

No	Action Point	Allocation	Timeframe	Update
25	<b><u>Introduction and Apologies</u></b>			<p>Apologies received from: Julia Beeden, Lee Bevens, Hilary Ellis, Hannah Guy Marcel Cooper, Emma Nasta, Ben Hornigold, Keith Hutchinson, Simon Jackson, David Rowen, Christian Wilson, Justin Wingfield and David Wyatt</p> <p>Present: Sarah Bell ,Stephen Buddle, Shanna Jackson,Matthew Hall, Nick Harding, Peter Humphrey, Councillor Mrs Dee Laws, Claire Maloney, John Maxey (Chair), Dino Biagioni, Carol Pilson, Tim Slater , Councillor Sutton, David Thomas, Anne Wardle, and Gemma Wildman.</p>
26	<b><u>Review of Action Schedule from Last Meeting held on January 13, 2021</u></b>			<p>The action schedule from the meeting held on the 13 January 2021, was agreed.</p> <p>John Maxey stated that there is a lot of demand for land and commercial premises which are difficult to find and he asked Anne Wardle if an up to date list of available commercial land and premises could be provided.</p> <p>John Maxey reiterated to the forum that any agenda items for future meetings would be welcomed.</p>
27	<b><u>Local Plan Update</u></b>			<p>Gemma Wildman gave the forum an update on the draft Fenland Local Plan. She stated that it was scheduled for consultation in February but</p>

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				<p>due to the Covid pandemic it did not take place and she added that there have been several delays in the process due to Covid including the site assessment and site visits were delayed last year. She added that delays have also been as a result of a second call for sites, which included site assessments and site visits and also last Summer the Government consulted on how the local housing need figure was calculated and as a result there was some uncertainty on what that would mean for Fenland and whether it would result in a significant increase in the housing need figure. She stated that the information was confirmed by Central Government before Christmas that the formula for Fenland would remain the same and the site selection work was able to continue. Gemma Wildman explained that good progress has been made regarding selecting options and picking out sites and the technical work is now taking place to finalise the site assessments and prepare the draft Local Plan.</p> <p>Gemma Wildman stated that it is still not clear what the actual timetable will be and added that it is hoped that consultation will take place between July to September. She added that the timetable on the website has a link which is updated monthly with the latest information and it is hoped that a report will go to Cabinet in July.</p> <p>Gemma Wildman referred to an earlier Cabinet Report which set out some of the key issues and updates on the proposal of what the new Local Plan could include. She added that one of the aspects being considered is that there will be a robust buffer to ensure that there is a good supply of land available and to help with delivery. Gemma</p>

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				<p>explained that Broad Concept Plans and Broad Locations for Growth are to be removed and will be replaced with specific and deliverable sites. She added that it was made quite clear in the early stages of consultation when sites were being suggested that existing allocations would not be carried forward and they would have to demonstrate that they were available and deliverable and this has formed part of the assessment work. Gemma explained that the large areas around the edges of the large market towns will not be carried forward, it will only be some of the sites where it can be proved that they are deliverable. She added that settlement boundaries are to be reintroduced and she added that following the consultation it was clear that people wanted the certainty of having settlement boundaries but also some flexibility, which is a hard balance and therefore an infill policy is being looked at with regard to the edges of villages which would be extended to have infill development but wouldn't be allocations and there would be criteria to find those and one of the main considerations would be flood risk and also how it fits with the character of the village. She stated that it will not be something that every village will have but it is something that is being investigated to introduce. Gemma Wildman stated that replacement dwellings in the countryside has also been reviewed which is something that the current and national policy allows but quite often it is restrictive as to what size the replacement dwelling can be and looking forward there will not be the same restrictions.</p> <p>Gemma Wildman explained that a lot has changed because of national policy and guidance</p>

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				<p>and those changes must be implemented.</p> <p>Councillor Sutton asked for reassurance regarding flood risk when considering the new Local Plan. Gemma Wildman stated that a strategic flood risk assessment will be carried out and the most appropriate sites will be picked, and the aim is to avoid sites in Flood Zone 3. She added that Level 1 is being reviewed currently and she added that she would be very surprised if a level 2 flood risk assessment wasn't required.</p> <p>John Maxey stated that it had been mentioned that there would be no automatic carrying forward of large sites and he added that in some places such as Wisbech there is only one flood zone area. Gemma Wildman stated that sites that are in Flood Zone 1 are ruled out and with regard to the assessment process, sites are picked out and then if the housing targets are not met then other criteria is looked at, however flood risk is further down the list in the assessment process and wherever possible areas at risk of flooding are avoided.</p> <p>Tim Slater asked as to whether the housing needs assessment had been carried out. Gemma Wildman stated that it is being done directly with Cambridgeshire and drafts had recently been received which are currently being commented on and she would hope that it would be published imminently.</p>
28	<b><u>Navigation - Presentation form David Thomas -Middle Level Commissioners</u></b>			<p>David Thomas presented to the forum on the subject of Navigation.</p> <p>He gave an overview of Middle Level</p>

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				<p>Commissioners (MLC) which is the fourth largest navigation in the country, British Waterways being the largest, followed by the Environment Agency (EA) and the Broads Authority and then Middle Level.</p> <p>He added that the Middle Level system has for over a century not been focussed on exploiting it to the maximum and the Commissioners had little or no interest because they derived little or no income from it, as their old act denied them for charging for navigation and many of the Fenland towns and villages accepted that they were there but did not maximise their benefit. MLC are the link route for the wider navigation network into places such as Ely, Cambridge, St Neots, St Ives and Bedford and there are more people spending more time on boats the opportunities for exploiting the system increase and he estimates that there are between 350 -450 boats currently residing in their system. David Thomas stated that he expects that number to fall slightly as the MLC are now charging, a lot of the boats which have fallen into decline and don't meet the insurance and safety standards are now being removed. He stated that the Environment Agency have in the region of three times the length of watercourse and for that length of watercourse there are 7000 boats.</p> <p>David Thomas explained that MLC currently have three marinas, two larger and one smaller. He added that the two larger marinas are one in March and also one in Ramsey. He stated that when a boat comes to a town, they generally spend in the region of £150 per boat for an overnight stay and that brings an income into the</p>

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				<p>local economy. He highlighted the accessibility options available to those users of the waterways and explained that the aim is to make the Middle Level a destination rather than a place that is just a pass through destination and he explained that the Boston to Peterborough link and the proposed Bedford to Milton Keynes link will create circuits which are very well liked in the boating community.</p> <p>David Thomas explained that MLC have been working very closely with the EA and the conservators of the River Cam and agreements have been reached to introduce the Anglian Pass, which will allow boaters to purchase a top up pass to be able to use the waters of all three agencies. He added that now as the MLC have a vested interest, they are spending some money on providing facilities, which will include rural moorings and he stated that as part of the Market Towns funding which is coming forward to redevelop the centre of March, MLC are working with FDC. David Thomas added that the MLC are also working with Ramsey Town Council on a bid submission to provide improved moorings.</p> <p>David Thomas explained that MLC are working with the Middle Level Watermans club to develop facilities which could include a club for younger people to control them to use the waterways in a controlled and safe manner. He added that in addition there is a residential mooring working group and an navigation advisory committee and all of the relevant information concerning this is detailed on the MLC website.</p> <p>David Thomas referred to the presentation screen</p>

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				<p>and highlighted the public moorings and rural moorings and the addition of rural moorings will continue over the coming year. He stated that if the water environment is improved, property values increase and consideration should be given to how the water environment can be made more attractive and to see how it can fit into development plans to include waterside properties, that create places where people want to go to. He explained that residential moorings are very easy to implement and have a low carbon footprint and should be profitable and the right type of residential mooring, should encourage the right type of people.</p> <p>John Maxey questioned that from a Middle Level perspective in terms of giving permission for moorings to be created, how do individuals request this from MLC and also from a planning perspective is there a proposal in the Local Plan to make allocations for residential moorings.</p> <p>David Thomas stated that as long as a boat is hours travel away, people are happy to move their boat to gain access to facilities. He added that byelaw consent is required and if individuals approach MLC, as long as you either own or have permission of the land owner, and as long as it is not going to prove problematic to MLC or would impede navigation, there should be no concerns.</p> <p>Nick Harding stated that from a planning perspective the housing needs assessment will have a section which will cover residential moorings.</p> <p>Councillor Mrs Laws stated that she sits on the</p>

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				<p>Navigation Group along with David Thomas and added that many people are now looking at a lifestyle change where boating is becoming a popular choice. She added that the waterways are an attraction and moving forward there is a niche in the market which should be considered. She added it is being looked at in the housing needs assessment for the emerging draft Local Plan.</p>
29	<p><b><u>Update on Planning Legislation and Policy</u></b></p>			<p>Nick Harding provided an update to the Forum regarding Planning Legislation and Policy.</p> <p>He added that from August 2021 a new prior approval system is due to be introduced, to deal with changes of use from class B to residential. He added that there are going to be some limitations about what would qualify for consideration under that prior approval arrangement and therefore there is going to be a 1500sq metre floor space limit on such proposals and the property in question must have been in class E use for a minimum of 2 years and vacant for at least three months in order to qualify for the process. He added that other criteria will also be</p>



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				<p>considered regarding the suitability for that residential conversion.</p> <p>Nick Harding added that another piece of legislation being introduced is that permission will always be required for the removal of any unlisted statues, memorials and monuments and he added that with regard to the Governments Covid response, with regard to the reopening of the high street they have indicated that Councils should not normally be enforcing against late night opening of retail facilities where it would normally be contrary to planning conditions and they have suggested that it would be sensible to let retail premises remain open till 10pm at night, but there maybe cases where that would be inappropriate but the Government is looking for Councils to be flexible.</p> <p>Nick Harding stated that the Government have been flexible with regard to out of hours deliveries which has been extended and longer construction time arrangements have also been extended to the end of September 2021.He added that hospitality venues will be able to have temporary outdoor moveable structures for the whole of the Summer season which also includes Listed Buildings which had been previously excluded. Nick Harding explained that he has not seen any extensions to allow more time for existing extant consents to be implemented to date.</p> <p>He explained that with regard to First Homes, the Government undertook a consultation on their first homes proposals, and they are producing a government response to that consultation which should be published imminently.</p>

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				<p>Nick Harding stated that the Government are due to undertake a consultation exercise regarding certain changes to permitted development in relation to telecommunications, with the focus being on 5G.</p>
30	<p><b><u>Section 106 Agreements</u></b></p>			<p>John Maxey stated that with regard to Section 106 Agreements, there appears to be a continuing delay for applicants when dealing with the Section 106 Agreements and in particular the County Council Legal Team and he expressed the view that a resolution needs to be found. He added that there appears to be an issue with regard to holding up the grant of consent, which is slowing development. Nick Harding stated that consideration is being given as to whether the County Council can be removed as a signatory where the Section 106 agreement involves nothing more than a cash payment and this should ensure the process is expedited. John Maxey stated that would cover most situations other than specific highway works and added that the proposal would be an improvement but needs to be reviewed. He asked that for future meetings could a performance indicator be provided with regard to the length of time between a committee meeting and actual issue of a planning consent when a Section 106 agreement is involved. Nick Harding state that he has not undertaken a review on live Section 106 agreements to ascertain</p>

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				<p>where the delays are, however this is something he will look at in preparation for the next meeting.</p>
31	<p><b><u>Updated Public Access System</u></b></p>			<p>John Maxey asked the forum for their views concerning the ease of use regarding the Public Access system, since it has been changed.</p> <p>Tim Slater stated that he is finding it harder to use and stated that you cannot scroll down to look at individual dwellings and the scale of the maps does not go down far enough to identify part of the building and the extent of a red edge and in his opinion it is a retrograde step.</p> <p>John Maxey stated that those views concur with the thoughts of his staff who have stated that the level of detail and the capability of being able to drill down on the map is not user friendly.</p> <p>Nick Harding stated that another agent has already fed back concerns regarding the system and added that the change was introduced by the IT team and what can now be seen on public access is a free mapping tool and if further detail is required to obtain a better map based system then it will have budget implications. John Maxey stated that there are other mapping systems which are cheaper than the ones which are OS based and expressed the view that if you use a system which is not OS based then a great deal of detail is lost.</p> <p>Shanna Jackson asked whether there were any plans to add Tree Preservation Orders to the system as it would save a great deal of time. Nick Harding states that currently there are no plans for this information to be added due to lack of</p>

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				<p>capacity of officers.</p> <p>Councillor Sutton stated that he also agrees that the stability of Public Access is not as consistent as it used to be, and he has encountered issues with using the system.</p> <p>Nick Harding stated that a number of IT updates and upgrades have taken place and unfortunately some of those updates did cause issues.</p>
32	<p><b><u>Performance Information - Applications and Appeals</u></b></p>			<p>Nick Harding provided an update to the Forum regarding performance and appeals.</p> <p>He stated that currently there are 92 applications forming a backlog and with year-end, staff have been using up annual leave, meaning the backlog has increased. Staff members have been undertaking extra hours where possible to assist with the applications and the My Fenland Project based at the Council will be assisting the team which may provide the ability for the planning team to be able to deal with the demands and the fluctuation of the service to try and provide a smoother performance.</p> <p>He added that with regard to performance without extensions of time taken into account Majors - 39% of applications dealt with in 13 weeks. 100% with extensions of time taken into account , Minors 52% in 8 weeks, 94% with extensions of time taken into account, Others 76% in 8 weeks and 97% with extensions of time taken into account and he added that with regard to appeals, the Council has not lost any appeals with regards to Majors and with regard to minors there is an allowance of 1.3% of all applications and there is</p>

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				<p>a bad performance allowance as stipulated by the Government of 10% and therefore the performance is well within the Governments expected parameters.</p> <p>John Maxey asked for confirmation as to how many appeals in total there have been as in his experience, the appeals process appears to be taking a considerable amount of time. Nick Harding stated he will obtain the number of appeals and provide them for the next meeting. He added that the appeals performance at Fenland has always been very good.</p> <p>Councillor Sutton asked Nick Harding whether he would be able to provide statistics concerning the performance with regards to the extensions of time.</p> <p>Nick Harding stated that in his opinion the extension of time data is because of amended plans and the logistics of physically running out of time to try and determine applications due to the backlogs being experienced. He added that there are a number of applications going to Planning Committee compared to previous years and he expressed the view that it will be featuring more and more as to why applications cannot be determined within 8 and 13 weeks.</p> <p>Tim Slater stated that he is happy to agree extensions of time and added that several authorities are not doing that and just simply send a refusal notice on week 7. He added that he recalls a Planning Committee where Councillor Sutton had asked a question as to whether the officer had engaged with the Applicants to reach a</p>

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				<p>negotiated position and Mr Slater stated that both himself and his clients would much rather that happen. He added that extensions of time are better for both parties and encourage a better working relationship. John Maxey concurred with the comments made by Tim Slater and added that most people would have a further three or four weeks rather than start the process again.</p>
33	<b><u>Staffing Matters</u></b>			<p>Nick Harding updated the forum with regard to staffing matters.</p> <p>He advised the forum that the Legal Officer, Stephen Turnbull has retired and Mr Chris Gordon will be assisting the Planning Team going forward.</p> <p>Nick Harding confirmed that the Planning Team is currently fully staffed.</p>
34	<b><u>Any other Business</u></b>			<p>Nick Harding advised the Forum that consideration is being given to the production of an alphabetical performance report that will be published to the website which will detail each agents ability to submit applications which are valid right first time and also what the outcome is on the determination of the applications and how many of the agents applications got approved or refused. He added that this will be published on a monthly basis.</p> <p>Anne Wardle stated that Simon Jackson is to arrange another Agents commercial meeting.</p> <p>Councillor Sutton stated that he has previously raised an issue with regard to riparian responsibilities previously with Stephen Turnbull.</p>

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				<p>He added that he had asked whether it was possible to make final purchasers more aware through the decision notice of their responsibilities under riparian rules. He added that Stephen Turnbull was going to look into this further and he asked Nick Harding to look into this further with the new Legal Officer.</p> <p>John Maxey asked whether Councillor Sutton was referring to the liability to maintain a ditch which is adjoining your property and added that the Land Registry when registering fields, will register to the top of the bank of the ditch and not the half ditch. He added that there are many situations where the half of the dyke which needs to be maintained is not on the title of the person who has the liability of the maintenance. Councillor Sutton stated that the riparian responsibilities need to be made clearer.</p> <p>John Maxey asked for topics to be provided for future meetings.</p> <p>The date of the next meeting: July 28 at 3pm</p>

Finish: 4.18 pm