform and Social Responsibility Act 2011. The provisions came into force on 31st October 2012.

Regulations have been brought into force setting out the way in which the levy must be applied and administered, and arrangements for expenses, exemptions and reductions. Government Guidance has been produced.

These new powers enable licensing authorities to charge a levy in relation to persons who are licensed to sell or supply alcohol late at night as a means of raising a contribution towards the costs of policing the night time economy. The function of making, varying or ceasing the requirement for a levy may not be delegated to the licensing committee.

7.4 Public Spaces Protection Orders (PSPO)

Public Space Protection Orders (PSPO's) replaced Designated Public Place Orders (DPPPO's) when the Anti-social Behaviour Crime and Policing Act 2014 came into effect.

Fenland District Council's Community Safety Partnership is responsible for the introduction and management of PSPO's within the district

48 FURTHER ADVICE AND GUIDANCE

The Licensing Authority recognises the valuable cultural, social and business importance that premises and events requiring a licence under the Licensing Act 2003 provide and welcomes the diversity of activities that are provided by licence holders. For this reason, pre-application discussions will be encouraged to assist applicants to develop their operating schedule. The Licensing Authority and the Responsible Authorities will offer as much advice and guidance to applicants as resources permit.

The Licensing Authority will also seek to liaise with applicants and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that he/she discusses his/her proposal with the Licensing Section and those from who they think representations are likely prior to submitting an application. Once an application has been lodged, there are statutory timescales imposed upon the

application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

All application forms and further advice can be obtained from Fenland District Council's licensing pages - www.fenland.gov.uk/licensing

You can also contact a member of the team by emailing licensing@fenland.gov.uk

If additional assistance is required the Licensing Authority provides a paid for licensing pre - application advice service for all applicants. Full details are available on the Council's website.

8.1 **Other Relevant Legislation**

~~Having regard to Fenland District Council's equality and diversity policies and the International Covenant on Economic, Social and Cultural Rights (ICESCR), ratified in 1976, a diverse provision of cultural activities is welcomed for the benefit of communities.~~

~~The Licensing Authority will monitor the licensing of regulated entertainment, especially with regard to live music and dancing, theatrical performances, circuses, etc. to ensure that such events are promoted without unreasonable restrictions being imposed, which would discourage such events.~~

~~The Licensing Authority will need to balance the natural concern to prevent disturbance in neighbourhoods with the wider cultural benefits, particularly the cultural benefits for children & young people.~~ **Adult Entertainment**

The District Council has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions. The District Council acknowledges that there is an exemption which allows sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Premises using this exemption should ensure that procedures are in place to exclude children when entertainment of this nature is offered.

Gaming Machines

Automatic entitlement in licensed premises. There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D.

Gaming Machine Permit

~~If~~ a premises wishes to have more than 2 machines of categories C and/or D, then it needs to apply for a permit and the District Council will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as licensing officers consider relevant.

Exempt Gaming

Premises licensed under the Licensing Act 2003 may offer gaming such as poker and bingo provided the stakes and prizes do not exceed permitted levels. Details of these limits are available from the District Council or the Gambling Commission.

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Appendix title: A- RESPONSIBLE AUTHORITIES

Cambridgeshire Constabulary

Police Licensing Officer (Fenland)

March Police Station, Burrowmoor Road March, Cambridgeshire PE15 9RB

Telephone: 101 Ext 6440

Email: licensingnorth@cambs.pnn.police.uk

Cambridgeshire Fire and Rescue Service

Chief Fire Officer Hinchbrook Cottage Brampton Road Huntingdon PE29 2NA

Telephone: 01480 444500

Email: fireprotectionnorthconsultations@cambsfire.gov.uk

The Body Responsible for the Protection of Children from Harm

Safeguarding & Standards Unit Licence applications

PO Box 144, St Ives Cambridgeshire PE27 9AU

Telephone: 01223 706380 Email:

ReferralCentre.Children@cambridgeshire.gov.uk

Web: www.cambridgeshire.gov.uk

Local Authority Planning Authority

Fenland District Council Development Services

Fenland Hall, County Road March, Cambridgeshire PE15 8NQ

Telephone: 01354 654321

Email: planning@fenland.gov.uk

Public Health

Cambridgeshire County Council Public Health Programmes Scott House

Box No SCO 2213, 5 George Street Huntingdon Cambridgeshire PE29 3AD

Email: PublicHealth.AdminTeam@cambridgeshire.gov.uk

Local Authority Environment and Health Services

Fenland District Council

Environmental Health

Fenland Hall, County Road Cambridgeshire PE15 8NQ Telephone: 01354 654321

Email: envhealth@fenland.gov.uk

The Body Responsible for Health and Safety

Fenland District Council

Environmental Health

Fenland Hall, County Road March, Cambridgeshire PE15 8NQ Telephone: 01354 654321
Email: envhealth@fenland.gov.uk

Local Authority Licensing Compliance Officer

Licensing Compliance Officer - Andy Fox

Fenland Hall, County Road March, Cambridgeshire PE15 8NQ Telephone: 01354 654321

Email: Afox@fenland.gov.uk

Web: www.fenland.gov.uk

Weights and Measures (Trading Standards)

Supporting Businesses and Communities

Cambridgeshire County Council PO Box 450

Great Cambourne Cambridge CB23 6ZR

Helpline: 0345 0455206

Email: ts.administration@cambridgeshire.gov.uk

Local Authority Environment and Health Services

Fenland District Council

Environmental & Leisure Support Team Fenland Hall

County Road Cambridgeshire PE15 8NQ Telephone: 01354 654321

Email: envhealth@fenland.gov.uk

Web: www.fenland.gov.uk

Home Office Immigration

Email: alcohol@homeoffice.gov.uk

Assessing Equality – The Equality Act 2010

Customer Impact Assessment

Name and brief description of policy being analysed

Briefly summarise the policy including any key information such as aims, context etc; note timescales and milestones for new policies; use plain language – NO JARGON; refer to other documents if required

Policy being reviewed - Statement of Licensing Policy 2021 – 2026 (LA03)

The Council as the Licensing Authority has a statutory duty to review its Statement of Licensing Policy under the Licensing Act 2003 every five years. The current policy was adopted at Full Council and came into effect on 12 May 2016.

The Licensing Act requires each Licensing Authority to prepare and publish a Statement of Licensing Policy under the Licensing Act. The policy sets out how the authority intends to approach its licensing responsibilities and how it intends to promote the four licensing objectives namely:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.

The 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 act as a main consultee:

Fenland District Council – Environmental Health

Fenland District Council – Health & Safety

Cambridgeshire Constabulary

Cambridgeshire Fire & Rescue

Safeguarding & Standards – Protection of Children from harm

Assessing Equality – The Equality Act 2010

Fenland District Council -Planning Authority

Public Health

Trading Standards

Town Councils

Public Consultation

Comments were requested from the Public Consultation that took place from 21 September 2020 until 15 November 2020. The draft policy was advertised in the local newspaper and by social media feeds for example Facebook. It was also available on our Council website and in our Customer, service centres


This CIA has 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 03 December 2020

	Could particularly benefit	Neutral	May adversely impact	Explanations	Is action possible or required?	Details of actions or explanations if actions are not possible Please note details of any actions to be placed in your Service Plan
Race	<input type="checkbox"/>	✓	<input type="checkbox"/>	Officers have considered all the equality strands. This Customer Impact Assessment does not raise any negative equality issues. Officers have concluded that the Statement of Licensing Policy will have positive impacts in ensuring that the Licensing Objectives within the policy are upheld. There is no evidence that the policy may result in adverse impacts on equality.	N	
Sex	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Gender reassignment	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Disability	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Age	✓	<input type="checkbox"/>	<input type="checkbox"/>		N	
Sexual orientation	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Religion or belief	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	
Pregnancy & maternity	<input type="checkbox"/>	✓	<input type="checkbox"/>		N	

Assessing Equality – The Equality Act 2010

Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Human Rights	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Socio Economic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Delivery of the Licensing Policy will have a positive impact as it encourages responsible consumption of alcohol as a mandatory condition on all licences granted.	Y / N	
Multiple/ Cross Cutting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Y / N	
Outcome(s) of customer analysis a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative <input type="checkbox"/> neutral <input type="checkbox"/> positive <input type="checkbox"/> No major change needed <input checked="" 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: Note when analysis will be reviewed; include any equality indicators and performance against those indicators The next CIA analysis will take place when the Licensing Policy is reviewed in 2026						
Details of any data/ Research used (both FDC & Partners): Results of the public Consultation carried out from 21 September 2020 until 15 November 2020						
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:		

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Agenda Item No:	12	
Committee:	Council	
Date:	14 December 2020	
Report Title:	Amendments to Member Code of Conduct	

1 Purpose / Summary

For Council to consider changes to the Member Code of Conduct as recommended by Conduct Committee.

2 Key issues

- Paragraph 27(2) of the Localism Act 2011 requires each relevant authority (which includes Fenland District Council) to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
- Paragraph 28(5) of the same Act permits relevant authorities to revise their Code of Conduct however, that function is reserved to Full Council for determination.
- As part of its local governance arrangements and in accordance with Part 2, Table 3 of the Constitution, the Conduct Committee has responsibility for advising the Council on the adoption or revision of its Code of Conduct for Members.
- Conduct Committee considered revisions to the Member Code of Conduct at its meeting on 3rd December 2020. Prior to this, suggested changes were circulated to all FDC Members and Town and Parish Councils for comment.
- 2 comments were received; 1 relating to the conduct process and 1 in relation to the Code of Conduct itself. The 1 comment in relation to the Code of Conduct was incorporated into the suggested changes. Consultation responses are attached at Appendix B

3 Recommendations

- For Council to agree the changes to the Member Code of Conduct as set out in Appendix A and delegate to the Monitoring Officer to update the master copy of the Constitution.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Chris Boden, Leader of the Council Councillor David Topgood, Chairman of Conduct Committee Councillor Susan Wallwork, Vice-Chairman of Conduct Committee
Report Originator(s)	Carol Pilson, Monitoring Officer Amy Brown, Deputy Monitoring Officer

Contact Officer(s)	Carol Pilson, Monitoring Officer Amy Brown, Deputy Monitoring Officer
Background Paper(s)	Fenland District Council's Code of Conduct for Members Local Government Association draft Model Code of Conduct.

1. Background

Following feedback from Members, draft amendments to the Member Code of Conduct within the Constitution were prepared for consideration by the Conduct Committee. The amendments were intended to provide clarification on certain aspects of the Code for Members and complainants.

2. Consultation

The Conduct Committee Report and the proposed changes to the Code were shared with all Fenland District Councillors and Parish Council Clerks for consideration and feedback. 2 responses were received and shared with Conduct Committee. These responses can be found at Appendix B.

5. Implications

5.1 Financial Implications

There are none.

5.2 Legal Implications

The legal implications are set out in the main body of the Report.

5.3 Equality Implications

There are none.

APPENDIX 1

PROPOSED AMENDMENTS TO THE CODE OF CONDUCT (shown with track changes)

CODE OF CONDUCT FOR MEMBERS

The Members' Code of Conduct is intended to promote high standards of behaviour amongst the elected and co-opted members of the council.

The Code is underpinned by the following principles of public life which should borne in mind when interpreting the meaning of the Code:-

- i Selflessness Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- ii Integrity Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- iii Objectivity In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- iv Accountability Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- v Openness Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- vi Honesty Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- vii Leadership Holders of public office should promote and support these principles by leadership and example.

PART 1

GENERAL PROVISIONS

1 Introduction and Interpretation

- 1.1 This Code applies to you as a member of Fenland District Council (Fenland).
- 1.2 The term "the Authority" used in this Code refers to Fenland.
- 1.3 "Member" means any person being an elected or co-opted member of the Authority.
- 1.4 It is your responsibility to comply with the provisions of this Code.
- 1.5 In this Code –

"Meeting" means any meeting of:-

The Authority;

- a) Any meetings with the Council's officers;
- b) Any of the Authority's Committees, sub-committees, joint committees, joint sub-committees, or area committees including any virtual meetings¹;
- c) Any site visits to do the business of the Authority;
- d) Any of the Authority's advisory groups and, working parties and panels.

1.6 In this Code "relevant authority" has the meaning given to it by section 27(6) of the Localism Act 2011.

2 Scope

2.1 You must comply with this Code whenever you act, claim to act or give the impression you are acting in your official capacity as a Member of the Authority. For example, members will be deemed to be acting in their official capacity if:

- they are talking in a Council meeting or public forum where they are there as part of their Councillor role.
- they are writing on an online forum that is open to the public (i.e. a closed or private forum or private message thread is less likely to engage the Code of Conduct) and in which they have made it clear they are responding in their official capacity either by directly saying so, or by responding to a question about Council business in a way that suggests they are doing so.
- they are talking to a member of the electorate about matters which pertain to Council business.

2.2 Where you act as a representative of the Authority:-

- a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3 General obligations

The "scope" of the Code of Conduct is important here and these general obligations only appear, as specified earlier in this document, to situations which fall within that scope.

3.1 You must treat others with respect. It is not considered disrespectful to disagree with somebody or to argue a different point of view with them. This is in fact vital to the proper functioning of any democratic authority. You should not however subject individuals, groups of people or organisations to personal attack or use any speech which could be considered to be 'hate speech' or otherwise unlawful.

Other examples of disrespect include:

¹ Amendment approved by MO Decision 30 April 2020

In a meeting, failure to follow the rulings and guidance of the Chairman in regards to conduct and behaviour within the meeting is considered disrespectful.

Within the scope of the Code of Conduct, to swear or use foul language in a meeting could be considered disrespectful. The Chairman might choose to give a warning about such behaviour.

3.2 You must not:-

(a) do anything, which may cause the Authority to breach UK equalities legislation.

(b) bully any person.

(c) intimidate or attempt to intimidate any person who is or is likely to be:-

a complainant,

a witness, or

involved in the administration of any investigation or proceedings

in relation to an allegation that a Member (including yourself) has failed to comply with his or her authority's code of conduct.

(d) do anything, which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.

However, it is again important to note that members can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner without this necessarily amounting to bullying, harassment and/or discrimination.

e) conduct yourself in a manner, which could reasonably be regarded as bringing your office or authority into disrepute. For example, behaviour that is considered criminal, dishonest and/or deceitful can bring your authority into disrepute together with false statements about council matters given to and published by the press. However, members may choose to, in their official capacity, civilly express their honestly and reasonably held views, and that is not a breach of the code of conduct provided that their comments are lawful - debate and disagreement do not bring the Council into disrepute, they are a necessary facet of democracy. Members are however encouraged to raise their concerns via the most appropriate forum for dealing with them for instance by referring criminal matters to the police, reporting breaches of the Code to the Monitoring Officer and/or raising concerns about officers with their line manager.

4. You must not:-

4.1 disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-

- (a) you have the consent of a person authorised to give it;
- (b) you are required by law to do so;
- (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- (d) the disclosure is:-
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the authority.

4.2 prevent another person from gaining access to information to which that person is entitled by law.

5. You must not:-

5.1 use or attempt to use your position as a member improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage.

6. You must:-

6.1 when using or authorising the use by others of the resources of the Authority:-

- (a) act in accordance with your Authority's reasonable requirements;
- (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and

6.2 have regard to any Local Authority Code of Publicity made under the Local Government Act 1986.

APPENDIX 2 - Consultation Feedback

Feedback	Response
<p>I think the pre-sifting by only three people in a private meeting goes against all transparency we stand for, I believe we should revert back to the original rules where elected members make the decisions in full transparent meetings, the outcomes may well be similar but at least the public will have confidence that the members they elected can be held accountable for any decisions they make.</p>	<p>This comment relates to the conduct procedure, rather than the Code of Conduct itself which is not under consideration at this time.</p>
<p>2.1 You must comply with this Code whenever you act, claim to act or give the impression you are acting in your official capacity as a Member of the Authority. For example, members will be deemed to be acting in their official capacity if:</p> <p>they are talking in a Council meeting or public forum where they are there as part of their Councillor role.</p> <p>they are writing on an online forum that is open to the public (ie. a closed or private forum or private message thread is less likely to engage the Code of Conduct) and in which they have made it clear they are responding in their official capacity either by directly saying so, or by responding to a question about Council business in a way that suggests they are doing so.</p> <p>they are talking to a member of the electorate about matters which pertain to Council business.</p> <p>3.2 e. conduct yourself in a manner, which could reasonably be regarded as bringing your office or authority into disrepute. For example, behaviour that is considered criminal, dishonest and/or deceitful can bring your authority into disrepute together with false statements about council matters given to and published by the press. However, members may choose to, in their official capacity, civilly express their honestly and reasonably held views, and that is not a breach of the code of conduct provided that their comments are lawful – debate and disagreement do not bring the Council into disrepute, they are a</p>	<p>Suggestions in bold incorporated into draft code of conduct.</p>

<p>necessary facet of democracy. Members are however encouraged to raise their concerns via the most appropriate forum for dealing with them for instance by referring criminal matters to the police, reporting breaches of the Code to the Monitoring Officer and/or raising concerns about officers with their line manager.</p>	
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Agenda Item No:	13	
Committee:	Council	
Date:	14 December 2020	
Report Title:	Constitutional Amendments	

1 Purpose / Summary

For Council to consider changes to the constitution as outlined in the report.

2 Key issues

- From time to time, it is required to update the Constitution to reflect changes in legislation, policies and procedures and to ensure the smooth running and operation of the Council.
- This report seeks to update the constitution in relation to notice for motions, the planning scheme of delegation and decision making in relation to external funding.

3 Recommendations

- For Council to agree the constitutional changes as set out in Appendix A and delegate to the Monitoring Officer to update the master copy of the Constitution.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Chris Boden, Leader of the Council
Report Originator(s)	Carol Pilson, Monitoring Officer Amy Brown, Deputy Monitoring Officer
Contact Officer(s)	Carol Pilson, Monitoring Officer Amy Brown, Deputy Monitoring Officer
Background Paper(s)	Constitution

4 Background / introduction

- 4.1 It is important to update the Constitution from time to time to reflect changes to the external environment and to ensure the effective operation of the Council.

Motions on Notice

- 4.2 Currently, if Members wish to place a motion on the agenda, they must give 7 clear days' notice to the Chief Executive, not including the day of delivery or the day of the meeting. However, this deadline does not accord with the statutory deadline for agenda despatch for meetings which is 5 clear working days prior to any meeting. It is suggested that we bring the deadline for motions in line with the deadline for agenda despatch to ensure any motions can be included at the same time the agenda is published e.g. motions on notice will now be required 5 clear working days in advance of a Council meeting.

Planning permission in principle

- 4.3 The existing scheme of delegation makes no provision for dealing with planning permission in principle and associated technical consent applications. As these are restricted to the same scale of development as the 'minor' planning application category, it is proposed that these are dealt with in the same way as 'minor' planning applications. Planning permission in principle is in effect a more basic version of an outline planning application. Once planning permission is granted then a technical consent application follows, and this is akin to a reserve matter application but more detailed.

Letters of support/objection

- 4.4 In addition, it is noted that with regard to one of the triggers for an application being considered by Committee (the number of representations received that are contrary to the officer recommendation on an application) is not consistent between the application types. For Minor and Other applications, the requirement is for the representation to be from the ward or adjacent ward local to the application. There is not the same requirement in relation to Major applications, therefore it is proposed that representations on Major applications should also be from the ward or adjacent ward local to the application in order to trigger committee consideration of the application.

Decision making in relation to external funding

- 4.5 The Council has been very successful in achieving external funding from various sources. When successful with external funding, the Council still has to apply its own governance processes to the acceptance and spending of this external funding. The amounts of external funding the Council is attracting is increasing with significant sums flowing to the Council from external sources, therefore it is timely the Council reviews how these decisions in relation to how external funding is spent is considered to ensure the Council can action any external funding received as quickly as possible for the benefit of the community.
- 4.6 Therefore, it is suggested that for external funding, spending parameters are put in place whereby officers and Cabinet Members have the delegation to action the spending of external funding and entry in to the associated financial and legal agreements.
- 4.7 It is therefore suggested that in the case of external funding Corporate Directors, in consultation with the relevant Portfolio Holder and the Leader of the Council can authorise the spending of external funding up to the value of £100,000, Cabinet Members can authorise the spending of external funding up to £500,000 and any external funding over £500,000 is reserved for Cabinet.

5 Considerations

- 5.1 The changes are suggested to ensure timely decision making and the smooth operation of the Council.

6 Effect on corporate objectives

- 6.1 The Quality Organisation corporate priority sets out how the Council should be well managed and well run and these changes to the Constitution will assist with this aim.

7 Community impact

- 7.1 The constitutional changes will assist in delivering effective and efficient services to the community.

8 Conclusions

- 8.1 Council are requested to consider and agree the constitutional changes at Appendix 1.

Appendix 1 - Suggested Constitutional Changes (shown as track changes)

Part 4, Rule 1 - Council Procedure Rules

Section 10 - Motions on Notice

10.1 Notice

Except for motions which can be moved without notice under Rule 11, notice of every motion signed by the member giving the notice must be delivered in writing or by electronic mail to the Chief Executive by not later than 5 pm at least 57 clear working days before the date of the relevant meeting (that is not counting the day of delivery or the day of the meeting). These will be dated, numbered in the order in which they are received and entered into a book which shall be open to public inspection.

Part 3, Table 4 - Functions delegated to Officers

Development Control

88. Having ensured that all statutory requirements and Council policies have been complied with and after considering all representations received;26 23(i)

(i) Determine all 'other' ~~and~~ 'minor' ~~and~~ 'planning permission in principal (and associated technical consents)' applications submitted under any of the Acts or Statutory Instruments set out in Appendix A to this Scheme unless:-

- Called-in by Member (the development must be within their ward area or adjacent ward area and the Member request has been granted by the Head of Planning in consultation with the Chairman of Planning or substitute27).
- 6 or more unresolved written opinions from 6 or more separate sources are received from within the ward area or adjacent ward area which differ from the officer recommendation.
- Town/Parish views are in conflict with officer recommendation and the application is for more than 2 dwellings.
- The Head of Planning considers that the application merits committee consideration on the grounds of wider planning interests.28

(ii) Determine all 'major' applications submitted under any of the Acts or Statutory Instruments set out in Appendix A to this Scheme unless:-

- FDC or Member involvement
- Called-in by a Member (the development must be within their ward area or adjacent ward area and the Member request has been granted by the Head of Planning in consultation with the Chairman of Planning)³⁰
- 6 or more written views from 6 or more separate sources are received (from the ward or adjacent ward) which conflict with the officer recommendation
- Town/Parish views are in conflict with officer recommendation
- Statutory Consultee views are in conflict with officer recommendation
- The Head of Planning considers that the application merits committee consideration on the grounds of wider planning interests.³¹

Decision making in relation to external funding

New paragraph to be inserted at:

Table 4 and Table 5

To authorise the allocation of external funding awarded to the Council and entry in to the associated financial and legal agreements up to the following limits:

Value	Designation
<u>Up to £100,000</u>	<u>Corporate Directors in consultation with the relevant Portfolio Holder and Leader of the Council.</u>
<u>Between £100,001 and £500,000</u>	<u>Cabinet Member and Leader of the Council</u>
<u>Over £500,001</u>	<u>Cabinet</u>

Agenda Item No:	14	
Committee:	Council	
Date:	14 December 2020	
Report Title:	Update to Committees and Panels	

1. Summary

For Council to consider changes to the Council's Committees and Panels namely the merging of Staff Committee and Corporate Governance Committee.

2. Key Issues

- The Council delegates the delivery of certain functions to Committees to administer on the Council's behalf.
- Staff Committee currently oversees staffing and employment matters and those of internal health and safety.
- Corporate Governance Committee currently oversees the financial governance of the Council in relation to audit, financial probity and risk management.
- Following feedback from Members, there is a desire to merge these two Committees in to a single Committee to reflect the risk management role both Committees perform in relation to the Council's overall governance and in recognition that the Staff Committee only meets periodically (2 times in the past 12 months) therefore the work of the two Committees would more efficiently be performed by a single Committee.
- It should be noted that CIPFA guidance exists in relation to the construction and regulation of Corporate Governance Committees which encourages the adoption of certain principles around independence which will need to be considered as part of the establishment of this new Committee and are set out in more detail in section 2 of the report along with the view of External Audit.
- Terms of reference have been prepared for the new Committee at Appendix A.
- By merging the Committees, this impacts on political proportionality due to a reduction in the number of seats available therefore this has been recalculated as set out in the report and Appendix B.
- Appointments to the new Committee are set out at Appendix C.

3. Recommendation

- 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 Appendix A.
- To agree the updated political proportionality report as set out at 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.
- To incorporate mitigations referred to in paragraph 2.4 of the Report that cover the concerns raised in paragraphs 2.2 and 2.3.
- That consideration be given to additional measures which will further address the concerns raised in paragraphs 2.2 and 2.3 of the Report.

Wards Affected	All Wards
Portfolio Holders	Councillor Chris Boden, Leader of the Council
Report Originators	Carol Pilson, Corporate Director Peter Catchpole, Corporate Director Anna Goodall, Head of Legal and Governance Katherine Woodward, Internal Audit Manager Amy Brown, Chief Solicitor
Contact Officers	Paul Medd, Chief Executive paulmedd@fenland.gov.uk Carol Pilson, Corporate Director cpilson@fenland.gov.uk Peter Catchpole, Corporate Director petercatchpole@fenland.gov.uk
Background Papers	Council Report Committees and Panels, June 2020 Audit Committees Practical Guidance for Local Authorities and Police (CIPFA 2018 edition) Constitution

1. Background

Following feedback from Members, it is suggested that Staff Committee and Corporate Governance Committee are merged to create a new Audit and Risk Management Committee fulfilling all of the functions of the two previous Committees as set out in the new terms of reference.

2. Legal and Governance considerations

- 2.1 Section 101 of the Local Government Act 1972 (“the 1972 Act”) permits a local authority to arrange for the discharge of its non-executive functions via the appointment of committees. To date, Fenland District Council has delivered its staff and audit functions via the establishment of two separate committees. There is no statutory requirement for the business of these committees to be enacted in this way and Council are therefore being asked to consider an amalgamation. In considering that proposition due regard should however be given to the available guidance in relation particularly to the way in which good governance should be applied within a local authority and how effective Audit

Committees / Corporate Governance Committees should be constructed to achieve the primary governance functions expected by certain legislative requirements.

- 2.2 In particular, CIPFA, in its guidance 'Audit Committees Practical Guidance for Local Authorities and Police' (CIPFA 2018 Edition) guards against amalgamation of Corporate Governance Committees (CGCs) with other functions due to the concern its business may be diluted by other business and undermine its effectiveness. Also, it is recommended that CGCs do not have decision making powers to maintain their independence and to be able to hold other parts of the organisation to account. Under this proposal, the new Committee would be making decisions in relation to staffing and employment matters therefore it could not hold itself to account for these decisions due to a conflict of interest.
- 2.3 The views of the Council's External Auditor from Ernst and Young have been sought on this proposal which are:
- "the Corporate Governance Committee is there to provide robust, independent oversight of the processes and systems of the Council – it should not be a decision making body of the Council. Combining the two Committees would negate that key governance element and I would be minded to comment on the appropriateness if it was implemented...my view would be the independence and scrutiny is a sacrosanct role of an Audit Ctee (CG in your case)."*
- 2.4 These issues could be mitigated by having two clear sections to the meeting to deal with audit matters and employment matters.

3. Political Proportionality

- 3.1 Merging two Committees affects political proportionality as there is a reduction of 8 seats available to be apportioned to political groups reducing from 67 to 59.
- 3.2 As per paragraph 2.1 the Constitution provides that the Council allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements.
- 3.3 The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 3.4 For the purposes of the regulations a political group must consist of two or more members who have signed a declaration to that effect.
- 3.5 Where one or more groups exists the relative proportions of the groups should be used in allocating seats on committees/outside bodies. Therefore, any elected members who are not part of a group are not automatically allocated seats on committees. If however there are any seats which remain unallocated after political groups have been given their proportionate allocation, those unallocated seats will be given to ungrouped members.
- 3.6 The Council ordinarily has 39 elected members however a vacancy currently exists, which in accordance with the provision set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel

Meetings) (England and Wales) Regulations 2020 an election to fill the vacancy cannot take place until May 2021. There is no requirement to change the political proportionality purely as a result of the vacancy arising as legally the review would follow the subsequent by-election. However, given that there will be a significant delay before there is a legal requirement for a review due to the protracted timescales for an election, Group Leaders have indicated that they agree to act in accordance with the spirit of the legislation. The review would then have to be based on the number of 'actual' members (discounting the vacancy), namely 38..The distribution of the 38 current members of the Council within the group structures is as follows should the new Committee be formed:

Group	Number of Members	Percentage of seats allowed	Number of Seats on Committees
Conservatives	25	66%	39
Fenland Independents Alliance (Including 2 Liberal Democrats)	13	34%	20

The proposed allocation of seats and position of Chairman and Vice Chairman on the committees are as set out at Appendix B.

4. Financial Considerations

- 4.1 There are no financial considerations attached to this proposal except that only one Special Responsibility Allowance would be required instead of two. This represents a saving of £1,637.

5. Equality Considerations

- 5.1 There are none.

APPENDIX A – Terms of Reference

Corporate Governance Committee Procedure Rules to be deleted and replaced with the following Audit and Risk Management Committee Terms of Reference.

NEW Rule 10 – Audit and Risk Management Committee Rules

Statement of purpose

1. Our audit and risk management committee is a key component of Fenland District Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards. It also has oversight and decision-making powers in relation employment matters such as staff restructures, and internal health and safety.
2. The purpose of our audit and risk management committee is to provide independent assurance to the members and other parties of the adequacy of the risk management framework and the internal control environment. It provides independent review of Fenland District Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place. It also ensures the Council is managing the risk of ensuring services have the resources to deliver on the Council's statutory responsibilities and corporate priorities whilst recognising the Council's financial position.

Governance, risk and control

- 3 To review the council's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- 4 To review the AGS prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
- 5 To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- 6 To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.
- 7 To monitor the effective development and operation of risk management in the council.
- 8 To monitor progress in addressing risk-related issues reported to the committee.
- 9 To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- 10 To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- 11 To monitor the counter-fraud strategy, actions and resources.
- 12 To review the governance and assurance arrangements for significant partnerships or collaborations.
- 13 To consider staffing restructures and changes to the establishment.
- 14 To receive reports from the officers on strategic employment matters & policies.

Internal audit

- 17 To approve the internal audit charter.

- 18 To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- 19 To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- 20 To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- 21 To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- 22 To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
 - a) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - b) regular reports on the results of the QAIP
 - c) reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.
- 23 To consider the head of internal audit's annual report:
 - a) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
 - b) The opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
- 24 To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- 25 To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations.

External audit

- 26 To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.
- 27 To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- 28 To consider specific reports as agreed with the external auditor.
- 29 To comment on the scope and depth of external audit work and to ensure it gives value for money.

Financial reporting

- 30 To review the annual statement of accounts.
- 31 To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

Accountability arrangements

- 32 To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk

management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

- 33 To report to full council on an annual basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Membership

- 34 There shall be a maximum of 11 members of the Council on the Audit and Employment Committee with seats allocated to political groups in proportion to the number of seats held by each group on the Council as a whole. Up to three members from Cabinet and three members of the Overview and Scrutiny Panel may be members. A Cabinet member may not be Chairman.

Co-optees

- 35 The Committee shall be entitled to appoint up to 3 people at any one time as non-voting co-optees. The Committee shall determine whether the co-options shall be effective for a specified period, for specific meetings or for specific items.

Meetings

- 36 There shall be no more than 5 ordinary calendar meetings of the Committee and, whilst they are in force, the Virtual Meetings Procedure Rules will apply. In addition, extraordinary meetings may be called from time to time as and when appropriate.
- 37 The Committee meeting may be called by the Chairman of the Committee, by any three members of the Committee, by the Chief Executive or by the Section 151 officer.

Quorum

- 38 The quorum for the Audit and Risk Management Committee shall be as set out for committees, in the Council Procedures Rules at Part 4 of the Constitution.
- 39 The Chairman and Vice-Chairman of the Audit and Risk Management Committee will be drawn from among the Councillors sitting on the panel and subject to this requirement and that of 34 above, the panel may appoint such persons as it considers appropriate as Chairman and Vice-Chairman. A member of Cabinet may not be Chairman.

Work programme

- 40 The Audit and Risk Management Committee will be responsible for setting its own work programme and in doing so shall take into account the wishes of all members on the panel irrespective of political affiliation in line with its terms of reference.

Agenda items

- 41 Any member of the Audit and Risk Management Committee shall be entitled to give notice to the Chief Executive that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Chief Executive will ensure that it is included on the next available agenda.
- 42 Any five members of the Council who are not members of the Audit and Risk Management may give written notice to the Chief Executive that they wish an item relevant to the functions of the Committee to be included on the agenda.

Appendix B – Political Proportionality

Staff Committee and Corporate Governance Committee deleted and replaced with Audit and Risk Management Committee

Appendix A - Allocation of Seats on Committees & Panels

Committee	Membership	Political Apportionment
Overview and Scrutiny	<p>Up to 12 members of the Council (none of which may be part of the Cabinet)</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
Planning Committee	<p>Up to 12 members of the Council. No more than three of which can be members of the Cabinet.</p> <p>Each political group can appoint up to 4 substitute members (8 substitute members)</p> <p>Appointment: Chairman Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>4 substitute members from each political group</p> <p>To the Conservative Group To the Conservative Group</p>

<p>Licensing Committee (Licensing Act 2003)</p>	<p>Up to 12 members of the Council.</p> <p>The same Members are to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>8 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Conduct Committee</p>	<p>Up to 5 Members of the Council</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p> <p>The Committee may also appoint itself up to two members of Town or Parish Councils to assist its work.</p>	<p>3 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p> <p>Currently: Councillor Andrew Donnelly Councillor John Maxwell</p>

	Independent Person: Deputy Independent Person:	Stuart Webster Claire Hawden-Beal
Appointments Panel	<p>Up to 7 members and not less than 3 nominated by the Leader to reflect political proportionality</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>5 to the Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<u>Audit and Risk Management Committee</u>	<p><u>Up to 11 members of the Council to be formed from:</u></p> <p><u>Up to 3 members of Cabinet not including the portfolio holder responsible for finance</u></p> <p><u>Up to 3 members drawn from the Overview and Scrutiny panel</u></p> <p><u>5 Backbench members</u></p> <p><u>6 substitute members</u></p> <p><u>Appointment: Chairman</u> <u> Vice Chairman</u></p> <p><u>The Chairman may not be a member of Cabinet</u></p>	<p><u>7 to the Conservative Group</u> <u>4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</u></p> <p><u>Substitute members</u> <u>4 to Conservative Group</u> <u>2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</u></p> <p><u>To the Conservative Group</u> <u>To the Conservative Group</u></p>

Appendix C – Committee Membership

- **APPOINTMENTS TO MEMBERSHIP OF OVERVIEW AND SCRUTINY**
 - **PANEL & COMMITTEES FOR 2020/21**

<u>Cabinet (10)</u>	
Councillor Ian Benney	Councillor Mrs Dee Laws
Councillor Chris Boden (C)	Councillor Peter Murphy
Councillor Sam Clark	Councillor Chris Seaton
Councillor Mrs Jan French (VC)	Councillor Steve Tierney
Councillor Miss Sam Hoy	Councillor Susan Wallwork
<u>Overview and Scrutiny Panel (12)</u>	
Councillor Gavin Booth	Councillor Alex Miscandlon (VC)
Councillor David Connor	Councillor Mark Purser
Councillor Mike Cornwell	Councillor Robert Skoulding
Councillor Steve Count	Councillor David Topgood
Councillor Michael Humphrey	Councillor Bob Wicks
Councillor David Mason (C)	Councillor Fred Yeulett
Substitutes: Cllr Mrs Sarah Bligh, Cllr Andy Maul Cllr Maureen Davis, Cllr Mrs Kay Mayor + 2 vacancies	
<u>Planning Committee (12)</u>	
Councillor Ian Benney	Councillor Charlie Marks
Councillor David Connor (C)	Councillor Mrs Kay Mayor
Councillor Mike Cornwell	Councillor Nick Meekins
Councillor Mrs Maureen Davis	Councillor Peter Murphy
Councillor Mrs Jan French	Councillor Will Sutton
Councillor Andrew Lynn (VC)	Councillor Robert Skoulding
Substitutes: Cllr Sarah Bligh, Cllr Gavin Booth, Cllr David Patrick, Cllr Michelle Tanfield Cllr Humphrey, Cllr Miscandlon, Cllr Billy Rackley + 1 vacancy	
<u>Licensing Committee (12)</u>	
Councillor David Connor	Councillor Nick Meekins
Councillor Miss Sam Hoy	Councillor Billy Rackley
Councillor Michael Humphrey (C)	Councillor Robert Skoulding (VC)
Councillor Andrew Lynn	Councillor Michelle Tanfield
Councillor Mrs Kay Mayor	Councillor David Topgood
Councillor Andy Maul	Councillor Simon Wilkes
Substitutes: Cllr David Patrick, Cllr Charlie Marks Cllr Ian Benney, Cllr Alex Miscandlon, Cllr Peter Murphy + 1 vacancy	

<u>Audit and Risk Management Committee (11)</u>	
Substitutes:	
<u>Conduct Committee (5)</u>	
Councillor Mike Cornwell	Councillor David Topgood (C)
Councillor David Patrick	Councillor Mrs Susan Wallwork (VC)
Councillor Mark Purser	
Substitutes: Cllr Andy Maul Cllr Sam Hoy, Cllr David Connor	
Independent People Independent Person: Stuart Webster Deputy Independent Person: Claire Hawden-Beal	Town/Parish Reps Councillor Andrew Donnelly Vacancy
<u>Appointments Panel (7)</u>	
Councillor Chris Boden	Councillor Will Sutton
Councillor Steve Count	Councillor Steve Tierney
Councillor Mrs Jan French	Councillor Fred Yeulett
Councillor Robert Skoulding	
Substitutes: Cllr Mike Cornwell, Cllr Kim French	
<u>Investment Board (3)</u>	
Councillor Ian Benney	Councillor Steve Tierney
Councillor Chris Boden	
Substitutes: Cllr Sam Hoy, Cllr Chris Seaton	