

AGENDA

CABINET

THURSDAY, 21 OCTOBER 2021

4.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH**

Committee Officer: Linda Albon
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Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our YouTube channel, due to the Council still observing Covid-19 restrictions.

The meeting can be viewed on our You Tube channel via this link:

https://youtu.be/azH_bGZufml

- 1 To receive apologies for absence
- 2 Previous Minutes (Pages 3 - 6)
To confirm and sign the minutes of the meeting held 30 September 2021.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 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 Civil Parking Enforcement Update (Pages 7 - 12)

To update members on progress made so far by FDC and Cambridgeshire County Council in respect of the CPE implementation works, following the Cabinet decision on 22nd March 2021 to progress with the introduction of Civil Parking Enforcement for On and Off-Street parking places within Fenland.

6 Draft 6 Month Cabinet Forward Plan (Pages 13 - 14)

For information purposes.

7 Items which the Chairman has under item 3 deemed urgent

Wednesday, 13 October 2021

Members: Councillor C Boden (Chairman), Councillor Mrs J French (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor Miss S Hoy, Councillor Mrs D Laws, Councillor A Lynn, Councillor P Murphy, Councillor C Seaton and Councillor S Tierney

CABINET



THURSDAY, 30 SEPTEMBER 2021 - 3.00 PM

PRESENT: Councillor C Boden (Chairman), Councillor Mrs J French (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor Miss S Hoy, Councillor Mrs D Laws, Councillor A Lynn, Councillor P Murphy, Councillor C Seaton and Councillor S Tierney

CAB20/21 PREVIOUS MINUTES

The minutes of the meeting held 24 August 2021 were approved and signed.

CAB21/21 FREEDOM LEISURE

Members considered the Freedom Leisure report presented by Councillor Clark.

Councillor Boden referred to paragraph 5.9 of the report and said that the prospect of the management fee starting to be paid in part in only three months' time is significantly better than anticipated when the budget for this financial year was first set. The levels of activity have exceeded our best hopes and it is hoped that this can continue for Freedom Leisure. He added that Councillor Clark was correct to emphasise that January 2022 memberships would be crucial, and it will be the first opportunity to compare the position with pre-pandemic figures.

Cabinet AGREED that:

- **Fenland District Council provides the Phase VI financial relief to Freedom Leisure set out in these recommendations and detailed in section 5 of the report.**
- **FDC defers the monthly management fee of £38,000 per month for October 2021 – December 2021, at an estimated cost to the Council of £114,000, repayable in accordance with the terms set out at paragraph 3.4 of these recommendations.**
- **FDC continues to support Freedom Leisure on an open book basis by providing financial support from the remaining NLRG grant. The current estimated cost of operational support for the period is £25,260.**
- **Repayment of the £114,000 described in these recommendations shall become payable through an annual deduction of 75% of any profit generated in excess of the levels predicted in the LOBTA (Leisure Operators Base Trading Account). This is a change from the current 50/50 profit share and will be subject to the performance of the business over the contract period.**
- **The Monitoring Officer and s.151 Officer are authorised to put in place all necessary arrangements to give effect to the agreed recommendations to include entry into the necessary legal arrangements and expenditure of the amounts described from existing budget provisions.**

CAB22/21 COUNCIL TAX SUPPORT SCHEME

Members considered the Council Tax Support Scheme report presented by Councillor Boden.

Councillor Tierney commented that this seems a sensible set of proposals, he is glad that the Overview and Scrutiny Panel looked at it and approved it and he will certainly be supporting it.

Councillor Boden said the report is out for public consultation and will be brought back in the New Year for consideration by Full Council.

CABINET considered the report and associated comments and recommendations from Overview and Scrutiny Panel and AGREED:

- (i) that the current 20% contribution rate for working age claimants remain unchanged for the 2022-23 scheme;**
- (ii) to approve for consultation the following four changes to the current scheme as detailed at Sections 4 and 5 of the attached report:**
 - (a) to reduce the capital threshold to £10,000 and abolish tariff income;**
 - (b) to introduce a fixed rate deduction of £7.40 for non-passported non-dependents;**
 - (c) to streamline the claim process and**
 - (d) to increase the tolerance for Universal Credit data re-assessments.**

(Councillor Lynn left the meeting at 3.11pm at the beginning of this item)

CAB23/21 FENLAND WALKING, CYCLING & MOBILITY DRAFT STRATEGY

Members considered the Fenland Walking, Cycling and Mobility Draft Strategy report presented by Councillor Seaton.

Councillor Seaton thanked the Hereward Community Rail Partnership for their assistance in funding and helping with the development of this strategy.

Councillor Mrs French said she welcomes this but asked that the draft document be updated throughout as it incorrectly refers to the March Area Transport Strategy (MATS) as the March Area Transport Study; emphasizing it is a strategy not a study. Many things being worked on in the MATS have been costed through the County Council and some of the things highlighted in the MATS are not in FDC's strategy. She welcomes the Cycle 63 from Whittlesey to Peterborough but pointed out in the MATS we had improved the NCN63 cycle signage and local signed route at a cost of £12k; also, down near the prison was also highlighted so she asked if these could be included. Councillor Mrs French added that she welcomes the possibility of a cycle path from the Peas Hill roundabout to Mill Hill providing no road space is used as it would be too dangerous and there is enough kerb space to do it. Councillor Mrs French thanked officers for their hard work in such a short space of time.

Councillor Seaton echoed Councillor Mrs French's thanks to officers and confirmed he was happy to make the changes she outlined.

Councillor Tierney stated that he supports the strategy and all the plans and schemes within it but as this is a public meeting, he wanted to raise a particular issue. He said that it is common for the public to see walking, cycling and mobility and conflate it with highways and paths, forgetting which

council does which. However, this strategy must go hand in hand with proper maintenance of highways and paths, which is not Fenland District Council's responsibility. Therefore, he would like to see in the future when we work on such strategies, for us to encourage the County Council to think about how they allocate their budgets because paths and highways are not always maintained to the level the public would expect. He is concerned that very good work such as this is then overlooked because the public understandably focus on potholes. Therefore, he wanted to point out the difference between the councils whilst being in full support of this strategy.

Councillor Boden thanked Councillor Tierney, saying his point is entirely correct and the issue of the improvement of highways maintenance has been included within the report.

Councillor Laws said she fully supports this strategy; it is ambitious. It has proved since Covid-19 that the public are walking and cycling more, particularly in her area between Whittlesey and Peterborough when NHS staff and essential workers have been using that route. She has received many reports about punctured tyres etc and trips after dark. That route is so well used, and she believes there will be a huge response to the consultation. It allows our children to come off the A605, one of the busiest and most dangerous A roads as they cycle to Sir Harry Smith.

Councillor Benney said from a Chatteris perspective, he also fully supports this strategy. The plans for Chatteris provides better connectivity to the retail park which will further develop in time and there will be better and safer access for children to school.

Cabinet AGREED to adopt the strategy as Version 1 and to approve the selected schemes to develop costed proposals to be ready to put forward for funding.

CAB24/21 DRAFT 6 MONTH CABINET FORWARD PLAN

Councillor Boden presented the Cabinet Forward Plan for information.

3.29 pm

Chairman

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Agenda Item No:	5	
Committee:	Cabinet	
Date:	21 October 2021	
Report Title:	Economic Growth & Assets – On and Off-Street Parking Enforcement Update Paper	

1. Purpose / Summary

To update members on progress made so far by FDC and Cambridgeshire County Council in respect of the CPE implementation works, following the Cabinet decision on 22nd March 2021 to progress with the introduction of Civil Parking Enforcement for On and Off-Street parking places within Fenland.

2. Key Issues

- Cambridgeshire County Council CPE Progress
- Traffic Regulation Order Survey, Review and Corrective Works
- Agency Agreement
- Off Street Parking Places Regulation Review
- Project Delivery Timeline
- On and Off-Street Enforcement and Administration Options
- Project Risks and Funding
- Liaison with Key Partners
- HDC, SCDC CPE Progress

3. Recommendations

It is recommended that Cabinet:

- a) Note the decisions agreed in respect of Civil Parking Enforcement at Cambridgeshire County Council Highway and Transport Committee on 7th September 2021
- b) Note the progress being made by FDC and CCC in respect of moving the introduction of CPE forward

Wards Affected	All
Forward Plan Reference (if applicable)	
Portfolio Holder(s)	Cllr Chris Boden, Cllr Jan French
Report Originator(s)	Garry Edwards Engineering Manager gedwards@fenland.gov.uk
Contact Officer(s)	Peter Catchpole Corporate Director – Finance petercatchpole@fenland.gov.uk
Background Paper(s)	FDC Cabinet Paper 22-03-2021
Reference Documents	Cambridgeshire County Council Highway and Transport Committee Paper 07-09-2021

1. Cambridgeshire County Council CPE Progress

At the Cambridgeshire County Council Highways and Transport Committee meeting on 7th September 2021, it was resolved to:

- a) Authorise Cambridgeshire County Council (CCC) to prepare a Civil Enforcement Area (CEA) or Special Enforcement Area (SEA) application to the Department for Transport for a Designation Order for the introduction of CPE in Fenland, Huntingdonshire, and South Cambridgeshire.
- b) Delegate the approval of Agency Agreements with Fenland, Huntingdonshire and South Cambridgeshire District Councils, a funding agreement with the Greater Cambridge Partnership and the Department for Transport application to the Service Director (Place and Economy), in consultation with the Chair of the Highways and Transport Committee.
- c) Request an update report to include clarification of the funding of the schemes for the November Committee meeting. (This report will also look at the financial implication of introducing CPE in South Cambridgeshire).

County Council officers are in regular communication with the FDC CPE project team and are leading on various aspects of the implementation process.

2. Traffic Regulation Order Survey, Review and Corrective Works

One of the lengthiest processes involved in the CPE implementation work is the on-site surveying, reviewing, and the undertaking of any necessary corrective works associated with the existing TRO signing and lining. This aspect of the project is estimated to take approximately 18 months to complete but will very much be determined by the level of corrective works required.

To ensure that the implementation programme remains on track RTA Associates Ltd have now been appointed to carry out a full Traffic Regulation Order survey of all On and Off-Street parking and waiting restrictions within Fenland. The works are to be undertaken in accordance with Cambridgeshire County Councils policy and regulation team requirements with all data being suitably mapped and digitised on to an electronic database. All queries and anomalies will be shared with FDC and CCC, and each TRO reviewed by CCC officers to check for accuracy. Any remedial works requiring resolution will then be agreed to bring the existing TRO's up to a standard that will enable the implementation of Civil Parking Enforcement in Fenland.

Following determination of the necessary signing and lining corrective works, FDC and CCC will work collaboratively to obtain quotations from approved contractors.

3. Agency Agreement

As the County Council are the Highway Authority an agency agreement would need to be set up to enable FDC to act as an agent to the County Council for the delivery of on-street enforcement and notice processing. This would enable FDC to carry out the enforcement of both on and off-street parking areas.

The agreement would set out delegated authority to FDC and define responsibility for things such as sign and line maintenance, CPE surplus and deficit and contractual issues associated with enforcement and administrative matters etc. The formation of this agreement needs to be done in a coordinated and comprehensive manner and County Council officers will be working with FDC officers over the coming weeks/months on drafting a preliminary agreement for consideration.

4. Off Street Parking Places Regulation Review

In preparation for the implementation of CPE, all FDC owned/managed Off Street public car park parking place regulations will need to be reviewed and suitably amended. Car Parks with existing off street parking place orders under the Road Traffic Regulation Act will need to be brought up in line within the requirements of CPE under the Traffic Management Act 2004, with new orders placed upon those sites currently without orders. FDC officers are collating all existing order and layout information for off street parking places for review by the FDC CPE project team.

5. Project Delivery Timeline

The timeline required for the implementation of CPE in Fenland is approximately 2 years, however there are several factors which could inadvertently result in project slippage. Following approval of CPE at the Cambridgeshire County Council Highway and Transport Committee in September, the project timeline has been reprofiled with the designation order anticipated to be brought into effect in October 2023. Whilst it is the intention to put forward one application to the DfT for FDC, HDC and SCDC, consideration will be given to putting forward separate applications should insufficient project progress be made by one or more of the District Councils.

The application for a CEA/SEA designation order to the Department for Transport is a fundamental element of the project and applications are usually invited for submission to the Secretary of State in April and October. The time taken for the DfT to consider and reach a decision varies but ordinarily is around 6 months. It is intended to put forward a CEA/SEA application in October 2022 allowing sufficient time to form and agree the agency agreements in advance.

6. On and Off-Street Enforcement and Administration Options

The formation of the agency agreement will set out delegated authority to FDC and define responsibility for the administration, maintenance, and enforcement of On and Off-Street parking places.

The feasibility works outlined several models for delivery of the enforcement and administrative services necessary for the implementation of CPE in Fenland. The FDC CPE project team will start to explore all available options in Q1 and Q2 of 2022 for the delivery of these services in accordance with the recommendations of the CPE feasibility study works. This will include the use of private company and/or neighbouring authority resources to deliver the essential administrative and enforcement elements of the service in the most financially viable manner.

7. Project Risks and Funding

The successful outcome of the £400k grant from Cambridgeshire and Peterborough Combined Authority (CPCA) has enabled all associated FDC CPE set-up costs to be covered. The TRO survey works will inform the level of corrective works required to the existing signing and lining; however, it is not envisaged that the extent of the works required will be disproportionate to the feasibility works remedial costing.

The formation and agreement of the agency agreement in advance of applying for a CEA/SEA designation order to the DfT will mitigate organisational and financial risk to both FDC and CCC.

8. Liaison with Key Partners

The support of Cambridgeshire Police is paramount to the success of the application to the Department for Transport for CPE powers. Cambridgeshire County Council officers have confirmed that discussions held to date with the Police have been very positive with Cambridgeshire Police being fully supportive of the CPE implementation proposal.

Liaison with all other interested parties will form part of the implementation phase of the works as the project progresses and shall be suitably evidenced in advance of the CEA/SEA DfT application.

9. HDC, SCDC CPE Progress

South Cambridgeshire District Council commissioned Cambridgeshire County Council to undertake a CPE feasibility study. This work has now been completed and the findings are currently being reviewed by HDC. In addition, CCC have commissioned a TRO review on behalf of SCDC with the survey works due to commence on 8th October.

Huntingdonshire District Council are aiming to formalise and agree an agency agreement with Cambridgeshire County Council over the coming months (by February 2022) in advance of commissioning the TRO review works. At this stage it is not envisaged that this approach will impact on the overall project timeline, however the risk of any delay to the other Districts will be monitored.

10. Recommendations

1. That the decisions agreed in respect of Civil Parking Enforcement at Cambridgeshire County Council Highway and Transport Committee on 7th September 2021 are noted.
2. That the progress for the implementation of Civil Parking Enforcement as outlined in this report is noted.

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**DRAFT 6 MONTH CABINET FORWARD PLAN –
Updated 13 October 2021**



(For any queries, please refer to the published forward plan)

CABINET

CABINET DATE	ITEMS	LEAD PORTFOLIO HOLDER
Wed 17 Nov 2021	1. Cabinet Draft Forward Plan	Cllr Boden
Wed 8 Dec 2021	1. Draft Business Plan 2022/23 2. Draft Budget 2022/23 and Mid Term Financial Strategy 3. Treasury Management Strategy Statement & Annual Investment Strategy Mid Year Review 2021/22 4. Draft Local Plan 5. 24 High Street, Wisbech 6. March Area Transport Study (Outline Business Case & Next steps) 7. Cabinet Draft Forward Plan	Cllr Boden Cllr Boden Cllr Boden Cllr Laws Cllr Seaton Cllr Seaton Cllr French Cllr Boden
Thu 20 Jan 2022	1. Wisbech Masterplan 2. Cabinet Draft Forward Plan	Cllr Boden / Cllr Hoy / Cllr Tierney / Cllr Lynn Cllr Boden
Thu 24 Feb 2022	1. Business Plan 2022/23 2. Budget 2022/23 and Mid Term Financial Strategy 3. Cabinet Draft Forward Plan	Cllr Boden Cllr Boden Cllr Boden
Tue 22 Mar 2022	1. Wisbech Levelling Up Fund Bid 2. Cabinet Draft Forward Plan	Cllr Boden / Cllr Hoy / Cllr Tierney / Cllr Lynn Cllr Boden
Thu 12 May 2022	1. Cabinet Draft Forward Plan	Cllr Boden

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