

Public Document Pack

COUNCIL

A meeting of Council will be held at Council Chamber, Fenland Hall, County Road, March on WEDNESDAY, 8 DECEMBER 2021 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

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 current Covid-19 restrictions.

- 1 To receive apologies for absence.
- 2 Appointment of Vice-Chairman for this Meeting

To appoint a Vice-Chairman for this meeting of Council due to apologies being received from Councillor Skoulding.
- 3 Previous Minutes (Pages 3 - 14)

To confirm and sign the minutes of 30 September 2021.
- 4 Civic Engagements Update. (Pages 15 - 16)

For information only.
- 5 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 6 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.
- 7 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.
- 8 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 17 - 80)

This PHB report includes an update from Freedom Leisure.
- 9 Treasury Management Strategy Statement & Annual Investment Strategy Mid-Year Review 2021/22 (Pages 81 - 92)

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2021/22.
- 10 Review of Gambling Policy (Pages 93 - 144)

To adopt the proposed Gambling Statement of Principles Policy.

11 Fenland Electoral Review - FDC Warding Arrangements (Pages 145 - 148)

For Members to consider and agree the formal Council consultation submission in relation to the Local Government Boundary Commission for England (LGBCE) Electoral Review of Fenland District Council. This report forms the Council's response to the second part of the electoral review process regarding the proposed future warding arrangements, including future ward boundaries, number of elected representatives per ward and future ward names.

12 Constitutional Amendments (Pages 149 - 152)

For Council to agree a constitutional amendment to increase the number of Cabinet Members permitted to sit on the Planning Committee.

13 Resolution under s.85 of the Local Government Act 1972

Fenland Hall
March



Chief Executive

Tuesday, 30 November 2021

NOTE The Council may, by resolution, as exemplified below, exclude the public from a meeting during the consideration of any item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that, if members of the public were present, there would be disclosure to them of exempt information as defined in Section 100 I of the Local Government Act, 1972

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

COUNCIL



THURSDAY, 30 SEPTEMBER 2021 - 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 S Count, Councillor Mrs M Davis, Councillor D Divine, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor M Humphrey, Councillor Mrs D Laws, Councillor A Lynn, Councillor C Marks, Councillor D Mason, Councillor A Maul, Councillor Mrs K Mayor, Councillor J Mockett, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor C Seaton, Councillor W Sutton, Councillor S Tierney, Councillor S Wallwork, Councillor S Wilkes and Councillor F Yeulett

APOLOGIES: Councillor M Cornwell, Councillor W Rackley, Councillor D Topgood and Councillor R Wicks

C14/21 PREVIOUS MINUTES

The minutes of the meeting of 19 May 2021 were confirmed and signed.

C15/21 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Miscandlon said that members will have received by email a copy of the updated committee list showing the changes that have taken place since the commencement of the municipal year, which are simply to note, with the information having been updated on the website. Also, there will be a continuation of the exception to Rule 19 in that members are requested to please remain seated whilst addressing the meeting.

Councillor Miscandlon then made the following announcement:

"It is with great pleasure to welcome ex-councillor Ralph Butcher to this Chamber who joins us today with his wife, Pat. As you will recall, following a motion on 23 February this year, it was agreed that what had previously been known as the Kings Dyke crossing would be officially named as the Ralph Butcher Causeway. This decision reflects the continuous and tireless determination of Ralph to get this bridge constructed. He fought for this for over forty years. I congratulate him and everyone in this Chamber wishes to thank him for that".

Councillor Miscandlon then presented Ralph Butcher with a certificate as a token of appreciation and recognition of his contribution to this great achievement.

Ralph Butcher said there were many people he would like to thank. He was first elected to the local council in 1971, 50 years ago and that is when we first talked about the bridge. Over all those years there have been many councillors, some of whom are here today, and officers who have done a lot of work on this bridge and he thanked everybody for all their help over the years.

Mrs Butcher then received a presentation of flowers from Councillor Miscandlon and Ralph Butcher stated that all councillors should know that without the help of their partners, you can never get the job done properly anyway.

Following the presentation the Chief Executive, Paul Medd then made the following announcement:

“I am delighted to announce that the Council has once again been reaccredited for Customer Service Excellence.

CSE is a national standard that recognises public bodies that provide customer-focused, high quality, excellent services. Fenland is one of the few councils that have consistently achieved this rigorous standard for all its services.

Following an assessment in June, the CSE assessor was highly complementary of the Council's emphasis on continuing to deliver excellent customer focused services, especially in view of the Covid-19 pandemic and associated restrictions.

In the final report our assessor said: “It is clear that Fenland has managed the Covid-19 pandemic situation exceptionally well. There was the potential for a significant dip in performance, but Fenland has prevented this through its actions. Since the last review, the Council has increased its efforts to manage the impact of the pandemic”.

The assessor added that: “The Council has played a key role in bringing together and coordinating all the relevant partners to address Covid-19 related needs in Fenland. As a result, residents benefit from many services, including some pioneering, ground-breaking initiatives.

The assessor also noted the following strengths:

- The My Fenland transformation project, which is all about improving the customer journey, has delivered significant benefits to customers, with new and improved access channels including online taxi licence renewals and missed bin enquiries.
- Staff are empowered to deliver excellent services, which has been further enhanced and facilitated by an innovative training programme.
- The Council has increased its interaction with wider communities, including working with travellers and migrant communities to pioneer vaccination promotion. Support has also been given to the Rosmini Centre in Wisbech, enabling it to remain open and continue as an essential conduit for migrants.

As a learning organisation the Council is always keen to identify opportunities for continual improvement, and the areas we would like to focus on for development will be around building on our existing channels to engage with customers and maximise their feedback and the future development of web chat functionality”.

Paul Medd invited Councillor Steve Tierney, Portfolio Holder for Transformation, Communication and Environment, to receive the CSE certificate on behalf of the Council from Councillor Miscandlon.

Councillor Tierney said he wanted to make it very clear that whilst accepting the award on behalf of the staff, the amazing hard work during a couple of difficult years that has led to this point has been done entirely by the staff and he wanted to thank every one of them.

C16/21 **TO RECEIVE QUESTIONS FROM, AND PROVIDE ANSWERS TO, COUNCILLORS IN RELATION TO MATTERS WHICH, IN THE OPINION OF THE CHAIRMAN, ACCORD WITH THE PROVISIONS OF PROCEDURE RULES 8.4 AND 8.6.**

Councillor Miscandlon stated that no questions had been received submitted under Procedure Rule 8.6 and asked if there were any questions under Procedure Rule. 8.4 from Councillor Maul as

the nominated representative of Councillor Cornwell, Leader of the Opposition.

Councillor Maul said that at Full Council on 23 February 2021, Councillor Boden had promised to look at the idea of installing electric vehicle charging points within council car parks to meet growing demands. He asked what progress had been made on this.

Councillor Boden said that although it has been our plan for the last two years, the process has been delayed in the attempt to obtain civil parking enforcement, of which installing charging points in our car parks would form a part. However, the County Council has slowed down with their plans for on-street parking, and without their agreement as the Highway's authority we cannot move forward with our plans for both on-street and off-street parking, including consideration for the charging points. Each meeting is now being held every three months. However, there should be a Cabinet paper in October explaining what the timelines will be and hopefully the next time Transport Committee of CCC meets they will have some detail agreed.

Councillor Maul thanked Councillor Boden and said although he appreciated that there was reliance on the County Council, Councillor Cornwell has asked for a procedure to be put in place to keep members updated. Councillor Boden said that when the next Cabinet agenda is published there will be a full update for members with the likely projected timescale.

C17/21 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

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

1. Councillor Patrick addressed Councillor Hoy regarding homelessness and asked why rough sleeping still exists in Wisbech when several million pounds has been spent on this problem. He also asked why on 28 June at a Wisbech Town Council meeting, Councillor Hoy said she did not know whether the matter was confidential or not when she spoke about the possible eviction of the homeless from the gardens of the property of St Peter's car park. Was she aware that those people were to be evicted, with many of them left out in the rain unable to collect their personal belongings? He asked if anyone at FDC was there at the time to give support and advice for those people, many of them vulnerable, and if not, why not? He would also like to know what is happening with the FDC-owned hostel at Kirkgate Street, which has been closed for three years.
2. Councillor Hoy responded that there will always be difficulties regarding homelessness. A lot of work has been done with the rough sleepers in Wisbech; some have been housed permanently and are doing well, and a full briefing note will be circulated to all members as an update. Unfortunately, however, some have no recourse to public funds due to their immigration status. This is a difficult situation which many local authorities are facing. These people are being visited, but it is a complex issue. We have had discussions with the Home Office about it, and they have been here on several visits but there is no quick fix. Some homeless people have very difficult and complex problems. In relation to the closure order, she mentioned it at Wisbech Town Council purely as an update to members because an FDC officer had rightly mentioned it to her; but the first part of it is to go to consultation. She mentioned it because she was concerned that what she was saying in good faith, which was to inform town council members about a closure order and to seek their views, would potentially be used to say that FDC officers were doing no work on rough sleeping. That is exactly what happened the following morning, which she found depressing because staff do a good job every day and work hard. As it happened the closure order was not required as it involved private land. The landowner felt that people were trespassing, and so took legal action to evict the trespassers as is their right. They were moved on and given time to collect their belongings. We are working with the people that were on the site through

outreach and will continue to so even if they have no recourse to public funds. In respect of the Kirkgate Street hostel, it was previously run by a provider who no longer wanted to run it. Covid-19 hit but we could not put rough sleepers in the property because it had become run down and we would have immediately had to find a provider to manage it and sort out contract terms. We did provide B&B accommodation and worked with the Ferry Project so managed to house people temporarily. However, the Kirkgate Hostel is an ideal property and officers are currently working on a proposal to get a provider to take it on as accommodation, however as negotiations are underway, she cannot make any further comment on this.

3. Councillor Patrick responded that the Ferry Project had initially been prepared to run this property three years ago but had difficulties in coming to an arrangement with FDC over things that needed to be done. However, they are now willing to work with FDC again to reopen the hostel. Councillor Hoy said again due to contract negotiations, she cannot comment on this.
4. Councillor Sutton addressed Councillor Boden regarding the two separate Cabinet IDB posts created at the start of his administration, one strategic and one delivery; that of which is held by Councillor Laws. We are now well into this administration, so what was the objective for the split, what is the outcome and what can we expect in the future? Councillor Boden responded that the objective in splitting the role is that there is a system in place which has a financial impact on this council. The daily work of that needs to be overseen by an individual on Cabinet; the most qualified was Councillor Laws so it was appropriate to ask her. The bigger picture is the extent to which a large portion of our budget is made up by payments which need to be made to the IDBs. This is an unfair system which has been in place for many years, whereby a small number of local authorities have a disproportionately large proportion of their budget taken up by IDB payments of which we are one. He attempted to get interest from some of the other local authorities to see, from a strategic point of view, how the system of IDB payments could be changed so a less disproportionate burden fell on local authorities such as Fenland. Unfortunately, he has been disappointed by the responses and it seems there is not the political will among those authorities that do have the highest burden to push for change. It has been inappropriate during Covid-19 to push this with government departments, but he has not given up though and will try again to seek to change that regime.
5. Councillor Sutton thanked Councillor Boden and asked what other system does he have in mind? Councillor Boden said there are so many possible options; several papers have been written about how systems can change, however he can concentrate on two areas. The first is to have more accountability for IDB payments through the way it is presented on council tax bills, and secondly the way IDBs pay for the capital arrangements they must make. Many IDBs save the money gradually to meet the capital expenditures that know they will have. Therefore, a lot of money is taken from residents in the form of advance payments to fund projects which will materialise in 5, 10 or even 15 years' time. He would suggest we move away from this practice but finance our capital expenditure through loans from the public works loans board. Councillor Sutton thanked Councillor Boden for his response. He does not fully agree with this approach but wished him luck with his endeavours.
6. Councillor Sutton addressed Councillor Mrs Laws and said he noted as usual the very good results from the Planning Team in terms of meeting and sometimes exceeding percentage targets. However, many of these are with an extension of time and he would like to know what these are for although he appreciated that she would not have this information to hand. Councillor Mrs Laws said she would be happy to forward the information on, in the meantime she could report that the service had been overwhelmed by 64 applications in less than five days. Staff are doing their best and there have been extensions of time because, for example, Covid has led to more people wanting work done on their properties. However, one of the main reasons for extensions of time concerns validation. When it was found that agents were getting only 4% of their applications right first time our brilliant tech team provided a workshop for developers which improved validation by 9%. There is also a checklist on the website, but professional developers and agents are not following it which

exacerbates the issue. Councillor Sutton thanked Councillor Mrs Laws.

7. Councillor Sutton said he voiced his concerns when it was agreed to move monthly Planning Committee meetings to five-weekly. Since then, he has noted an extra nine applications going through Committee compared to last year but with an additional seven meetings to cope with that. This is not value for money, and he asked if Councillor Mrs Laws and the Leader could look at reverting to meetings being four-weekly, even if they have to start earlier. Councillor Mrs Laws said she has already discussed this with officers; it is not feasible to hold a meeting on one day a month, even if starting early to get through more applications. Each meeting needs to start with the Chairman's pre-meet and breaks and lunch would have to be factored in. Furthermore, some applications are major and involve transparent, lengthy, and intense debate; they are not five-minute discussions. So yes, it is something that is being looked at, but she cannot make any promises or provide a decision at this moment. Councillor Sutton thanked Councillor Mrs Laws.
8. Councillor Sutton addressed Councillor Mrs French stating that in the February meeting it was minuted that she said she would come back with an explanation of what WVI is. Councillor Mrs French apologised but said this is Councillor Tierney's portfolio. Councillor Tierney said that he would be happy to come back to Councillor Sutton with an explanation.
9. Councillor Sutton addressed Councillor Benney on the moratorium on sales of land in Wisbech. Due to this there was the possibility of a company moving out of Wisbech, taking with it some 60-80 jobs but now that the moratorium has expired has any discussion taken place with the company with a view to staying in Wisbech? Councillor Benney said he knows what is happening in the area but due to its commercially sensitive nature he cannot say any more than discussions are ongoing. He takes on board the comment about the moratorium but there have been no further conversations he is aware of that would lead to the company to reopen discussions about purchase of the land. When a solution is found and an announcement made, he will inform Councillor Sutton but is sorry he cannot be more specific.
10. Councillor Booth addressed Councillor Sam Clark regarding smoking cessation. He is surprised to read that we still have a high rate of smoking in Fenland given that when we last had the Director of Public Health in Overview & Scrutiny, they said we were making good inroads and reducing the rate, and therefore it appears we might be going backwards. He asked Councillor Clark if she has any observations on that. Also, they have listed three prioritisation plans but they are only suggested, so does she know what impact they might have as they appear to be quite specialised areas. Councillor Clark said she will investigate this and get back to him with an answer.
11. Councillor Booth picked up on the point regarding IDBs. He said part of the issue around funding of IDBs is a lack of understanding which was highlighted at North Level when we wrote to the Treasury regarding the fact that IDBs will have to pay full rate on red diesel. A response from a Treasury Minister showed that lack of understanding about how IDBs are funded and of the impact on council-tax payers. Therefore, there are some education issues in government about IDBs and one suggestion is to maybe make IDBs a precepting authority in their own right. Councillor Boden said Councillor Booth has hit on a point that the civil service does not fully understand IDBs as an area that is quite specialised and only affects a small minority of the country but does affect it quite seriously. However, there are many problems linked to precepting, so he would be cautious about that.
12. Councillor Booth addressed Councillor Murphy regarding the household waste collection. He said we are below our target level and this was raised at Overview & Scrutiny. He has looked at some tables that indicate we are not doing as well as suggested and figures are starting to show that. He asked if we could look at the way we do recycling, look at the initiatives and other ideas for items that we can recycle. Councillor Murphy responded that the recycling rate is still very good. He attended a RECAP meeting, and all are suffering from same sort of thing. More items are now being recycled, and people are creating more recycling as they are spending more time at home. We are close to being cost neutral. Councillor Booth thanked Councillor Murphy but said the plea is what else can we do and what else can we recycle? We should be exploring more ideas to hit our targets. Councillor

Murphy responded that all the councils in Cambridgeshire are doing this. We are currently waiting for the Government to come back to us regarding kerbside collections, if they want us to do this then it will be costly in terms of money required for more vehicles and bins. He pointed out that if one cubicle on a refuse vehicle fills up, it needs to be emptied but the other cubicle may be virtually empty. For perspective, we currently have about 14 vehicles at a cost of £275k each. The new kerbside vehicles cost about £395k each, and electric vehicles will cost about £450k each. We will either continue as we are now, or the Government will have to pay a lot of money towards this.

13. Councillor Yeulett addressed Councillor Benney saying he is pleased to see construction work at Stainless Metalcraft. He asked if there has been any development with the Albert Bartlett site in Chatteris? Councillor Benney said yes, he had visited Bartletts with members of the Economic Growth team; 90% of the site is being re-let and there are plans to expand on the land behind that, which is excellent news for Chatteris. Many of the staff at Bartletts are now working at Chelmer Foods who have moved into area and are looking to expand in Chatteris. He is very pleased with the work that Toby and Oliver Bartlett have done to get the sites let. Most of the interest in the area fails because we have not got the units of the size that companies need so this has helped.
14. Councillor Yeulett said this is a pleasing response and asked about the rest of district. Councillor Benney responded that there has been some activity in Whittlesey with companies in negotiations with other landowners, although he cannot elaborate on this. In Wisbech there is interest with the FDC-owned industrial units.

C18/21 **MOTION SUBMITTED BY COUNCILLOR SAM CLARK REGARDING THE QUEEN ELIZABETH HOSPITAL, KING'S LYNN**

Councillor Sam Clark presented her motion regarding the Queen Elizabeth Hospital in King's Lynn.

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

1. Councillor Booth said he would support this but wondered if Councillor Clark would make an addition to the motion to send a copy of the resolution to Norfolk and Cambridgeshire county councils given that we are trying to support services in the area. This hospital serves many Fenland residents, and it gives Norfolk a good message that we are willing to support projects in their area.
2. Councillor Bligh agreed with Councillor Booth, but she also wondered if the Royal Family have been questioned on this. They may have used this hospital and they have residents in Sandringham. Their support could add weight to this.
3. Councillor Clark thanked both Councillor Booth and Councillor Hoy for their comments, which she would take on board although the latter request may prove more difficult.
4. Councillor Sutton stated his full support for the motion and said why would you not?

Councillor Miscandlon asked if Councillor Booth wished to make an amendment to the proposal based on his comment. Councillor Booth confirmed he did and proposed the following be added to the motion:

‘(d) to send a copy of this resolution to Norfolk and Cambridgeshire County Councils.’

The amendment was seconded by Councillor Patrick and the amendment was opened for debate.

Councillor Tierney said he did not think this necessary; if it succeeds, it is straightforward to ask officers to send copies of the original motion to different parties without building it into an amendment unless we do not believe they will do that. Councillor Hoy said she thought that Councillor Clark had already accepted Councillor Booth's motion and therefore agreed this was unnecessary.

Councillor Miscandlon accepted that Councillor Clark had agreed Councillor Booth's proposal and took a vote on the motion with the addition he suggested.

The Motion, including the additional item, was approved.

C19/21 CORPORATE GOVERNANCE ANNUAL REPORT 2020/21

Members considered the Corporate Governance / Audit and Risk Management Committee Annual Report 2020/21 presented by Councillor Kim French as Chairman of the Audit and Risk Management Committee.

Councillor Miss French thanked members of the Committee for their participation and enthusiasm and officers for their hard work in servicing the needs of the Council.

Proposed by Councillor Kim French, seconded by Councillor Booth and Council AGREED to acknowledge the work of the Corporate Governance Committee and Audit and Risk Management Committee and its compliance with CIPFA's annual checklist for 2020/21.

C20/21 O&S ANNUAL REPORT 2020/21

Members considered the Overview & Scrutiny Annual Report presented by Councillor Mason, as Chairman of the Overview & Scrutiny Panel.

Councillor Mason paid tribute to Anna Goodall for the tremendous amount of work she had put into supporting the panel over the last few years, providing ample information and advice to all members, for which he is grateful. He welcomed Amy Brown in the coming year as a supporting officer to the panel.

Councillor Booth said he would like it to be noted that when the report came before Overview & Scrutiny, he raised the point that in Section 6.8 regarding urgency decisions we ought to amend the wording to reflect that this is only done in exceptional circumstances and was done because of Covid. However, the text has not been updated and he feels it is an important point to make; this is a check and balance that we need to ensure it is used sparingly. Councillor Mason said he will ensure it is included in the report.

Proposed by Councillor Mason, seconded by Councillor Connor and Council AGREED to acknowledge the broad scope of work undertaken by the Overview and Scrutiny Panel during 2020/21.

C21/21 TREASURY MANAGEMENT ANNUAL REPORT 2020/21

Members considered the Treasury Management Annual Report 2020/21 presented by Councillor Boden as Leader and portfolio holder for finance.

Proposed by Councillor Boden, seconded by Councillor Davis, and Council AGREED to note the report.

C22/21 FENLAND ELECTORAL REVIEW - COUNCIL SIZE REPORT

Members considered the Fenland Electoral Review – Council Size report presented by Councillor Boden.

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

1. Councillor Hay said she fully supports the recommendations. Our workload has increased with the additional CPCA committees, but we want to give our best for residents and there needs to be enough members to spread the load. It is better to be proactive rather than reactive so reviewing the boundaries now will ensure that councillors represent closer to the average number of electors overall come the 2023 elections and that the number of electors supported by members is equitable. Furthermore, if we want to attract good quality candidates to stand for council the workload must not be such that it puts people off and prevents them from standing.
2. Councillor Booth said that he broadly supports the recommendation but feels there still needs to be a root and branch review of local government in our area. We have too many tiers of local authority and that does not appear to be progressing. However, this will help to keep the situation equitable as stated by Councillor Hay, and it is important we have the right number of councillors to ensure we have a diverse representation. *(Councillor Booth and Councillor Maul left the meeting at 5.34pm).*
3. Councillor Tierney agreed with Councillor Booth that there are too many tiers of government in Cambridgeshire. However, for this review it comes down to whether you think councillors are good value for money or not, and he believes they are. He has always voted against rises in councillor allowances but that is not because he does not value the work they do; they put a large amount of their time into their work in helping residents and if paid it would probably be less than minimum wage. A small increase in the number of councillors to spread the load and be more effective in helping residents can only be a good thing. Yes, it is a small extra cost to have additional councillors, but it would be great value for money and the people that do contact their councillors are often very welcoming of the help they get.
4. Councillor Sutton said from the comments he made at the last Council meeting it would be no surprise that he does not support this and does not think we should put more on our council-tax payers at this time. County councillors represent a greater number of residents as does Peterborough City Council, which is a unitary authority fulfilling both district and county roles, so he fails to see why we cannot reduce the number of members we have. He feels the Leader was swayed from his original opinion stated at the working group, of reducing the number of members to 30 which Councillor Sutton would support fully. Therefore, he would like to add a bullet point to the recommendations and propose that if the LGBCE do agree to extra councillors, there will not be a cost to the taxpayer, but to members as a reduced allowance to pay for the extra resource.
5. Councillor Boden said as a point of order we have an independent panel that deals with members' remuneration and we may be infringing the work of that panel by the wording of that amendment. *(Councillor J Clark left the meeting at 5.40pm)*
6. Councillor Miscandlon agreed. He said by adding that amendment we would be impinging on an independent body that advises this council in terms of remuneration. If the amendment is passed and accepted, it would have to go back to the time the IRP rationalised their decision about our allowances and that representation could be made at that time but not as part of the amendment. Councillor Sutton said although he finds it bizarre, he accepts the advice given. Councillor Miscandlon confirmed that member allowances are set or recommended by the Independent Review Panel and members cannot influence this; we can only give our opinion when interviewed, but the decision is theirs not ours.
7. Councillor Mrs Mayor said the amount of work carried out by the member working group was considerable. Although not part of the group, she had an opportunity to look at all the figures for 39-48 members which she enjoyed delving into and asked the Leader a lot of questions. 42 is the recommendation and that is the obvious number for her having examined the data thoroughly. She welcomes the report and fully supports it. We need to wait for the LGBCE to make the decision, but it cannot get any better than 42.
8. Councillor Hoy said it is interesting that Councillor Sutton voted for an increase in allowances at the last Council meeting, but now wants a decrease. She does not disagree

with his logic about not wanting to put additional financial burden on the taxpayer but for her the most important question is do you consider three more councillors a burden? If we are saying approximately £5k a year basic allowance per additional councillor, over a four-year term this represents only 0.02% of our budget. Yes, it is public money but if they are going to provide quality and be good, proactive councillors and get things done, it will be worth it. The number can sometimes be irrelevant, but you must start somewhere. We set that number at 42 and she believes that is the right number.

9. Councillor Miscandlon thanked Councillor Hoy and said he wanted to explain a few aspects. This council does not have the power to say how many members we have; it is up to the Boundary Commission; we only make a recommendation. If they say no, it's dead in the water. Also, Members' allowances are set by the Independent Review Panel and brought to the council for councillors then to decide if it is appropriate or not and vote either on an increase or decrease. He accepts Councillor Sutton's concerns for the future, but we are not the decision makers on that, these are independent bodies that come to us, we are governed by what they tell us.
10. Councillor Mrs Laws said we are looking to the future; we can only look at the planning applications that have been decided on recently or are in the process. We are not taking into account what is going to be built or what will come forward in future, we do not know how many properties we will have to represent. We are being driven to supply more homes, so she feels that we do need these extra representatives. No member of this council sees reward as monetary reward, they could not pay us for the hours we put in and that is not why we do it; we do it to represent our electorate. Some of us have more demanding wards than others but she totally welcomes an increase and sees it as a necessary increase to put forward to the Boundary Commission. We do not know how many of the electorate we will be representing in the future.
11. Councillor Yeulett said he is not in support of this and agrees with all that Councillor Sutton said as he does not think we should put an extra burden on taxpayers.
12. Councillor Benney stated the number has been worked out by statistics and based on factual information in front of us. The size was set at 39 Members years ago, this recommended number of 42 will take us to 2027 and is a natural balancing out of numbers. Ultimately, we do not make the decision; we recommend it, and it may be rejected by the Boundary Commission. Every number is contentious if you want it to be, but this will not be decided by us. We need a base line to work from and he supports the number of 42.
13. Councillor Count said he fully supports the recommendation of 42 and welcomes Councillor Benney's comments. His contention is that people have not identified that every Fenland resident is entitled to fair representation and that is the whole point of the review. Some members are burdened by twice as many issues as others, so we need to strive to have a fair representation for our councillors. Also, much has been said about other tiers of government, but the role of a district councillor is not the same as that of a county or parish councillor because the services offered are so different. District councillors are focussed on the household, whereas county councillors scrutinise large documents that are policy driven. He dislikes the term tiers of government; there is no such thing; tiers relate to a management structure that exists in business. As a county councillor there is no way he can tell a district councillor what to do, likewise a district councillor cannot tell a parish councillor what to do. His final point is one of allowances and the extra burden on the taxpayer. One of the reasons the proposal for an increase is being driven forward is the sheer quantity of housing that has been and continues to be delivered in Fenland. As those households arrive, they pay rates and some of that money comes to Fenland with a certain percentage then going towards members allowances. If you increase the number of households but do not do anything about members allowances, there is no impact as the cost is being lowered to the resident as the sharing of the burden is between the greater quantity of households.
14. Councillor Mrs French said she is also in full support of this paper. She would like to thank the Leader and officers for the hours they put into this report. It is a welcome document, and she would like the Chief Executive to thank the staff personally.
15. Councillor Miscandlon concurred with Councillor Mrs French and invited Councillor Boden to

sum up.

16. Councillor Boden said it is entirely appropriate to second the comments made by Councillor Mrs French about the staff; they have put in a lot of work. In summary, the basic reasons for the recommended increase to 42 are laid out in the report and given in his presentation and he does not want to move too far away from those reasons. We have come up with a figure which is exactly the average of our neighbouring authorities in statistical terms which gives validity to the number we have come up with. In respect of Councillor Sutton's earlier comment although he was predisposed towards a reduction in the number of councillors, he has listened to all the evidence, without which he would not have recommended the small increase. Furthermore, he has no intention of any extra burden being placed on taxpayers in the next budget or subsequent ones whilst he is Leader and portfolio holder for finance.
17. Councillor Boden asked the Chairman if a recorded vote could be taken as it would be helpful to show the LGBCE the level of support for this recommendation and the feeling of the Council.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED:

- **The Member Working Group recommendation that the future Council size should be 42 elected representatives.**
- **To delegate to the cross-party Member Working Group in conjunction with officers to add in the rationale for the selected Council Size figure and any discarded options within the proposed consultation submission Council Size range, prior to formally submitting the Council consultation submission to the LGBCE for consideration by 5 October.**
- **For Members to note the principles outlined above in relation to stage 2 of the LGBCE process in relation to warding arrangements.**

In favour of the Proposal: Councillors Benney, Bligh, Boden, S Clark, Connor, Count, Mrs Davis, Mrs J French, Miss K French, Hay, Hoy, Humphrey, Mrs Laws, Lynn, Marks, Mason, Mrs Mayor, Miscandlon, Mockett, Murphy, Patrick, Purser, Seaton, Skoulding, Tierney, Wallwork, and Wilkes

Against the Proposal: Councillors Divine, Sutton and Yeulett

Abstentions: None

(Councillors Booth, Maul and J Clark left the meeting prior to the recorded vote taking place)

C23/21 APPOINTMENT OF MONITORING OFFICER AND NOTIFICATION OF DEPUTY MONITORING OFFICER

Members considered the Appointment of Monitoring Officer and Notification of Deputy Monitoring Officer report presented by Councillor Boden.

Councillor Boden stated that the report speaks for itself; Amy Brown has shown herself to be more than capable and competent to be our acting Monitoring Officer during the period of maternity leave for the existing Monitoring Officer. As far as the Deputy Monitoring Officer position is concerned, it is merely for us to note since this post is devolved to another officer.

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED:

- **To approve the appointment of Amy Brown, Head of Legal and Governance as the Acting Monitoring Officer for the Council to cover a period of maternity leave. These arrangements will come into immediate effect from the date the maternity leave**

commences.

- **To note the appointment of Kathy Woodward, Internal Audit Manager as Acting Deputy Monitoring Officer for the Council during the period in which Amy Brown is Acting Monitoring Officer.**

(Amy Brown left the room for this item).

6.07 pm

Chairman

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Fenland District Council Fenland Hall County Road March Cambridgeshire PE15
8NQ Tel 01354 622281 DX 30955 March Minicom 01354 622215 www.fenland.gov.uk

Civic Engagements

From October 1, 2021 to December 7, 2021

Friday 1 October	Sandringham House Event Attended by the Chairman
Sunday 3 October	High Sheriffs Justice Service Attended by the Chairman
Sunday 24 October	Whittlesey Town Council Civic Service Attended by the Chairman
Friday 5 November	Mayor of Bourne Charity Dinner Attended by the Chairman
Thursday 11 November	Veterans Day Service Madingley American Cemetery Attended by the Chairman
Sunday 14 November	Remembrance Sunday Parades Attended by the Chairman and Vice Chairman
Sunday 21 November	Road Victims Trust Service of Remembrance Attended by the Chairman
Monday 22 November	Thanksgiving Service and Pie Social – RAF Alconbury Attended by the Chairman

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Cabinet and Corporate Management Team

Portfolio Holder Briefing Report

November 2021
(For performance in August & September 2021)

Cabinet Members



**Councillor
Chris Boden**

Leader of the Council
& Portfolio Holder for
Finance



**Councillor
Ian Benney**

Portfolio Holder for
Economic Growth



**Councillor
Sam Clark**

Portfolio Holder for
Health



**Councillor
Mrs Jan French**

Deputy Leader of the
Council



**Councillor
Miss Sam Hoy**

Portfolio Holder for
Housing



**Councillor
Mrs Dee Laws**

Portfolio Holder for
Planning



**Councillor
Andrew Lynn**

Portfolio Holder for
Licensing &
Community Safety



**Councillor
Peter Murphy**

Portfolio Holder for
Open Spaces, Street
Scene & Waste
Management



**Councillor
Chris Seaton**

Portfolio Holder for
Social Mobility &
Heritage



**Councillor Steve
Tierney**

Portfolio Holder for
Transformation,
Communication &
Environment

Communities

Projects from Business Plan:

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

April 1st 2021 to October 31st 2021

The Council has undertaken 34 positive interventions in response to new requests for service for Houses in Multiple Occupation (HMOs) across the district.

The Council has also investigated 61 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	32	40
March	1	6
Chatteris	0	1
Whittlesey	0	7
Villages	1 Leverington - 1	7 Benwick = 1 Doddington = 1 Eastrea = 1 Elm = 1 Leverington - 1 Manea = 1 Parson Drove - 1

Private Sector Housing enforcement 01 April 2021 - 31st Oct 2021

	Numbers served	Raised charge total £	Income received £
Improvement Notice	2	480	3200
Prohibition	2	480	160
CPN (Intent)	14	87,083	N/A
CPN (Final)	15	49,832	10,300

Other	1	144	144
HMO applications	9	6,750	6,750

In order to recover the outstanding Civil Penalty Notice debts, a new process has been finalised with the High Court Bailiffs, who are now in the process of transferring the oldest court order into a writ to be executed in order for the debt to be recovered.

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

Case Study Wisbech:

Empty from February 2019. Purchased September 2020 by a local builder. In December 2020 we applied to the VOA (Valuation Office Agency) to request removal of the property from Council Tax due to its uninhabitable state and this was refused. Through the enabling work of the Empty Homes officer (EHO) making the new owner aware of potential increase Council Tax premium charges the work was quickened during Covid restrictions and they installed a roof, rewired, plastered, replaced staircase, installed central heating, new doors and windows and new kitchen and bathroom. The EHO could evidence to Council Tax the property was furnished when purchased and the empty date was changed, if not they would have paid a premium Council Tax charge from February 2021.





**Property Occupied
April 2021**

The target for 2021/22 was to bring 70 properties back into use. This was achieved between 6 October 2020 and 4 October 2021, with 80 properties back into use.

Properties brought back into use between 1 April 2021 and 31 October 2021

LTEP - Long term empty with premium charge (2yrs+)	LTE- Long term empty (6-23mths)
21	20

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 210 households from becoming homeless since April 2021.

The service is anticipating a significant uplift in approaches once current financial support relating to Covid ceases along with the easing of the extended notice periods and court action resuming. We have started to notice an increase in B&B use for both June and July.

The team continues to work closely with households, landlords and other partners to resolve issues before notices are served. We are also encouraging early engagement with a variety of partners as a commitment to refer alongside the statutory duty to refer mechanism.

Number of enquiries Year To Date (YTD) – 1081 (Q1 – 429 / Q2 – 467)

Advice only given YTD– 652 (Q1 – 271 / Q2 – 328)

Preventions achieved YTD – 210 (Q1 – 109 / Q2 – 83)

The proportion of households presenting to the Council as homeless whose housing circumstances were resolved through Housing Options work:

(calculated as total preventions / prevention and relief duties owed) - 58% YTD = 210 out of 364. KPI is 60% (Q1 – 63% [109/174] Q2 – 58% [83/142])

[*YTD 31/10/21]

Case study

Mr X was living in a private rented property with his wife but she passed away early last year. In November 2020 he had an accident which resulted in life changing injuries. He was in hospital until January 2021. He gave notice on this property as it was no longer suitable for his needs. He was placed in a rehabilitation facility and then when the funding for him ran out he was moved on into a care home which he had to fund himself. It was at this point his daughter submitted a homeless application and we subsequently accepted a relief duty.

Through partnership working with Clarion Housing, we were able to source supported accommodation and undertake a suitability assessment with the support of Mr X's daughter. This was supplemented by an Occupational Therapy report which enabled the applicant to swiftly move into settled accommodation. The turnaround time from accepting the relief duty to sign up was 2 weeks.

Rough Sleeping update

The Council continues to tackle rough sleeping and through strong partnership working with Change Grow Live (CGL) Outreach and the Ferry Project, the Council have successfully moved on 66 rough sleeper clients in the period from March 2020 (start of the pandemic) to end of October 2021 to secure accommodation with support. The Council continues to work closely with housing providers such as Clarion Housing, Amicus Trust and other housing providers to support our remaining rough sleeper clients in to move on accommodation.

Despite the 'Everyone In' Scheme ending in June, the Council continues to support our remaining eligible rough sleeper clients into a successful outcome. Alongside that, the Council is supporting through outreach those rough sleepers who have no recourse to public funds to find solutions wherever possible. At the last count there were 12 rough sleepers.

The Council, through funding achieved from both the Next Steps Accommodation Programme and the Rough Sleeper Accommodation programme, have secured 39 homes that are ring fenced for rough sleepers as a long-term asset. The Council has

also secured a further 13 homes to come on stream in the next 12 months. The homes have been enabled with the support of the Ferry project / Places for People, Amicus Trust and Clarion Housing. All the properties have a support package for the residents to reduce the risk of losing accommodation in the future.

The Council also secured circa £350k for continued support for tackling rough sleeping for the period 2021/22 through a multi-agency hub, outreach and tenancy support work.

Rough Sleeping Case Study:

In May 2021, one of our entrenched long term rough sleepers was successfully housed through Housing First programme. This client was known to many services and unfortunately due to their non-engagement, drug addiction and lifestyle choices accommodation options were extremely limited. At one point this client had overdosed and was found by a member of public on the street almost blue in colour.

However, by working in joint partnership through the Housing First programme funded through Cambs County Council from a Rough Sleeper Initiative bid, the Council were able to successfully introduce the client to the Housing First service and after a few months of in-depth pre-tenancy work with the individual they were able to move into a brand-new property. The client is managing their own tenancy extremely well and becoming more independent. They have built positive relationships with neighbours, their drug use is under control and they are, with the continued support of Housing First starting to plan future goals.

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

The Golden Age Team met during April and May to plan for the year ahead following announcements of restrictions being eased. In between meetings, we consulted with external Golden Age Partners to gain their views on how they would like to be involved in the future. Over 30 partners responded positively, and we subsequently held Virtual Partner meeting on Zoom on 13th July to plan for the year ahead and what Golden Age may look like.

Partners included Alzheimer's UK, Living sport, NHS, Cam Sight, Citizen's Advice, Versus Arthritis, Breathe Easy, Care Network, Age UK, U3A, CPFT, Healthy You, Cambridgeshire County Council and the Bobby Scheme.

During the meeting, partners were split into 5 groups via breakout rooms and given opportunity to feedback about their experiences over the last 18 months during the

pandemic, the lessons they have learned, how Golden Age can promote their organisation and feedback on the existing format of Golden Age Fairs.

The Whittlesey Big Bash took place on Sunday 12 September between 2-4 pm at Whittlesey Manor Leisure Centre. The Golden Age Team and 17 partners took part in the event within the conference centre with a great turn out of over 200 people visiting the stalls in the space of 2 hours. As the event was not just a Golden Age fair, many partners commented on the great opportunities they had to speak with family members of older relatives that were going to pass vital information on. Partners included Neighbourhood Watch, Whittlesey Museum, Women's Institute, St Andrew's church, Age UK, March Breathe Easy, Versus Arthritis, Care Network, CamSight, Healthwatch, Healthy You, Active Fenland, PECT, East of England Ambulance Service, Royal British Legion, Cambridgeshire Libraries and the Think Communities team from CCC.

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

FDC is part of the cross County and Peterborough Future Parks group. The group is expected to establish an Active Parks team in the future that will focus on getting more people more active in open spaces settings. This would include ramping up the potential of social prescribing in green spaces that is good for both physical and mental health. More about social prescribing can be found here;

<https://www.england.nhs.uk/personalisedcare/social-prescribing/green-social-prescribing/>

Other Projects:

Leisure Update (Cllr Sam Clark)

Freedom Leisure recently attended the Overview and Scrutiny Panel and their presentation to the Panel is attached to this report.

Love Wisbech Update (Cllr Andrew Lynn)

The collaboration of statutory organisations, Voluntary Community Sector and business in Wisbech continues to explore opportunities to consider issues that need additional support and then what opportunities exist to secure new funding and inward investment into the town to address it.

Word of the group is getting to partners who are proactively asking to present information to the group and the group then agree what can be done to support.

Example projects have included:

- A mental health support project to work with residents suffering mental health issues whilst waiting for an appointment to secure a service to help them.
- Received some communication advice to help increase the awareness and impact of the work which includes changing the name from I love Wisbech to Love Wisbech.
- Exploring how the collaboration can assist in reducing the number of smokers during a pregnancy.

The partnership supported the 'Walk a Mile in Their Shoes' event. Both women and men can suffer from Domestic Abuse. The event took place in Wisbech park on the 8th August with the Wisbech Mayor leading the walk.

Pride In Fenland Awards (Cllr Sam Clark)

The Pride in Fenland Awards will be held online again this year in November 2021 and volunteers have been judged in the following categories;

- Young person in the community,
- Community group,
- Good friend
- Community COVID Award
- Special Judges Award.

In total, 63 nominations have been received and the event is due to air via YouTube week commencing 8th November.

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

The Countywide Health and Wellbeing Board have suspended their usual meeting diary since early 2020 to focus on the Covid pandemic.

The Local Outbreak Management Plan (LOMP) can be viewed here:

[Cambridgeshire and Peterborough Local Outbreak Management Plan. Version 4](#)

The District Council is a key partner to this plan and, as a provider of statutory environmental health and wider services such as private sector housing, have a role to play in delivery of the LOMP. Priority areas are prevention activity (including support with accessing testing and to self-isolate), vaccination uptake and access to ensure an equitable service for residents and businesses.

As part of the Council's implementation of these responsibilities, an officer response group has been meeting to ensure appropriate actions are set in place. During August and September, the group undertook a review of high street signage to ensure relevant messages including those to support testing and vaccination were in place and social distancing advice was removed. The group has also worked closely to ensure partners were able to access locations for the distribution of lateral flow test devices and that the visiting mobile testing units could continue during the visits to our towns of the Fairs in September.

The Local Outbreak Engagement Board is a key part of the governed pandemic response and meets to support the outbreak management plan. The last meeting of this group was in October where agenda items included updated epidemiology, vaccination uptake, communications and economic factors.

The meeting papers can be found on the County Council website here:

[Council and committee meetings - Cambridgeshire County Council > Meetings \(cmis.uk.com\)](#)

Vaccination levels in Fenland are good with increased levels of vaccination across all age groups. Council staff are actively supporting colleagues from the clinical commissioning group to ensure efficient uptake of the third vaccine and vaccines in schools as they are available. In addition, a second vaccination bus has been commissioned by health partners and is being made available more widely.

Further information can be viewed here: <https://coronavirus.data.gov.uk/>


Enduring Transmission Project

The Enduring Transmission pilot project launched in May and this is a key part of the Local Outbreak Management Plan. The pilot is a joint project between Peterborough, South Holland and Fenland and is funded directly by the Treasury to the value of £2.6 million.

The project was due to close at the end of September, however recently the Treasury had confirmed it may continue until late December 2021.

The project has successfully engaged with more 400 residents across the 3 local authority areas and more than 30 local businesses in Fenland have referred their staff to the scheme in order to access support to isolate. This has been mainly possible due to the close working relationship with the Rosmini Centre as a trusted third sector partner.

The project group have developed a wide range of materials in 10 different languages. The materials include advice on how to access the service, car sharing, vaccination information, financial support and self-isolation support for families.



We can help you to self-isolate

Extra support is on offer to people in certain sectors

Your council is taking part in a project this summer to offer extra support to employees in certain sectors to reduce the spread of Covid-19.

We know that many people find it hard to self-isolate because of the loss of money – we can make sure you don't lose money if you work in certain sectors.

You might not lose any money if you:


- Have to isolate because you or a close contact tests positive for Covid-19.
- Have to stay off work to look after someone such as a young child who has to self-isolate.
- Are unable to work whilst you wait for test results.

Support we might be able to offer includes:

- An instant £150 for any lost days of work whilst you wait for test results.
- Help with benefit applications if applicable.
- An additional top up to match your wages if you do test positive and must be off work.

Support and advice is available in English or your own language.

You can call **Anita** on 07724 352627 or **Mika** on 07724 353119 at the Rosmini Centre or email covid19.rcw@gmail.com for more information



When should you self-isolate?

There are new rules from 16 August. Here's what to do if:

You've had a positive PCR test:	You have symptoms of Covid-19:
 You need to self-isolate , even if you've been vaccinated	 You should self-isolate and take a PCR test even if you've been double-jabbed

You've been in contact with someone who's tested positive for Covid-19:

 If you're 18 or over and not double-jabbed you'll need to self-isolate	 If you're double-jabbed , or if you're under 18 , take a PCR test, but only self-isolate if it's positive
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gov.uk/guidance/nhs-test-and-trace-how-it-works

Key PIs:

Key PI	Description	Baseline	Target 21/22	Cumulative Performance	Variance (RAG)
CELP1	Total number of private rented homes where positive action has been taken to address safety issues	226	250	95	
CELP2	NEW INDICATOR The proportion (%) of households presenting to the Council as homeless whose housing circumstances were resolved through Housing options work (%)	N/A	Baseline	58%	
CELP3	Number of empty properties brought back into use	87	70	41	
CELP4	Amount of New Homes Bonus achieved as a result of bringing empty homes back into use	£79,217	£50,000	Expected December 2021	N/A
CELP5	Customer satisfaction with Golden Age events (as per event)	298	200		
CELP6	Number of Active Health local sessions per year that improve community health	NEW	600		
CELP7	Customer feedback across Freedom Leisure facilities in Fenland	NEW	80%		

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

Comments
CELP1 = Profile on track to meet target with increase in reactive enquiries to the team over the winter period.

Environment

Projects from Business Plan:

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

Officers continue to attend as many fly-tipped sites across the district as possible to look through the waste to try and find out who may be responsible.

3 fixed penalty notices have been issued during August and September for duty of care offences whereby non-licensed waste carriers have been used to dispose of waste, which has later been discovered in fly tipping.

A further 3 sites are being investigated and are in the early stages with interview requests having been posted. This is the first stage in an investigation to ascertain any information about those involved.

In March, a partnership investigation with Middle Level has resulted in a river eviction notice being served for a boat which has been moored for more than the permitted time.

54 vehicles have been reported as abandoned in August and September. All have been removed either by registered keepers (51) or the Council's contractor (3) following the use of formal powers.

As part of a new Tidy Fenland Campaign, we will be contacting our local businesses for support to control litter outside of their premises, to provide advice in relation to duty of care requirements and to check compliance. This will begin in November.

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

Planning for local events is well underway with a focus on Christmas 2021. A total of 120 pitches have been snapped up by traders for the first market, which will be held on Sunday 5th December in March Town Centre from 10-3pm. A huge range of quality gifts and produce will be on offer for the festive season.

Wisbech Christmas Fayre follows on Sunday 12th December from 10am-3pm. Shoppers can meander from the Horsefair through the Market Place looping round Market Street, York Row and the High Street, experiencing the sights, smells and sounds of Christmas, not to mention a Christmas Escape Room too!

We are delighted to thank Twenty20 productions and Nine Lives Theatre who have lined up incredible programmes of live entertainment for March and Wisbech events respectively.

There has been no escaping that many businesses have been significantly affected by the pandemic. Therefore, this year has seen extra work being put into boosting the events and the economic benefit they bring to Fenland Market towns. On Saturday 20th November, place-based marketing will take place in March Town Centre including stilt walkers and live entertainment to promote the upcoming Market and also to entice footfall into town centre businesses. Wisbech Christmas Market Committee will also be working with companies to offer a selection of 'one day only' deals from local shops to tempt customers into their premises.

Deliver the Recycling Action Plan (Cllr Peter Murphy)

Blue bin tonnages in 2021 are very similar to the peaks achieved in 2020, **with a total of 5,014 tonnes** of waste collected for recycling since April.

Customers are increasing what they choose to recycle, with increases in; Glass; Cardboard; office type paper; HDPE bottles (such as milk containers); PET clear bottles (water, cola bottles etc.); and Plastic tubs, pots and trays. Since April, the team have collected **4,742 tonnes of materials suitable for recycling** presented by customers in blue bins.

The value of paper and other materials continues to improve and reduces the net costs of sorting and treating the blue bin materials through the profit share in place with the contractor, based in Waterbeach, who transport, separate and sell the materials collected.

Deliver a competitive trade waste service (Cllr Peter Murphy & Cllr Tierney)

The commercial waste team have commenced trials of commercial food waste collections, initially from a small number of local schools and businesses. Learning from these will be used to develop the service and improve the range of waste collection options available to small and medium size enterprises in the district.

Food waste collected is delivered to a local anaerobic digestion plant where it generates electricity and soil improver for local agriculture.

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

DEFRA has delayed the response to the consultations completed in the summer and these are now anticipated early in 2022.

The response to these consultations is expected to form the basis upon which Extended Producer Responsibility, Deposit Return Scheme and Collection Consistency elements of the Resources and Waste Strategy are to be delivered, along with timelines. Until then, members are keenly watching the progress of the Environment Bill, soon to be the Environment Act.

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

Following the approval of Civil Parking Enforcement (CPE) at the County Councils Highways and Transport committee meeting on 7th September, a CPE update paper was produced for FDC Cabinet on 21st October.

In addition to FDC, both South Cambridgeshire and Huntingdonshire District Councils have resolved to implement CPE and a joint working group has been set up with all three Districts and Cambridgeshire County Council to collectively move the project forward.

FDC progress to date and current focus:

- 1) A contractor has been appointed to carry out a full Traffic Regulation Order (TRO) survey of all On and Off-Street parking and waiting restrictions within Fenland's administrative area. There are approximately 210 existing TRO's within Fenland and site survey works are scheduled to commence on Friday 5th November. Following completion of the survey works, a list of all queries and anomalies will be produced for resolution by Cambridgeshire County Council and FDC prior to the TRO information being digitised. This is a very important part of the CPE implementation process and the works are likely to take 9-12 months to complete.
- 2) Existing Off Street Parking Place Order (OSSPO) and layout information is currently being compiled for review and site surveys are scheduled for all FDC off street parking areas in November. Once the survey works have been completed and enforcement boundaries agreed, new preliminary CPE OSPPO's will be drafted in preparation for CPE implementation.
- 3) FDC officers will be working with County Council officers over the coming weeks on drafting a preliminary FDC/CCC agency agreement for consideration by the CPE project team. The agreement will set out delegated authority to FDC and define responsibility for things such as sign and line maintenance, CPE surplus income and

deficits along with resolution of contractual issues associated with CPE enforcement and administration.

- 4) FDC officers are liaising with the CPCA to enable the funding agreement delivery timeline to be aligned with the CPE project implementation date.

Whilst the timeline required to implement CPE in Fenland is estimated to be approximately 2 years, there are several factors which could inadvertently result in project slippage. However, currently the project is on track for the CPE designation order to be brought into effect in October 2023.

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

The CCTV shared service has maintained its 100% service function across a 24/7 period – the CCTV service is the only council service that is delivered across 24 hours a day, 365 days a year.

From 1st April to 31st October 2021, the CCTV service has been able to respond to 881 incidents across our four market towns including incidents relating to anti-social behaviour, criminal damage, violent crime, illegal drug use, possession of weapons and theft.

There has been a significant uplift in youth related anti-social behaviour, especially in Wisbech, in which the CCTV service is supporting both local partners and internal council teams to identify those responsible to ensure robust enforcement action is taken. This continues to be a priority for the CCTV service over the coming weeks / months.

CCTV intervention since April 2021 has led to 61 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 pro-active in delivering services that helps reduce crime & disorder and anti-social behaviour by delivering regular camera patrols of our four market towns and other key locations. Since April 2021, the CCTV team have delivered 2,916 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 Councils 'out of hours' telephone contact services for example, homelessness, stray and lost dogs, cleansing incidents, dangerous buildings and structures, environmental complaints, to name but a few areas. From April to October 2021, the CCTV service has responded to over 271 service requests from our out of hours telephone contact service.

Other Projects:

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

The summer season has finished, with grass cutting successfully completed at the end of October. Tivoli have carried out their work to a good standard, on time and on budget throughout the year.

Open space highlights in the past few weeks include the opening of the refurbished play area in Parson Drove and the expansion of the play area in West End Park in March (see [Two Fenland play parks in full swing following makeovers - Fenland District Council](#)).

Future play area improvement projects include Doddington and Chatteris.

Additionally, Fenland has been successful in securing £48,500 for tree planting in the District as part of a consortium bid through the County Council. Planting will be discussed with town and parish Councils, with the work itself co-ordinated by Tivoli, FDC's grounds maintenance provider, alongside community volunteers. (see [Fenland set to get leafy facelift with £48,500 grant for new trees - Fenland District Council](#))

Street Lighting (Cllr Jan French)

Street Light Repairs & Maintenance

During the months of August and September, 25 streetlight faults were reported to the Economic Growth & Assets (Engineering Team) and forwarded onto FDC's streetlight contractor for rectification. The low number of fault reports is likely to be associated with both the longer daylight hours over the summer months and the benefit now being realised from the recent investment made in the Councils street lighting stock.

Elm Parish Council recently joined the FDC streetlight repairs and maintenance contract, and the first repair works were undertaken to Elm Parish Councils lighting stock in September. In addition, new streetlight ID plates have been procured and are currently being installed on Elm PC streetlights displaying updated contact information to aid future fault reporting.

Capital Street Light Replacement Works

The streetlight replacement works continues to make progress and to date approximately 575 FDC streetlights have now either been replaced or had the existing lanterns upgraded to LED since commencing the replacement works in March 2020. A

further 50 units are currently on order and are scheduled to be installed over the coming weeks/months and it is estimated that 30 more units will be able to be afforded from the remaining capital works funding. Following completion of the capital works LED streetlights will account for approximately 70% of the Councils own lighting stock.

The Engineering Team also continue to co-ordinate streetlight replacement works on behalf of Gorefield, Christchurch, Tydd St Giles, Parson Drove and Newton Parish Councils.

Seven of the Parish Councils and Clarion Housing Association who previously entered into a 3 year service level agreement 2018-2021 with FDC have been contacted in respect of extending the SLA for a further two years to coincide with the end of the current streetlight repairs and maintenance works contract in 2023. Responses from some of the organisations are still outstanding, however all those received to date have elected to remain with FDC for this service provision.

Street light replacement and upgrade works to the Town Quay Berth at Wisbech Commercial Port have commenced and are expected to be completed in early November.

Getting it Sorted Volunteers Update (Cllr Peter Murphy)

In cooperation with Cambridgeshire Skills, the volunteers have launched their online training package for would be recycling champions.

Cllr Murphy recently launched the new online training, available to all Cambridgeshire residents, with Thomas Heffer from Cambs Skills.



The training videos and information were all developed by the Fenland Getting It Sorted volunteers for the benefit of customers across Cambridgeshire.

Volunteers have returned to attending events, charities and organising activities across the area.

Often in cooperation with other volunteers from Streetpride, In Bloom and similar, the volunteers have been litter picking riverbanks and separating recycling, educating Beaver troops, attending fetes and training people how to best use their waste.



Garden Waste Service Update (Cllr Peter Murphy)

As we come towards the end of the growing season for 2021, preparations are in place for the coming season with the new subscriptions on sale from December 2021 for direct debit payments and January 2022 for cash and card, with a range of communications in place to support customers in this choice.

The levels of subscription this season were again an improvement on the previous year, with **23,600 subscriptions** delivered to 22,750 properties so far. As a result, the service is forecast to be self-funding for a further year.

The direct debit option continues to be a popular choice with **85% of customers** making use of it this year and having the advantage of automatically enrolling for the coming season without further action.

Throughout the past 12 months, the garden waste team have collected a total of **7,892 tonnes of garden waste** from customers' brown bins, a very similar figure to the previous 12 months. All this organic waste is composted in the open air by the County Council's contractors in Lincolnshire to create soil improver for local agriculture.

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

The Cambridgeshire and Peterborough Waste Partnership have recently performed a

waste analysis across the region to inform future waste decision making and communications. This will build upon analyses performed in 2019 to create a picture of behavioural change across Cambridgeshire and Peterborough.

The partnership is developing plans in readiness for the Environment Bill receiving Royal Assent, which is anticipated early in 2022 and, along with resulting guidance, will shape the nature of waste collection for domestic and commercial premises for England.

The partnership is developing plans to allow for collaborative working on the implementation of these statutory changes, along with reporting and any necessary resource, infrastructure and communications required. These plans include support from Defra for the partnership to review existing contractual arrangements in light of anticipated legislative changes.

Community Safety Partnership Update (Cllr Andrew Lynn)

Child Criminal Exploitation CCE Engagement Session



An online engagement event was held to raise awareness of child criminal exploitation in August. This was delivered in partnership with the Cambridgeshire & Peterborough Safeguarding Partnership Board.

This is available to view via the CSP webpage. [\(CSP\) – Fenland District Council](#)

Dave Sargent, Strategic Child Exploitation Lead at the Cambridgeshire & Peterborough Safeguarding Partnership Board and Rosie Cooke Community Safety Projects Officer, discussed child exploitation including what it is, what signs to look out for and what can be done to prevent it.

Road Safety Engagement Event



On 13/10/2021 the partnership held a Road Safety online engagement event with Cambridgeshire Constabulary, Speedwatch and the Vision Zero Partnership. Questions relating to road safety, the laws surrounding it and what can be done to make the community safer.

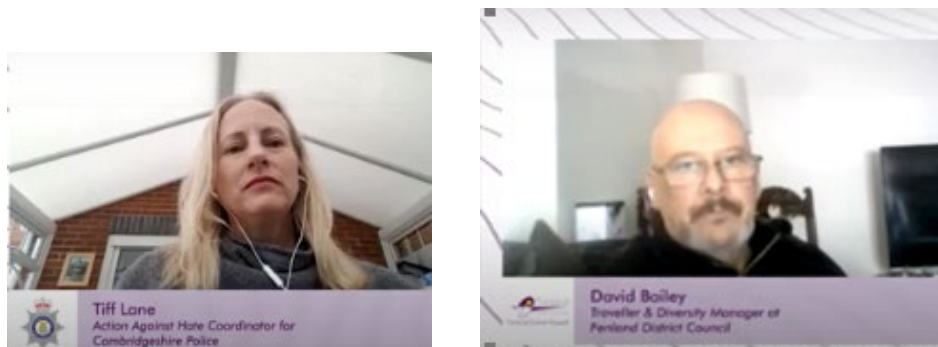
You can access this via the website link – [\(CSP\) – Fenland District Council](#)

CSP Workforce Development

Training themes for partnership Workforce Development sessions are linked to the priorities of the partnership. Frontline staff from statutory and the voluntary sectors who work across Fenland are invited to attend these free training sessions delivered by subject matter experts.

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

CSP Workforce Development – Hate Crime Awareness



During Hate Crime week in October, the partnership organised a Hate Crime session which was delivered using MS Teams. The session was delivered by David Bailey FDC Traveller and Diversity manager and delivered by Tiff Lane the Action Against Hate Crime Coordinator from Cambridgeshire Constabulary.

The awareness session was attended by 48 front line professionals including staff from third sector organisations. The training provided information and advice on what is Hate Crime and information on reporting and further support.

Further information is available at.....

- <https://www.cambs.police.uk/information-and-services/Hate-crime/Hate-crime>
- <https://www.met.police.uk/true-vision-report-hate-crime/>

The training was complemented with an awareness campaign on social media during Hate Crime week which was shared with partnership members.

Workforce Development – Stop Suicide Awareness Sessions

On 28th & 30th September the partnership hosted Stop Suicide Awareness sessions via MS Teams. These sessions were crafted to be delivered in smaller groups so this sensitive subject could be explored, and attendees supported. The awareness sessions were delivered in partnership with Kate Bead, Head of Training and Consultancy and Kerry Bryant a mental health trainer from MIND.

The two sessions were attended by 23 front line professionals including staff from third sector organisations. The training provided information and advice to equip attendees with the knowledge to spot the warning signs, ask directly about suicide, support someone to stay safe and look after their own wellbeing.



Loan Shark Community Banners



Look out for the Loan Shark banners, designed by Yr 6 students from Burrowmoor, Orchards and Ramnoth Road, schools. During October the winners of the Loans Shark art competition will have their artwork made into banners and displayed in Wisbech and March. There will be media coverage promoting the displays in the community.

Community Safety Newsletter

The 9th edition CSP Newsletter is soon to be published, reporting back on the activity of the CSP. This will be available on the CSP webpage and be distributed to partners in the statutory and voluntary sectors. Hard copies will be available in local libraires.

Fenland Domestic Abuse Campaign

The partnership along with partners from health, housing, DASV, Refuge, migrant support teams and CGL are planning to deliver a Fenland Domestic Abuse Campaign, that will affect a positive outcome within the indicators below:

- Training to empower professionals in domestic abuse and the referral process
- Increase Community Awareness of Domestic Abuse as well as Confidence to Report and Options to Report
- Increase awareness& Signposting – Substance Abuse and links to DA
- Engagement with the migrant population to improve their understanding of DA and confidence to report.

The Domestic abuse campaign is scheduled to run between December 2021 – March 2022.

Street Drinking Update (Cllr Andrew Lynn)

As the social distancing restrictions have been eased there hasn't been the significant

increase in reported street drinking incidents we were concerned may occur.

CCTV reporting had remained stable in July and August with a fall in September with October on par with September. None of the observed incidents in July, August, September or October involved poor behaviour sufficient to justify reporting to the police.

During the period July to September the police have recorded 4 incidents relating to street drinking across Medworth, Clarkson and Peckover wards.

Feedback from street cleansing operatives indicates there has been a reduction in alcohol related litter and especially so during October.

The situation continues to be monitored by the wider partnership and information shared through regular meetings.

St Peters Church Gardens remains the hot spot location for observed occurrences of street drinking, and whilst Carlisle Gardens does see daily gatherings of people there hasn't been a high number of reports of alcohol related anti-social behaviour. However, this is being monitored very closely.

Key PIs:

Key PI	Description	Baseline	Target 21/22	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%	99%	
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%		
CELP12	Customer satisfaction with our garden waste service (quarterly)	94%	85%		
CELP13	Number of Street Pride, Green Dog Walkers, and Friends Of community environmental events supported	204	204	77	
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
CELP 10 – Figures confirmed to September 2021
CELP13 - Due to Covid19 pandemic the number of events has been reduced in line with government guidance.

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)

An Asset Challenge workshop took place on 12th October in which Officers collectively pooled ideas for alternative and more financially beneficial uses for the Council's assets. The results of the workshop have been fed back to senior officers in order that the work can be allocated to our new Head of Property when he takes up post in January.

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

Wisbech Access Strategy

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 report was presented to CPCA Business Board in July 2021 and CPCA Board in September 2021. The report required a strategic decision on the way forward linked to timescales and budgets. It was agreed that funding would be made available to complete the detailed design and the land acquisition for the 3 schemes by December 2021 with the full business case being completed by Spring 2022. A copy of the main accompanying paper for the meetings can be found from the following link:

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

Kings Dyke Level Crossing

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

The last update information paper went to the CPCA Transport and infrastructure Committee in early January 2021. This can be found at the website link below.
<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1972/Committee/67/SelectedTab/Documents/Default.aspx>

The above-mentioned paper included a latest update on the construction process in the form of a drone video. Here is a link to the video on You Tube.
<https://www.youtube.com/watch?v=JpfZkEtIYRk&feature=youtu.be>

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

March Area Transport Strategy

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

The Outline Business Case (OBC) work for the larger schemes is due for completion in October 2021 including its assessment by the CPCA independent evaluators. Papers confirming the outcome of the OBC work including recommendations to draw down funding for detailed design and the final business case, are expected to form part of CCC, CPCA and FDC meetings in November and December 2021.

A copy of the OBC report can be found on the County Council website from the following link:

[Council and committee meetings - Cambridgeshire County Council > Meetings \(cmis.uk.com\)](#)

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

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

March to Wisbech Railway Line

There is no specific update in respect of this project for this report. We are waiting for the outcome of the latest study work.

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

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

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

In March 2021 CPCA gave an update to the Transport and Infrastructure Committee on the Wisbech railway project. This included a recommendation to draw down an additional £300,000 for further study work. The work will look to align the Wisbech Railway work with the Ely Area Capacity Enhancement project and in the short term a Wisbech to March service. The report will be completed by November 2021. A copy of the March 2021 CPCA report can be found in the link below.

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1973/Committee/67/SelectedTab/Documents/Default.aspx>

A47 Dualling (CPCA Project)

It was reported in late 2020 that the Highways England Road Investment Strategy (RIS2) announcement did not include the A47 dualling project. Discussions between CPCA, Highways England and Government in early 2021 have since continued and negotiations are ongoing. In February 2021 Highways England 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. It was also agreed that the work will also consider proposals from East Tilney to A47/A17 junction in Norfolk. This represents an important commitment from Highways England and a Project Manager has now been appointed. The work is expected to complete in October 2021 with formal review and launch by the end of 2021.

The above information was reported to the CPCA Transport and Infrastructure Committee in March 2021. A link to the paper from that meeting is below.

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1973/Committee/67/SelectedTab/Documents/Default.aspx>

A47 Guyhirn (National Highways Project)

Please note that Highways England have recently been rebranded and are now known as National Highways.

The Guyhirn roundabout project is currently in its delivery phase. Work started on site in February 2021 with the scheme due to be open to traffic in Spring 2022. Work to improve drainage, remove vegetation and trim planting is currently ongoing.

Full details about this scheme and the latest updates can be found on the [Highways England website](#). Highways England are due to hold an update meeting for the public

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

All £4m of CPCA funding has now been allocated to Growing Fenland projects. Updates on the projects are shown below:

Chatteris

Chatteris Town Renaissance Fund (£92k)

The Chatteris Town Renaissance Fund project is progressing well with all of the streetlights having been repainted and 95% of the other works complete. The bandstand on Market Hill Gardens is much improved and the remaining budget has been allocated for additional work in the Furrowfields car park area, dependant on quotes due to be received shortly.

Almost £13,500 has been paid out in grants from the Business Premises Refurbishment Fund. Further grants have been approved totalling £13,500 leaving a remaining budget of almost £23,000. The scheme continues to be promoted by Chatteris Town Council and FDC.

Chatteris Skills Development (£36,179)

A meeting with the training provider and Cambridgeshire Skills is due to be held shortly and will help to further define the equipment requirement. Orders for the ICT equipment are likely to be placed in early 2022.

Chatteris Museum & Community Space (£771,821)

Chatteris Town Council are working towards purchasing the freehold and leasehold of 2 Park Street (the former Barclays Bank) and the existing tenants. The process has been complicated but, after a series of negotiations, Chatteris Town Council are hopeful that the process will soon be completed.

Planning applications have been submitted for the conversion of the ground floor of 2 Park Street to a museum and the conversion and extension of 14 Church Lane to form larger Council Chambers and offices, community space and two flats above.

March

Match funding for March Future High Street Project (£900k)

Please see update for March Future High Street Project on page 36.

Whittlesey

Whittlesey Interactive Highway Signs (£57,500)

Three new variable highways message signs (VHMS) have been installed along East Delph and the A605, and east and west of the B1040 roundabout. The signs will alert drivers when flooding closes the B1040 and/or North Bank alongside the River Nene.

The signs will also be able to warn motorists when the nearby A47 is closed due to accidents and when there are other emergencies or roadworks affecting traffic in the area.

As well as helping to reduce the impact of seasonal flooding at the Whittlesey Washes, the signs will help to mitigate delays caused by the current major improvement works at the Kings Dyke Level Crossing and A605 improvements at Milk Water Drove.

Longer-term, they will complement the completed Kings Dyke and Milk Water Drove projects and also support the prospect of a new southern relief road.



Whittlesey Heritage Walk (£218,169)

Work is progressing well with the Whittlesey Heritage Walk project, overseen by the steering group with completion expected by end of March 2022. Updates include:

- The tendering process has commenced for the mobile phone application. It is expected that a contractor will be appointed by 3 December 2021.
- Site visits have been undertaken to confirm planned route improvements. Large sections of path will need to be resurfaced and dropped kerbs added. Replacement railings and fencing is also planned in some areas. Estimated costs are due shortly.
- Utility searches and highway boundary information have been mapped for infrastructure locations
- Meetings are underway with St Mary's Church and Jenner Health Centre with regards to installing infrastructure on or near to their land. Approval in principle has been agreed.
- Engineering support for infrastructure installation is being resourced (CAD designs, site investigation and installation target costs).

Whittlesey Heritage Visitor Centre (£500k)

Whittlesey Town Council have considered 6 tenders to deliver the Whittlesey Heritage Visitor Centre scheme. An architect and a project manager have now been appointed. Consultants have also been appointed to undertake a full topographical and utilities survey of the site area with the report expected by 29 November 2021.

The Whittlesey Town Council Property Working Group has met with Forterra PLC to firm

up the site/land lease agreement and discussions around the Whittlesey Heritage Visitor Centre planning application are due to take place imminently.

Whittlesey Business Capital Grants Scheme (£124,331)

Most of the grant payments have now been made to businesses. A small number of grant offers have been extended to January 2022 due to delays in supply and delivery of the items the businesses are purchasing. Case studies demonstrating how some of the businesses have invested the grant funding will be created in early 2022 and publicity for the scheme generated.

Wisbech

Wisbech Market Place Enhancement Scheme (£200k)

Tenders have been accepted and discussions are underway with the contractor regarding building materials. The proposed start date for works is currently February 2022.

Wisbech Footfall Counters (£19,500)

New footfall counters have been ordered and the supplier is currently in discussions with the Council's CCTV service regarding the sharing of an electrical supply with 2 of the town's CCTV cameras.

Wisbech Replacement Shopwatch Radio Scheme (£33,800)

The scheme is likely to be replaced early in 2022.

Wisbech Water Park (£147,500) & Wisbech Park Community Hub (£299,200)

Recent public consultation regarding the Community Hub in Wisbech park has been collated and is generally supportive of what is planned. The Council is now in the process of appointing a project management lead and initial draft concept drawings will then be developed in the coming 6 weeks.

Proposals will be discussed with local elected Members and the Love Wisbech group prior to further, more significant, design work being carried out. A final Hub design is anticipated early in the new year, at which point contractor procurement will start to take shape. The contractor delivering the Hub will also deliver the water play area as one overall project to ensure maximum financial and time efficiency.

Wisbech Business Capital Grants Scheme (£200k)

Most of the grant payments have now been made to businesses. A small number of grant offers have been extended to January 2022 due to delays in supply and delivery of the items the businesses are purchasing. Case studies demonstrating how some of the businesses have invested the grant funding will be created in early 2022 and publicity for the scheme generated.

District Wide

Civil Parking Enforcement (£400k)

Please see update on Civil Parking Enforcement on page 16.

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

The presentation to members of the draft plan (for approval prior to public consultation) has been put back and will take place in December 2021 with the public consultation starting in January 2022. The delay is due to the further round of 'call for sites' being instigated by members which then moved the following round of member engagement into the election period. This then delayed the site assessment work.

An updated timetable can be seen here:

https://www.fenland.gov.uk/media/17153/-Live-timetable-for-the-production-of-the-Local-Plan/pdf/Live_Timetable_for_Production_of_the_Fenland_Local_Plan_-_November_2021.pdf?m=637715331733370000

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

Manea Station

Work commenced on site in late Summer 2021. Planning approval for the scheme was given in September 2020 and all but one of the planning conditions were discharged in June 2021. The final condition relating to the maintenance and operational plan for the car park is being assessed by FDC Planning Team. Lead times for items such as the security gates are taking longer than expected due to COVID19. The project is expected to complete in late by the end of 2021/early 2022.

March Station

Work commenced on site in July 2021. The ticket office at the station has been temporary moved to a portacabin in the car park area to allow work on the platform building to come forward.

The platform 1 building has now been stripped back with some internal walls removed and repair work to windows, doors, and floor timbers. The car park extension area has been cleared with vegetation removed.

The work is still expected to be complete in late 2021/early 2022. Greater Anglia and their contractors are overseeing the delivery of this project

Whittlesea Station

Significant technical and study work has been undertaken to develop an approach to provide a car park, bus and taxi facilities and create an improved access to the station. This work has highlighted technical matters which are challenging to resolve e.g drainage and the presence of protected species on the site. The Project Board response after some minor additional work being inconclusive has requested a new Strategic Outline Business Case (SOBC) for the site and a new Options Appraisal report. This will allow a full assessment of the work today and will demonstrate the value of existing and new options to develop the station. A scoping phase to ensure key stakeholders have early input was completed in September 2021. The SOBC and Options Appraisal are expected to be finalised in May 2022.

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

Individual Property Updates

No4 High Street: Owner has been re-engaged with but unfortunately he is extremely ill. Although he would like to undertake the works, this is looking increasingly less likely due to ongoing health conditions. FDC have offered to undertake all of the paperwork on his behalf to bring forward the property, however we are still waiting for an update call back from the owner.

No 11-12: Works are continuing to develop a project. NLHF have signed off a grant agreement for this property to the value of £1m of funding. FDC have aligned all administration to complete the transfer of property into Mr Whitfield's ownership and are just awaiting confirmation of the project from Mr Whitfield's project manager.

The project manager is currently having the scheme re-costed with contractors and has expressed an appetite for a 7-10% cost increase given the current economic climate. Returns are expected on the 5th of November at which point we will have a clear steer to begin delivery.

No 13-17: Works are progressing well with on-site completion of new shop frontages due in December 2021. Handover from the contractor to the owner is expected in January 2022 following connection of utilities to the upper floor shops by Anglian Water.

No 18: Works began on site on November 1st with completion set for early in the New Year.

No 19: The owner has applied to register ownership with the land registry and is awaiting confirmation from the NLHF legal team that this constitutes what they would require in terms of governance to go ahead with the grant agreement. Once the agreement is signed works can begin.

No 24 "The Gap": FDC is currently out to tender for a contractor with a tender return date of the 19th of November. If costs are in line with cost estimates, conversations are planned with NLHF regarding the amount of funding allocated from the remaining pot. At present, the grant is capped at £1m however there may be scope to increase this.

Remaining properties:

All remaining properties have been written to with a hard deadline of 30 November to come back to FDC with any projects that may be considered as part of the scheme. Following this date, conversations will be held with the NLHF regarding underspend and where best to invest this within the remaining projects.

Activities:

The activities plan has been revised to be more inclusive for a wider demographic. This is currently under review for signoff with the NLHF.

Communications:

A communications plan has been created and ongoing comms meetings will be held internally at FDC. The communications plan is closely linked to key milestones for capital projects with separate pieces going out related to events. It is planned that there will be at least one piece of press per month relating to the project throughout the remaining year.

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

The Better Business for All group reconvened in September following a break in meetings since early 2020. The group are in the early stages of planning a future priorities document which will include advice and support mapping for new start-up businesses with particular focus on regulatory support.

Priorities reflected by the group include:

1. Gain greater insight into business perceptions/needs with regards to regulation to ensure it supports growth.
2. Refresh our understanding of the support services we each offer to businesses to enable greater signposting between partners
3. Fully utilise existing communication channels to promote advice.
4. A review of resourcing required to ensure success of the group.

Other Projects:

Economic Growth Team Activity (Cllr Ian Benney)

Expansion & Relocation Projects

As part of the ongoing business engagement programme, the Economic Growth Team (EGT) and Portfolio Holder, Cllr Benney met on-site in Chatteris with Aerotron and Bartletts to discuss their plans and how the Team can support them. Increasing numbers of on-site visits are being scheduled with businesses across the district. The Team continue to be actively involved with a number of expansion/relocation projects.

Stakeholders

The EGT continue to build relationships with the various Growth Works teams. Meetings have taken place with Growth Works – Coaching (marketing) and with the Director of Growth Works.

Growing Fenland Wisbech & Whittlesey Capital Grants

Most of the grant payments have now been made to businesses.

Combined Authority Economic & Business Recovery Sub-Group (EBRS)

The Local Economic Recovery Strategy will be reviewed and updated in November 2021 with the Economic Growth Team ensuring that Fenland is well represented in the strategy and receives the required level of resources to support economic growth in the district.

South Fens Business Park Expansion

The project team will be submitting a planning application for the additional light industrial units in w/c 8th November 2021

Combined Authority Employment & Skills Strategy

The Team provided Fenland's contribution to the Combined Authority's Employment & Skills Strategy that will be consulted on later in 2021

Wisbech High Street Project

Following Taleyna Fletcher leaving the Council, the EGT undertook managing the project until the replacement manager Matt Wright was in post.

Cambridgeshire Chamber of Commerce

The EGT met with the new Chief Executive of the Chamber and agreed how best to work together. The Chamber offered free membership for 6 months that the Team could offer to up to 25 local businesses.

Future High Streets Fund (Cllr Ian Benney, Cllr Chris Seaton & Cllr Jan French)

Work has been progressing well with CCC partners to progress to the preliminary design stage (imminently).

The Member Steering Group, led by Cllr Seaton, have been fully engaged in decision making around direction and scope of the project with regular monthly update meetings taking place to provide key decision gateways as well as to review and sign off work to date.

To date key pieces of work that have been completed are as follows:

- Following production of an artist's impression for the Riverside area, outline feasibility designs for all elements were agreed with FDC Members.
- Atkins, the preferred design consultant, submitted their fee proposal for preliminary designs and investigation works.
- CCC reviewed Atkins fee proposal and, following a number of minor changes, considered it to be acceptable and in line with expected scope and cost. It was then received by FDC for review.
- 'Heads of Terms' agreement was sent to Cllr Chris Seaton (Portfolio Holder – FDC) for review.
- FDC met with Stagecoach to discuss removal of Broad Street u-turn movement. Outcome of the meeting was to progress with the current general arrangement, maintaining dual bus capacity in both directions.
- FDC have provided all information requested by CCC to date.
- A fee proposal for the accelerated Market Square investigations, preliminary and detailed design has been received for review by CCC colleagues ahead of being reviewed by FDC.
- Following engagement with designers and engineers, it was agreed not to progress with electric vehicle (EV) ducts due to costs of investigation works and suitability of car park arrangement – alternative EV charging is to be located within the town.

Images of the proposals for Broad Street and the Riverside project can be found below (source documents available upon request):

Broad Street:

Upcoming key workstream milestones include the following:

- FDC to formally appoint Atkins through internal governance processes
- Atkins to provide costings for the detailed design stage (next phase)
- Significant ongoing member involvement through the member steering group to ensure continuous alignment of plans with member priorities
- FDC to continue to liaise with key partners throughout the town such as Stagecoach to ensure full engagement with the design process of the plans.
- Site to be identified for the relocation of town centre toilet facilities
- Alternative site for future EV charging to be located

Vacant Shop Grants:

Grant set up has progressed significantly with two specific vacant space grants proposed as part of the wider future highstreets fund programme; the Living Over The Shops Scheme (LOTS) & the Vacant Unit Activation Scheme (VUAS).

Both grants comprise of funding for private owners of up to £25,000 to convert disused space above retail premises into flats or to reinstate vacant units to a more lettable quality respectively.

The guidance documentation for these grants is currently under review by members and launch of the grants is anticipated in November 2021.

Web Pages:

Initial web pages with information relating to the projects have been set up and can be found here:

[March Future High Streets Fund - Fenland District Council](#)

These pages will be kept up to date with news and project updates to ensure members of the public are kept informed of progress.

Skills Update (Cllr Chris Seaton)

We will be taking part in the Kickstart Scheme, which is a government scheme aiming to help and encourage the employment of young people (specifically those aged between 16 to 24) currently on Universal Credit. This is particularly key for the Fenland area due to unemployment rates and opportunities being lower than the national average.

This scheme is a pathway for some young people to build the skills and confidence to apply for apprenticeships, particularly beneficial for this group of young people following the impact of the pandemic.

The scheme requires the Council to provide a contract of employment for a minimum of 25 hours per week for a 6-month fixed term contract, which must not replace any existing vacancy or cause any employee or apprentice contract to end.

The placement must help a young person become more employable and develop in the workplace enabling them to apply for longer term work.

The posts are fully funded at 100% of the National Minimum Wage for 25 hours per week for a total of 6 months, and any associated employer National Insurance contributions, any relevant workplace pension contributions plus £1,500 funding per job (This should be spent on setup costs and supporting the young person to develop their employability skills).

We have agreed to host 8 such placement, which are currently being advertised.

We continue to support a range of apprenticeships within the Council in Planning, My Fenland, HR, ICT, Business Administration and GDPR, Leading a Team and Accountancy. We are hoping to begin offering apprenticeships within Environmental Health and Marine Service within the next few months.

Combined Authority Employment & Skills Strategy

The Team provided Fenland's contribution to the CA's Employment & Skills Strategy that will be consulted on later in 2021.

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)

Apart from South Fens Business Centre, where occupancy levels have been relatively low since the Covid pandemic took hold, all of the Council's investment portfolio is currently showing high occupancy levels. The two double offices at The Boathouse have recently been placed under offer, meaning the Boathouse is now almost completely full.

The planning application for the next phases of the development of light industrial units at South Fens will be submitted w/c 8th November. The first phase of the development is fully funded and the project team are currently estimating the cost of constructing the second phase, the likely cost savings in constructing both phases at the same time and potential additional revenue stream.

Sail the Wash Partnership Update (Cllr Ian Benney)

Consideration is being given to how Sail the Wash project will be sustained and further developed over the remainder of this sailing season and in the build up to 2022. Proposals include establishing company limited by guarantee which would include the sub regions of Lincolnshire, Fenland, NW Norfolk (KLWNBC) and North Norfolk

Underspend from the project will be allocated before the fund expires. Potential projects include an additional hydrographic survey works in 2022 and additional dry side works at Cross Keys marina for picnic benches.

Affordable Homes (Cllr Sam Hoy)

The forecast is for 130 new affordable home completions for this financial year.

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

Following release of the updated Food Standards Agency (FSA) Recovery Plan in August, the Council's food safety inspection plan has been reviewed to ensure all required interventions are programmed within the required timescales.

Usually, the annual inspection programme is required to be completed by March 2022. However, due to the extended timescales within the recovery plan, low risk interventions have been extended to March 2023 with interim dates for other risk categories.

There are two phases to the Recovery Plan:

- Phase 1 - 1 July to 30 September 2021 – for all unrated / new businesses and high-risk businesses
- Phase 2 – 1 October 2021 to 2023/24 – for all other businesses.

The risk category is based on a management assessment and the activity undertaken by the business.

In order to ensure targets are met, additional staff have been recruited on a temporary basis. Additional staff are covering both inspection of low and high risk premises and Breckland Council are operating as our statutory lead food officer, a partnership which is working well.

Good progress is being made against these refreshed targets with 99% of interventions due by end of September having been completed.

Key PIs:

Key PI	Description	Baseline	Target 21/22	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%	72%	
CELP17	% of other planning applications determined in 8 weeks (or within extension of time)	99%	90%	89%	
EGA1	% occupancy of the business premises estate	87.8%	89%	90.1%	
EGA2	% of customers satisfied with our business premises estates (quarterly)	100%	95%		
MS1	Number of berth holders / occupancy of berths at Wisbech Yacht Harbour (85 berths)	85	85	82 (95%)	
CELP18	Number of local businesses supported and treated fairly (quarterly)	96%	96%	100%	

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

Comments
<p>CELP15, CELP16 and CELP17 - Performance on the speed of decision making on planning applications (for minor and other application types) has dropped over the year due to:</p> <ul style="list-style-type: none"> • an increase in applications & staff turnover causing validation backlogs • high caseloads for planning officers, well above benchmark levels • increase in the number of applications coming to committee and the number of committee meetings • staff turnover

Notwithstanding the performance falling below the local PI, we are exceeding the National PI which is 70% (for minor and other applications combined).

Additional temporary resources have been brought in to improve performance and a longer term proposal is being developed in addition to a review under the banner of My Fenland which seeks to identify work flow and process efficiencies.

Quality Organisation

Projects from Business Plan:

Commercial Investment Strategy (Cllrs Chris Boden & Ian Benney)

The Commercial and Investment Strategy is operational and we purchased our first investment under this heading in March 2021. The commercial property purchased in Wisbech was subject to the full due diligence process and was approved by the Investment Board at their March meeting.

Further work is being carried out on Council owned sites and detailed appraisals are being completed for presentation at a future Investment Board meeting. Regular updates on these sites are provided to the Investment Board.

At its last meeting, the Investment Board approved recommendations to recruit a fixed term resource to drive forward the development of Council owned sites. Although the recruitment process is underway, it is proving to be challenging.

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

My Fenland is the first major corporate transformation programme under the Council for Future priority that focusses on modernising the way we deliver all aspects of our services to our customers. It has involved updating and streamlining our processes to improve consistency and efficiency across the organisation, investing in new IT solutions and technology to improve the process for both staff and customers.

The key focus has been ensuring we are putting the customer journey first and providing the best possible customer experience.

Why?

There are so many benefits and reasons for going through this transformational programme, such as:

- Improved customer experiences and smarter ways of working
- The opportunity to explore and introduce new technology to streamline the customer journey
- Bringing together a range of discrete/defined services as a single point of contact and delivery, providing a more joined-up approach across the Council

- Reducing the number of staff handling customer data, which reduces error and the potential GDPR risk
- Better resilience in teams, and so a more consistent and effective customer service
- Improving our talent pipeline and succession planning for the My Fenland resource but also the wider Council.
- Improving service, driving down costs

So far....

We have delivered Phase 1, with the creation of the My Fenland team that has been successfully working as one newly formed team since July 2020.

Phase 2 is nearly complete, with a focus on customer interactions, opportunities for our customers to self-serve as a wider range of services and activities are consolidated in to the 'My Fenland' team. This involved process mapping a large number of new activities from the 'legacy' teams.

We have had some Key Successes.....

- Creation of new MF team
- Implementation of Paypoint – over £1.5 million payments made
- Launch of the Council's new website.
- Development and implementation of the Technical Officer role to free up the capacity of specialist officers.
- Recruited from within the team to fill vacant Technical Officer hours.
- Worked closely with teams to forge strong working relationships to support service delivery
- The upgrade to the Telephony switch to enable, enhanced call routing and use of Customer Relationship Management (CRM) software.
- Reviewed and amended options for customers presenting by phone to simplify choices and reduce waiting times
- The development of new forms to enable customers to self-serve via our website (e.g. missed bins; removing the need for back office intervention. These requests will be sent from our website directly into Bartec's in-cab technology
- Reviewed and redesigned key high-volume process to improve the customer experience and reduce intervention to deliver the service, for example the Bulky waste collection process.
- Reviewed and implemented changes for our Trade waste service, removing the need for back-office intervention. These requests will be sent from our website into Bartec's in-cab technology. Enabling real time customer information to be available to support service delivery.
- Implementing a digital journeys package. For example, Customers can supply information, apply for a new or to renew a licence, via our website, removing the need for data entry, improving accuracy whilst also reducing delivery time to our customers.
- Process mapping of tasks and activities identified as a priority and agreed by the project team

- Delivered a comprehensive training plan to all members of the My fenland team, to support the ongoing learning and development of the team each individual has a tailor-made plan in place to support them.
- Recruited two apprentices, who are new to the council, as part of our ongoing commitment to grow our own talent and build resilience within the team.
- Transformation Officer and Business Improvement officer successfully recruited.

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

The list of projects is identified in the Business Plan and updates are given elsewhere in this report. These include My Fenland, Website, Empty Homes and Private Sector Housing Enforcement.

Other Projects:

3Cs Update (Cllr Steve Tierney)

Service Standards	April to September 21/22	April to September 20/21
To answer 90 % of Correspondence within 10 working days	95%	85%
To answer 90% of Complaints by the agreed deadline	90%	76%
Deal with 90% of Complaints at Stage 1	87%	81%
Progress less than 10% of Complaints to Stage 2	5%	8%
Progress less than 5% of Complaints to Stage 3	7%	11%
Number of Ombudsman Complaints Upheld	1	0

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:

- August = 8
- September = 9

Monthly update on FDC social media sites:

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

August:

- Twitter = 125
- Facebook = 129

September:

- Twitter = 105
- Facebook = 102

We currently have 4,676 likes on Facebook and 8,641 followers on twitter.

Consultation Summary:

- Whittlesey Heritage Walk – 1 August to 31 August 2021
- Wisbech Park Community Hub – August & September 2021

COVID-19 comms update:

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

The latest information is being shared through our Council's COVID-19 web page at: www.fenland.gov.uk/coronavirus and the Council's social media accounts. In total, we have had over 120,000 Coronavirus web page views since their launch.

Key Cambridgeshire wide messaging includes the vaccination roll out programme, do the right thing campaign, rapid testing information and financial support available for businesses and residents.

We are publicising press releases and social media posts 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 PIs:

Key PI	Description	Target 21/22	Cumulative Target	Cumulative Performance	Variance (RAG)
PRC1	% of customer queries resolved at first point of contact	Rolling monthly target of 85% per month	85%	99.5%	
PRC2	% of customers satisfied with our service (March 2021)	90%			
PRC3	% of contact centre calls answered within 20 seconds	Rolling monthly target rising to 46.5% by March 2021	28%	18%	
PRC4	% of contact centre calls handled	Rolling monthly target rising to 80% by March 2021	62.5%	67.5%	
ARP1	Days taken to process Council Tax Support new claims and changes	8.0		7.44	-0.56
ARP 2	Days taken to process Housing Benefit new claims and changes	8.0		7.79	-0.21
ARP3	% of council tax collected	96.8%	56.35%	56.55%	+0.20%
ARP4	Council Tax net collection fund receipts	£61,172,317	£34,743,756	£ 34,963,410	+£219,654
ARP5	% of NNDR collected	97.51%	51.95%	52.47%	+0.52%
ARP6	NNDR net collection fund receipts	£18,341,776	£11,697,906	£12,027,514	+£329,609
PRC5	Number of visits to our website	825,000		67,041 (Aug) 70,316 (Sept)	

Key:

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

Comments

Council Tax - The time taken to assess Council Tax Support new claims/changes has been achieved this month.
The time to taken to assess Housing Benefit new/claims has been achieved.
Fenland has managed to spend of 31% of Discretionary Housing Payment (DHP) funds.

As part of ARP, we continue to see a large volume of moves being received each week; receiving some 8104 moves in September compared to moves 6076 in July. Year to date we have received 37,171 moves compared to 24,542 for the same period last year, an increase of 51.46%. However, change of circumstances requests are now being processed in under two weeks.

The Council Tax Collection Fund remains above target as does the % collected.

BUSINESS RATES – Business Rates (NDR) collection continues to meet targets.

The team continue to achieve call answer rates in excess of 95%, and work outstanding has reduced significantly in September which puts us in a good position for dealing with the Small Business Rate Relief and Discretionary relief reviews which have been issued.

We still await the Legislation that prevents MCC claims in relation to COVID impact and, guidance for the Government grants proposed that will require a local scheme to facilitate payment.

Fenland District Council

leisure operating contract report
April – September 2021

“improving lives
through leisure”



www.freedom-leisure.co.uk



an introduction to the uk's second largest genuine charitable leisure trust:

It has been an extremely challenging time for the sport and leisure sector as a whole, but Freedom Leisure has worked closely with their local authority partners to provide the best service possible during this unprecedented time. Nationally Freedom Leisure were selected as the preferred operator of 2 new leisure contracts, increasing their portfolio to 104 leisure centres, 24 individual clients and over 3,500 employees.



104

leisure centres, including 2 theatres, on behalf of 24 individual clients across England and Wales.



not for profit

freedom leisure is a not-for-profit leisure trust which manages leisure and cultural facilities on behalf of partners across the UK to realise our vision of “improving lives through leisure”



focus

committed to providing and developing inclusive leisure facilities for everyone. Delivering a service to exceed our customers' expectations

freedomleisure ethos

- Provide affordable and accessible health, leisure and sport facilities for everyone, therefore having a positive impact on the local communities in which we operate and serve – we aim to inspire people to be more active more often
- Reinvest surplus into quality services
- Exceed our partners' desired outcomes for local communities
- Enhance our reputation and status
- Grow and develop as a company in a sustainable way
- Develop our people
- Renew existing contracts and win new ones

freedomleisure corporate vision



reminder of timeline 2020 -2021

20 March

**closed prior to
first national
lockdown**



29th Mar

limited reopening
outdoor activities only resume

3rd Dec
reopened
sites reopen

March 20

April 20

May 20

June 20

July 20

August 20

September 20

October 20

November 20

December 20

January 21

February 21

March 21

April 21



25th July
reopened

leisure centre reopened
with limited services

April
community support

FL staff support the local
community



5th Nov
**closed for
national lockdown**

25th Dec
**closed in tier
based lockdown**

12th Apr
reopening

all sites reopen with relevant
restriction and procedures in
place

finance summary:

Fenland Contract:

	April	May	June*	July*	August*	September*
Income (inc grants / JRS)	£177,057	£199,290	£199,613	£222,512	£236,734	£254,656
Expenditure	£172,122	£217,677	£223,710	£240,624	£261,569	£276,436
net surplus / (deficit)	£4,935	- £18,387	- £24,097	- £18,112	- £24,835	- £21,780
	Q1 draft deficit -£37,549			Q2 draft deficit -£64,727		

N.B. In April 2021 Freedom Leisure received Start Up Grants of £72,000

* Draft

Freedom Leisure would like to thank FDC for their ongoing financial support during 2020-21 and 2021-22 which should put Freedom Leisure in a sustainable situation for the remainder of the current contract.

Throughout the last 18 months FDC and Freedom Leisure held regular financial review meetings to see the impact of COVID-19 through the various lockdown and re-opening phases

The financial impact of covid-19 has carried through the first half of 2021-22 as some social distancing guidelines remain in place, which limits our capacities within the leisure facilities. The demand for the services has also been impacted due to a reduction in customer confidence until all restrictions are lifted.

In January 2021, FDC and Freedom Leisure jointly applied for a grant from the National Leisure Recovery Fund (NLRF) to support the service. This application was successful and FDC was awarded £224,418 to cover some essential costs during the 20-21 lockdown period and to support the reactivation of the facilities and potential deficits from April 2021

In 2020-21, £69,962 of the NLRF grant was required, with the balance being carried over into 2021-22.

finance detail:

Fenland Contract	April Actual	May Actual	June Actual	July Draft	August Draft	September Draft	October Draft	November Draft	December Draft	January Draft	February Draft	March Draft	Total Draft
Income													
Membership	46,067	100,004	96,036	99,245	107,913	112,748	106,348	108,871	100,035	122,454	122,454	124,884	1,247,059
Swimming	36,305	67,913	87,638	96,687	99,233	105,125	103,338	102,925	78,233	98,601	103,425	105,040	1,084,464
Catering	626	2,380	3,049	5,609	7,823	9,618	5,867	5,295	4,958	6,532	6,824	6,806	65,388
Main Hall	2,189	13,825	3,903	6,131	3,924	5,982	4,780	3,208	2,280	4,551	3,811	4,030	58,614
Studio	455	1,220	1,512	2,703	2,263	1,678	2,320	2,382	2,009	2,921	2,681	2,615	24,758
Fitness	970	1,430	2,573	2,904	3,680	3,423	2,212	2,201	2,552	3,484	3,417	2,913	31,758
Children's Activities	(480)	1,281	1,689	3,200	7,148	7,988	5,238	3,424	3,150	9,001	6,728	5,775	54,142
Goods For Resale	872	2,242	2,510	3,576	4,536	4,120	2,378	2,196	1,437	2,472	2,205	2,070	30,613
Room Hire	0	0	-	1,500	200	56	501	501	501	539	539	539	4,875
Other	90,053	8,995	703	958	13	3,918	41	41	43	43	44	45	104,897
Turnover	177,057	199,290	199,613	222,512	236,734	254,656	233,022	231,043	195,198	250,598	252,126	254,716	2,706,566

finance detail:

Fenland Contract	April Actual	May Actual	June Actual	July Draft	August Draft	September Draft	October Draft	November Draft	December Draft	January Draft	February Draft	March Draft	Total Draft
Expenditure													
Staffing Costs	97,729	110,865	138,456	135,899	141,009	137,166	136,612	136,612	122,486	136,612	136,612	136,612	1,566,671
Other Employee Costs	413	696	397	514	725	2,766	-	-	1,250	-	-	-	6,761
Repairs and Maintenance	21,651	24,943	10,978	11,855	25,453	21,577	14,143	14,143	14,143	14,143	14,143	14,143	201,317
Utilities	17,487	19,987	19,061	20,975	21,267	21,267	24,648	26,834	25,071	27,803	26,728	28,118	279,246
Cleaning	3,106	2,925	4,755	3,294	3,649	3,649	4,069	4,069	4,069	4,069	4,069	4,069	45,790
Administration	60	239	2,032	451	1,080	1,080	1,028	1,028	1,028	1,028	1,028	1,028	11,109
Marketing and Advertising	0	7,430	4,111	4,196	3,813	3,813	4,397	5,939	4,397	4,397	4,397	4,397	51,286
ICT	4,629	5,338	4,547	5,222	4,410	4,410	3,057	3,057	3,057	3,057	3,057	3,057	46,897
Goods For Resale	593	(234)	2,345	3,898	1,103	2,472	1,012	1,012	1,012	1,012	1,012	1,012	16,249
Equipment	2,719	3,071	2,883	19,025	19,728	31,240	14,561	14,561	17,762	4,561	4,561	4,561	139,234
Catering	1,526	1,396	2,457	2,520	3,379	5,101	2,467	2,357	2,242	2,866	2,869	2,894	32,075
Rent & Rates	0	0	-	1,282	1,282	1,282	1,282	1,282	1,282	1,282	1,282	1,282	11,539
Insurance	2,515	2,515	2,515	2,515	2,515	2,515	3,190	3,190	3,190	3,190	3,190	3,190	34,230
Finance Charges	7,228	12,058	9,419	11,360	11,533	17,473	11,933	12,584	12,193	12,572	12,379	12,634	143,365
Professional Fees	(5,493)	8,489	1,794	- 340	2,665	2,665	2,776	2,776	2,776	2,776	2,776	2,776	26,438
Central Overhead Recovery	17,960	17,960	17,960	17,960	17,960	17,960	17,959	17,959	17,959	17,959	17,959	17,960	215,513
Total Expenditure	172,122	217,677	223,710	240,624	261,569	276,436	243,134	247,403	233,918	237,328	236,063	237,734	2,827,718
Surplus / (Deficit)	4,935	(18,387)	(24,097)	(18,112)	(24,835)	(21,780)	(10,112)	(16,359)	(38,719)	13,271	16,063	16,982	(121,152)

the road to recovery:

2,716

**Learn To Swim
members**

(151% of pre-covid numbers)



3,367

fitness members

(88% of pre-covid numbers)



101.8%

turnover

(September'21 vs September '19)



**staffing, supplier and energy costs
are on the rise – significantly**

recruitment - incredibly challenging

#1

**for recovery of LTS
memberships**

(England)



#3

**for recovery of
Fitness memberships**

(England)



92.5%

turnover

(September'21 actual vs September
'21 budget)



increased marketing

★ MANORS INSTAGRAM PAGE ★

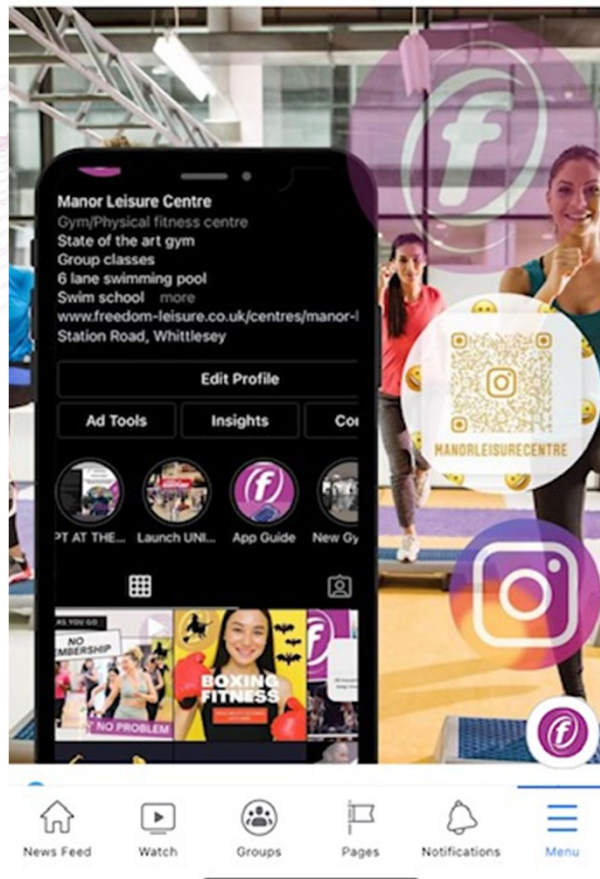
Get involved with us and don't forget to 🙏

❤️ FOLLOW

👍 LIKE

🏷️ TAG YOURSELF

On our Instagram page



STROKE AND STAMINA DEVELOPMENT SESSIONS

20 May

Stroke development and stamina sessions

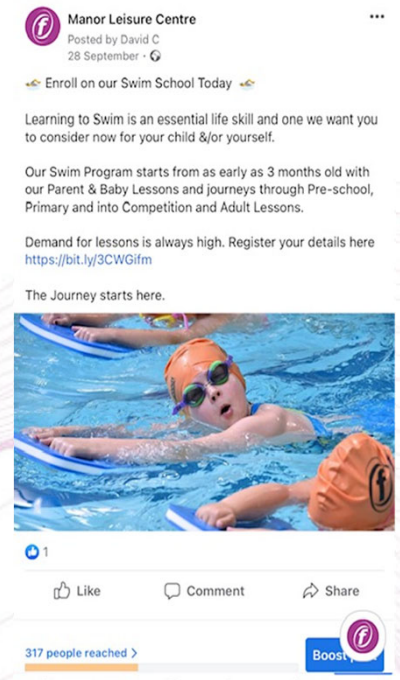
From 9th June we will be running stroke and stamina development sessions every Wednesday at 7pm for 45 minutes.

A guided session of stroke improvement and stamina. An instructor will be on poolside to help with your stroke and stamina.

Equipment can be used under the supervision of the instructor and session plans will be available for the session or tailored made to your specific requirements. Equipment will be available to use or alternatively bring your own to use.

These sessions are pay as you go and will cost £4.15 a session

Book in via our app or give us a call at reception on 01733 942861



wellness within freedomleisure



training and courses

- Resilience training • Stress Awareness
- Mental Health Awareness Training
- Mental Health Awareness Training for Managers
- Managing Anxiety Training • Level 2 Mental Health Training



policies, procedures & HR

- Stress Management Policy
- Equality and Diversity Policy
- Referral to Occupational Health; this includes reviewing work station and environment, completing a health risk assessment



staff shop

- Financial Advice • Online Counselling 247
- Face to face counselling • Legal advice 247
- Family Solutions • Discounts on nutrition and fitness



local healthy living advice

- Discounted Gym Membership
- Expert Physical Activity Advice
- Expert Nutritional Advice



additional advice

- Importance of Exercise • Practice Mindfulness • Improve sleep patterns
- Ask for help • Samaritans - call 116 123 or email jo@samaritans.org

For a list of charity helplines as suggested by NHS for anyone suffering from OCD, Bipolar, Depression and more www.nhs.uk/mental-health/nhs-voluntary-charity-services/charity-and-voluntary-services/get-help-from-mental-health-helplines

resources



freedomleisure
where you matter

post covid recruitment strategies

recruitment continues to be a challenge; we've had to adapt...



**recruitment referral
bonus scheme**

**employees can earn
between £175 and £500**
for referring a lifeguard or swim teacher
that is successfully recruited!

Ask at your site for more details on the
Recruitment Referral Bonus Scheme and rules

  
www.freedom-leisure.co.uk

 **freedomleisure**
where you matter



 **swim
school**

Looking for a new career path?
**SEQ Level 1 & 2
Swim Teachers**

Full training provided!
Speak to a Manager or apply via our website
www.freedom-leisure.co.uk/jobs

Active • Challenging • Fun • Rewarding

 **Swim
England**

 **SWIM WALES**
NODD CYMRU

 **freedomleisure**
where you matter

wellness
within freedomleisure
additional information



 **training and
courses**

- **resilience training** - This includes discussions around work/life balance, how to make your voice heard and identifying faulty thinking areas that you can fall into.
- **mental health awareness training** - This course identifies mental health illnesses, it provides tools that improve wellbeing, and it encourages staff to talk about mental health and to ask for help if needed.
- **mental health awareness training for managers** - This course helps managers to identify mental health illnesses and how they can support team members.
- **managing anxiety training** - This course provides ideas and practical techniques that can be used straight away to better recognise and manage unease and anxiety.
- **stress awareness** - This course is a guide to identifying, managing and preventing stress inside and outside of the workplace.
- **level 2 mental health training** - this includes identifying poor mental health, providing first aid for those with poor mental health and mindfulness training.

 **freedomleisure**
where you matter

our customers have said

we received some fantastic feedback from our customers.

Friendly, welcoming and thoroughly professional Team at the Chatteris Gym. All have a positive can-do attitude that inspires the members to reach, and even exceed, their goals

There is something for everyone on offer at The Hudson leisure centre, for all ages. From swimming to gym and classes available for people of all ages. Help and support from friendly staff

The Whittlesey Freedom Leisure team are superb. Classes are fun, challenging and well managed. The centre is hub of my fitness regime. Love it..

The swimming instructors for my childrens lessons are all amazing especially Alice. We had been to other places for lessons and they have hated it and not made any progress. It really helps the instructors are in the pool with them to assist.

The staff are fantastic. The customer service is second to none. The classes, pool, equipment and all facilities are excellent. The membership is excellent value for money

This place been life saver for lot of us. To see people socialise . I had covid March 2020 and now have problems with lungs so I swim religiously feel so much better for it the staff are great so friendly it's lovely to see people else would see no one also gym classes great instructors lovely like I say this place been life saver for lot of people of all ages and brought a lot of people together

For myself I lack self and body confidence ...but all the team have and still are helping me over come this .They see always happy to help and advise

We have a boy and girl 11 and 14 the boy had a brain tumour at 6 and few operations since he has been in a wheel chair recently and we are always well looked after by the staff

Professional staff, great facilities and very clean. I joined to rehab after a bad horse riding accident where I broke 3 bones and had to have an operation to fix one of them. James gave me a program and helped me immensely, saving me so much money on physiotherapy bills I had been paying. Thank you James. I still average 3 visits to the gym each week, am back caring for and riding my horse, walking my dogs and am able to 'live life' again. Thank you James and Freedom Leisure

some highlights

Hudson:

kickstart scheme - two members of staff taken on through the scheme. Both now completing the next NPLQ course.

Apprentice schemes - Two members of staff completing level 2 leisure team member apprentice, one completing level 3 duty manager apprentice, and one completing level 3 personal trainer.

Ante and pre-natal training being completed by a member of staff next spring, to introduce something else to the centre, and with Active fenland in the community.

George Campbell:

new pool party slots on weekends that include inflatable session

new and very popular “Movers & Groovers”

introduction of blue light membership (thanks NHS)

Chatteris:

summer boot-camp held – very well attended; future group sessions planned. Plus seminars/nutrition chats

Well attended Enerjetix sessions; we’ve put more on to meet demand

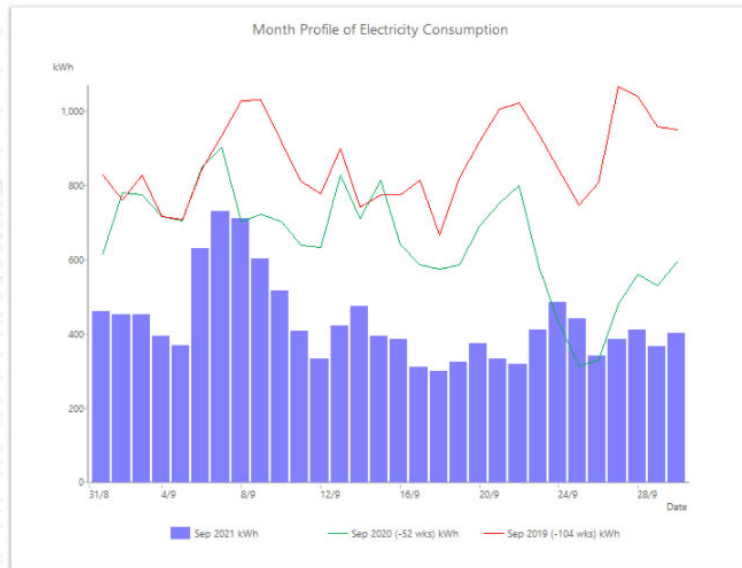
Manor:

restarted rehabilitation phase IV classes, mature mover classes, pilates and new groove it dance class to our studio time table.

reconnected with local GP surgeries to promote exercise referral scheme

worked in partnership with local secondary school to help children to stay active, 50 children booked on first session

energy efficiency:



new role

**Group Sustainability
& Environmental
Manager**

visiting Fenland 18th nov

8,342kWh

saved

enough to power an electric car
around the world 1.2 times





20th Anniversary

an updated **Business Strategy** that reflects the opportunities we have to make an even greater impact in the future and continue “Improving lives through leisure”

Promotions

Bernadette Gipson: contract manager

Warren Staite: regional aquatics development

Dan Palframan: regional manager

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Agenda Item 9

Agenda Item No:	9	
Committee:	Council	
Date:	8 December 2021	
Report Title:	Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review 2021/22	

1 Purpose / Summary

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2021/22.

2 Key issues

- The Treasury Management Mid-Year Review 2021/22 as considered by Audit & Risk Management Committee on 29 November 2021 is attached.
- The report highlights all the key activities carried out within the Treasury Management function during the first six months of 2021/22. 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.

3 Recommendation

It is recommended that Members note the report.

Agenda Item No:	9	
Committee:	Audit and Risk Management Committee	
Date:	29 November 2021	
Report Title:	Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review 2021/22	

1 Purpose / Summary

The purpose of this report is to review the Council's Treasury Management activity for the first six months of 2021/22 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 2021/22.
- Forecasts for Bank Rate now includes five increases, one in December 2021 to 0.25%, rising incrementally to 1.25% by Q1 2025.
- PWLB certainty rates are forecast to rise steadily over the next three-and-a-half years.
- The Prudential indicators for the Operational Boundary and Authorised Limit have been adjusted reflecting the anticipated need for external borrowing to support the Council's Commercial and Investment Strategy.
- Due to the Council's long term debt portfolio (£7.8m at 31/03/21) 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 2021/22.
- No new external borrowing has been taken out to date in 2021/22. The current Medium Term Financial Strategy assumes that some external borrowing will be required over the three-and-a-half-year period to 31 March 2024.
- Investment income received for the first six months of 2021/22 is £21k. This is in line with the original estimate of £40k for the whole year.
- Property Funds formed part of the Council's Annual Investment Strategy approved in February 2021 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 and other commercial property acquisitions are considered, with a corresponding reduction in budgeted income this year of around £150k.

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 - 23 February 2021 - General Fund Budget 2021/22 and Capital Programme 2021-24 Cabinet Report – 15 July 2021 - 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 2021/22 was approved by Full Council on the 23 February 2021.

- 1.4 The Council recognises that there is an ongoing consultation relating to changes to both the Prudential Code and the Treasury Management Code with new versions of both documents due to be published in December 2021. Whilst CIPFA has recently announced that full implementation of the updated codes will not be required until the 2023/24 financial year, the impact of changes to both documents will be considered when determining the Council's Treasury Management Strategy Statement and Capital Strategy for 2022/23 which are due to be approved in February 2022.

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 2021/22 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 the Audit and Risk Management 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 2021/22 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 2021/22;
 - a report of the Council's borrowing strategy for 2021/22;
 - a report of debt rescheduling during 2021/22;
 - a review of compliance with Treasury and Prudential Limits for 2021/22.

2 Economic Update

MPC meeting 04.11.21

- 2.1 The Monetary Policy Committee (MPC) voted 7-2 to leave Bank Rate unchanged at 0.10% with two members voting for an increase to 0.25% and made no changes to its programme of quantitative easing purchases due to finish by the end of this year at a total of £895bn by a vote of 6-3.
- 2.2 After the Governor and other MPC members had made speeches prior to the MPC meeting in which they stressed concerns over inflation, (the Bank is now forecasting inflation to reach 5% in April when the next round of capped gas prices will go up), thus reinforcing the strong message from the September MPC meeting, financial markets had confidently built in an expectation that Bank Rate would go up from 0.10% to 0.25% at this meeting. However, these were not messages that the MPC would definitely increase Bank Rate at the first upcoming MPC meeting as no MPC member can commit the MPC to make that decision ahead of their discussions at the time. The MPC did comment, however, that Bank Rate would have to go up in the short term. It is, therefore, relatively evenly balanced as to whether Bank rate will be increased in

December, February or May. Much will depend on how the statistical releases for the labour market after the end of furlough on 30th September 2021 turn out.

- 2.3 Information available at the December MPC meeting will be helpful in forming a picture but not conclusive, so this could cause a delay until the February meeting. At the MPC's meeting in February it will only have available the employment figures for November: to get a clearer picture of employment trends, it would, therefore, need to wait until the May meeting (although it also meets in March) when it would have data up until February. At its May meeting, it will also have a clearer understanding of the likely peak of inflation expected around that time. If the statistics show the labour market coping well during the next six months, then it is likely there will be two increases in these three meetings.
- 2.4 Over the next year the MPC will be doing a delicate balancing act of weighing combating inflation being higher for longer against growth being held back by significant headwinds. Those headwinds are due to supply shortages (pushing prices up and holding back production directly), labour shortages, surging fuel prices and tax increases. However, those headwinds could potentially be offset – at least partially - by consumers spending at least part of the £160bn+ of “excess savings” accumulated during the pandemic. However, it is also possible that more affluent people may be content to hold onto elevated savings and investments and, therefore, not support the economic recovery to the extent that the MPC may forecast.
- 2.5 The latest forecasts by the Bank showed inflation under-shooting the 3 years ahead 2% target (1.95%), based on market expectations of Bank Rate hitting 1% in 2022. This implies that rates don't need to rise to market expectations of 1.0% by the end of next year.
- 2.6 It is worth recalling that the MPC pointedly chose to reaffirm its commitment to the 2% inflation target in its statement after the MPC meeting in September yet at its August meeting it had emphasised a willingness to look through inflation overshooting the target for limited periods to ensure that inflation was ‘sustainably over 2%’. On balance, once this winter is over and world demand for gas reduces - so that gas prices and electricity prices fall back - and once supply shortages of other goods are addressed, the MPC is forecasting that inflation would return to just under the 2% target.
- 2.7 The MPC's forward guidance on its intended monetary policy on raising Bank Rate versus selling (quantitative easing) holdings of bonds is as follows: -
1. Raising Bank Rate as “the active instrument in most circumstances”.
 2. Raising Bank Rate to 0.50% before starting on reducing its holdings.
 3. Once Bank Rate is at 0.50% it would stop reinvesting maturing gilts.
 4. Once Bank Rate had risen to at least 1%, it would start selling its holdings.
- 2.8 COVID-19 vaccines. These have been the game changer which have enormously boosted confidence that life in the UK could largely return to normal during the summer after a third wave of the virus threatened to overwhelm hospitals in the spring. With the household saving rate having been exceptionally high since the first lockdown in March 2020, there is plenty of pent-up demand and purchasing power stored up for services in hard hit sectors like restaurants, travel and hotels. The big question is whether mutations of the virus could develop which render current vaccines ineffective, as opposed to how quickly vaccines can be modified to deal with them and enhanced testing programmes be implemented to contain their spread. There is also a potential for the winter flu season combined with Covid to overwhelm NHS hospitals so the UK is not entirely in the clear yet.
- 2.9 World growth was in recession in 2020 but recovered during 2021 until starting to lose momentum more recently. Inflation has been rising due to increases in gas and electricity prices, shipping costs and supply shortages, although these should subside during 2022. It is likely that we are heading into a period where there will be a reversal

of world globalisation and a decoupling of western countries from dependence on China to supply products, and vice versa. This is likely to reduce world growth rates from those observed in prior decades.

3 Interest Rate Forecast

- 3.1 The Council's treasury advisor, Link Group, provided the following forecasts on 8th November 2021 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View 8.11.21														
	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25
BANK RATE	0.25	0.25	0.50	0.50	0.50	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.25
3 month ave earnings	0.30	0.40	0.50	0.50	0.50	0.60	0.80	0.90	1.00	1.00	1.00	1.00	1.00	1.00
6 month ave earnings	0.40	0.50	0.60	0.60	0.70	0.80	0.90	1.00	1.10	1.10	1.10	1.10	1.10	1.10
12 month ave earnings	0.50	0.60	0.70	0.70	0.80	0.90	1.00	1.10	1.20	1.20	1.20	1.20	1.20	1.20
5 yr PWLB	1.50	1.50	1.60	1.60	1.70	1.70	1.70	1.80	1.80	1.80	1.90	1.90	2.00	2.00
10 yr PWLB	1.80	1.90	1.90	2.00	2.00	2.10	2.10	2.20	2.20	2.20	2.30	2.30	2.30	2.40
25 yr PWLB	2.10	2.20	2.30	2.40	2.40	2.40	2.50	2.50	2.60	2.60	2.60	2.60	2.70	2.70
50 yr PWLB	1.90	2.00	2.10	2.20	2.20	2.20	2.30	2.30	2.40	2.40	2.40	2.40	2.50	2.50

- 3.2 The coronavirus outbreak has done huge economic damage to the UK and economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings.
- 3.3 As shown in the forecast table above, the forecast for Bank Rate now includes five increases, one in December 2021 to 0.25%, then quarter 2 of 2022 to 0.50%, quarter 1 of 2023 to 0.75%, quarter 1 of 2024 to 1.00% and, finally, one in quarter 1 of 2025 to 1.25%.
- 3.4 Gilt Yields / PWLB Rates - as the interest forecast table for PWLB certainty rates above shows, there is likely to be a steady rise over the forecast period, with some degree of uplift due to rising treasury yields in the US. However, there is likely to be exceptional volatility and unpredictability in gilt yields. PWLB rates and interest rates will both be kept under review by officers to inform the Council's strategy.
- 3.5 One of the key results of the pandemic has been a fundamental rethinking and shift in monetary policy by major central banks like the Fed, the Bank of England and the ECB, to tolerate a higher level of inflation than in the previous two decades when inflation was the prime target to bear down on so as to stop it going above a target rate. There is now also a greater emphasis on other targets for monetary policy than just inflation, especially on 'achieving broad and inclusive "maximum" employment in its entirety' in the US before consideration would be given to increasing rates.
- 3.6 For local authorities, this means that investment interest rates and very short term PWLB rates will not be rising as quickly or as high as in previous decades when the economy recovers from a downturn and the recovery eventually runs out of spare capacity to fuel continuing expansion.

4 Treasury Management Strategy Statement and Annual Investment Strategy Update

- 4.1 The Treasury Management Strategy Statement (TMSS) for 2021/22 was approved by Council on 23 February 2021. There are no policy changes to the TMSS.
- 4.2 The Prudential indicators for the Operational Boundary and Authorised Limit have been adjusted reflecting the anticipated external borrowing need to support the Council's Commercial and Investment Strategy (see paragraph 5.3 below).

5 The Council's Capital Position

- 5.1 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.
- 5.2 At its meeting on 15 July 2021 the Cabinet approved revised estimates for the 2021/22 capital programme and the financing of that programme. The revised estimate addresses amendments to the programme since February, including re-profiling schemes from 2020/21 and a re-assessment of resources available in the period 2021-24.
- 5.3 The capital programme reflects the Council's decision to allocate a maximum of £25 million to take forward schemes in accordance with the Council's Commercial and Investment Strategy. Members will be aware that the Investment Board approved the first purchase of an Investment Property in March 2021. Originally, £10 million of borrowing to fund the Commercial and Investment Strategy was allocated to the 2021/22 financial year. This has been reduced in light of the purchase which took place in March 2021 after the 2021/22 budget had been approved.
- 5.4 The table below compares the revised estimates with the original capital programme which was incorporated into the 2021/22 Treasury Management Strategy Statement (TMSS).

Capital Programme	2021/22 Original Estimate £000	2021/22 Revised Estimate £000
Capital Programme (Excluding Commercial and Investment Strategy Schemes)	17,970	21,447
Commercial and Investment Strategy Schemes	10,000	6,302
Forecast Expenditure	27,970	27,749
Financed by:		
Capital Grants	14,449	16,327
Section 106's & Contributions	108	159
Capital Receipts	265	265
Capital Reserves	508	563
Total Financing	15,330	17,314
Borrowing Requirement	12,640	10,435

- 5.5 The table below shows the anticipated CFR at 31 March 2022, 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. The revised estimated CFR is in line with the original forecast.

Prudential Indicators	2021/22 Original Estimate £000	2021/22 Revised Estimate £000
Capital Financing Requirement as at 31 March 2022	15,409	15,409
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	21,302
Total Debt 31 March	38,000	34,302

- 5.6 The Council has made provision to repay all 'borrowing' liabilities through increased Minimum Revenue Provision (MRP) in the General Fund revenue budget.
- 5.7 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 2021/22 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	2021/22 Original Estimate £000	2021/22 Revised Estimate £000
Gross Borrowing (Excluding Commercial and Investment Strategy Schemes)	11,060	7,800
Plus Other Long Term Liabilities Finance Leases	106	106
Commercial Activities/ Non Financial Investments	10,000	10,000
Anticipated Gross Borrowing as at 31 March 2022	21,166	17,906
Anticipated Capital Financing Requirement as at 31 March 2022	15,409	15,409

- 5.8 As a result of the Council's long term Public Works Loan Board (PWLB) debt portfolio of £4.5m (31/03/2021) currently attracting excessive premiums (£2.570m 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. 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.
- 5.9 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	2021/22 Original Estimate £000	2021/22 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	21,302
Total Borrowing	43,000	39,302

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

6 Investment Portfolio

- 6.1 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.
- 6.2 As set out in section 2, it is now impossible to earn the level of interest rates commonly seen in previous decades as all short-term money market investment rates have only risen weakly since Bank Rate was cut to 0.10% in March 2020 until the MPC meeting on 24th September 2021 when 6 and 12 month rates rose in anticipation of Bank Rate going up in 2022.
- 6.3 The current forecasts shown in paragraph 3.1, includes a forecast for a first increase in Bank Rate in December 2021 though there is a high risk that it could be delayed until quarter 1 or 2 of 2022. Investment returns are expected to remain low for the remainder of this year.
- 6.4 The Council held investments of £34.5m as at 30th September 2021 (£24m at 31st March 2021). The investment portfolio yield for the first 6 months of the year is 0.11% (7 day LIBID un compounded rate -0.08%).

- 6.5 It should be noted that the value of investments remains high due to the distorting impact on working capital of some of the mechanisms government introduced to mitigate the liquidity impact of the pandemic on local authorities. Typically, this involved local authorities receiving significant funds up-front before the cost of implementing policies to support local businesses could be accurately determined. The relevant government departments are still working through the various reconciliations which will result in the Council repaying funds received in excess of those required. Likewise, the Council received significant up-front grant funding in respect of capital schemes approved prior to the implementation of a new wave of restrictions in December 2020. Progress on these schemes is gathering pace and this result in the use of grants received in the coming months.
- 6.6 The Council has achieved investment income of £21k to 30th September 2021. The 2021/22 original estimate of £40k is projected to be achieved.
- 6.7 Property Funds formed part of the Council's Annual Investment Strategy approved in February 2021 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 and other commercial property acquisitions are considered, with a corresponding reduction in budgeted income this year of around £150k.
- 6.8 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.
- 6.9 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 2021/22.


7 Borrowing Strategy

- 7.1 The Council's estimated CFR for 2021/22 is £15.409m (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.
- 7.2 No new external borrowing has been undertaken during 2021/22 to date. The Council has utilised surplus cash flow funds in lieu of borrowing. This is a prudent and cost-effective approach in the current economic climate but will require ongoing monitoring in the event that any upside risk to gilt yields prevails.
- 7.3 The current Medium Term Financial Strategy assumes that some external borrowing will be required over the three-and-a-half-year period to 31 March 2024. Assumptions about the level of external interest payable are included within the budget. Responsibility for deciding when to borrow externally, together with details of the amount to borrow and the term and type of any loan, rests with the Chief Finance Officer. The Chief Finance

Officer's decision will be informed by advice from the Council's treasury management advisors and information regarding the progress of schemes set out in the capital programme. Any borrowing decisions will be reported to Cabinet through the annual treasury management report.

8 Debt Rescheduling

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:	10	
Committee:	COUNCIL	
Date:	8 DECEMBER 2021	
Report Title:	Proposed Gambling Statement of Policy Document - Gambling Act 2005	

1 Purpose / Summary

- To adopt the proposed Gambling Statement of Principles Policy

2 Key issues

- The last policy was approved by full council in 2019.
- The legislation states that the Gambling Policy should be reviewed every 3 years.
- On 21 September 2021, the Licensing Committee approved the draft policy for consultation. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=2648&Ver=4>
- The consultation for the draft policy took place from 24 September 2021 until 8 November 2021
- Two responses were received from consulted partners; this was from Wisbech Town Council and Cambridgeshire Constabulary which was in support of the draft policy.
- The Licensing Committee report showing responses received during the consultation period can be found on the following link: <https://www.fenland.gov.uk/localgov/documents/g2601/Public%20reports%20pack%2026th-Nov-2021%2010.00%20Licensing%20Committee.pdf?T=10>
- On 26 November 2021, the Licensing Committee met again to review and consider received responses to the proposed draft policy. All information regarding the policy and Committee discussion can be found on the following link: <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=2601&Ver=4>
- Licensing Committee agreed that the policy set out in Appendix A should be adopted. The appendix shows the changes (as track changes and comments) from the last policy adopted in 2019.

3 Recommendations

- For Council to agree the recommendation from the Licensing Committee to adopt the Statement of Gambling Principles for the period of 2021 - 2025 as set out in Appendix A.

Wards Affected	All Wards
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Andrew Lynn, Portfolio Holder with responsibilities for Licensing
Report Originator(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk
Contact Officer(s)	Michelle Bishop, Licensing Manager, Tel: 01354 622542, Email: mbishop@fenland.gov.uk Dan Horn, Head of Housing & Community Support, Tel 01354 654321, Email: dhorn@fenland.gov.uk Carol Pilson, Corporate Director, Tel: 01354 622360, Email: cpilson@fenland.gov.uk
Background Paper(s)	The Gambling Act 2005 Gambling Commission Guidance to Local Authorities, 5th Edition

4 Background / introduction

- 4.1 The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 every three years. The current policy was adopted at Full Council and came into effect in 2019.
- 4.2 The Gambling Act requires each Licensing Authority to prepare and publish a Statement of Principles under the Gambling Act. The statement sets out how the authority intends to approach its licensing responsibilities and in particular how it intends to promote the three licensing objectives namely:
- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.
 - Ensure gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 4.3 The Gambling Policy is to be renewed every three years and the draft policy will cover the period of 2021 - 2025
- 4.4 On 21 September 2021, the Licensing Committee approved the draft policy for consultation. A copy of the minutes can be seen at <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=2648&Ver=4>

5 Considerations

- 5.1 The consultation on the draft Statement of Gambling Principles took place from 24 September 2021 until 8 November 2021
- 5.2 Two responses were received from Wisbech Town Council and Cambridgeshire Constabulary which were in support of the draft policy being approved.
- 5.3 On 26 November 2021, the Licensing Committee members discussed, and reviewed responses received on the draft policy. A copy of the minutes for this meeting can be seen at: <https://www.fenland.gov.uk/localgov/ieListDocuments.aspx?CId=138&MId=2601&Ver=4>

6 Community impact

- 6.1 A Customer (equality) Impact Assessment was undertaken in relation to the draft policy for the Gambling Statement of Principles. The impact assessment can be seen at APPENDIX B.

7 Conclusions

- 7.1 The recommendation from the Licensing Committee is to:
- Recommend to Full Council that it adopts the revised Statement of Gambling Principles as attached at APPENDIX A of the report. The appendix shows the changes (as track changes and comments) from the last policy adopted in 2019.

FENLAND DISTRICT COUNCIL

GAMBLING ACT 2005

**GAMBLING POLICY
STATEMENT OF PRINCIPLES**

20~~22~~¹⁹ - 20~~25~~²²

FOREWORD

This Gambling Statement of Principles is produced by Fenland District Council under the 2005 Gambling Act and will be the basis for all gambling related licensing decisions taken by the Council as the Licensing Authority over the next three years commencing 31 January 2022~~19~~.

The new Act created a unified regulator for gambling in Great Britain called the Gambling Commission ~~and also~~ transferred all responsibilities for licensing gambling premises from – the Licensing Justices to Licensing Authorities. The Local Authority is responsible for issuing a number of different licenses and permits, as well as Temporary and Occasional Use Notices.

This Policy sets out how the Council, as the Licensing Authority, will seek to balance increased leisure opportunities with the protection that children, vulnerable people and communities need and expect.

The Council recognises how important this sector of the entertainment industry is within the district and well-run businesses will get the support of the Council. New gambling related developments that are well planned and can demonstrate initiatives that prevent gambling from being a source of crime and disorder, ensure that gambling is conducted in a fair and open way and protect people from being harmed or exploited by gambling are welcomed. However, the Council will not hesitate in dealing firmly where problems of gambling related crime and disorder exist.

This Policy will be kept under review and it will be amended when issues arise that make change necessary. The Council will seek through the licensing process and the decisions it takes, to make Fenland District Council a safe and welcoming place for both residents and visitors to enjoy.

Contents

PART A - OVERVIEW	
1. INTRODUCTION.....	5
2. THE LICENSING OBJECTIVES	5
3. DESCRIPTION OF THE DISTRICT	5
4. RESPONSIBILITIES UNDER THE ACT.....	6
5. STATEMENT OF LICENSING POLICY	7
6. CONSULTATION.....	7
7. APPROVAL OF POLICY.....	8
8. DECLARATION	8
9. RESPONSIBLE AUTHORITIES.....	8
10. INTERESTED PARTIES.....	8
11. EXCHANGE OF INFORMATION.....	10
12. PUBLIC REGISTER	10
13. COMPLIANCE AND ENFORCEMENT	10
14. LICENSING AUTHORITY FUNCTIONS	11
PART B PREMISES LICENCES: CONSIDERATION OF APPLICATIONS.....	
15. DELEGATION OF POWERS.....	13
16. GENERAL PRINCIPLES	13
17. PROVISIONAL STATEMENTS	17
18. REPRESENTATIONS AND REVIEWS.....	18
19. ADULT GAMING CENTRES	20
20. (LICENSED) FAMILY ENTERTAINMENT CENTRES.....	20
21. CASINOS	20
22. BINGO PREMISES	21
23. BETTING PREMISES.....	22
24. TRACKS.....	22
25. TRAVELLING FAIRS.....	23
26. LOCAL AREA PROFILING	23
PART C	
PERMITS/TEMPORARY OR OCCASIONAL USE	
NOTICES/REGISTRATIONS.....	
27. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS	25
28. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS.....	26
29. PRIZE GAMING PERMITS.....	27
30. CLUB GAMING AND CLUB MACHINE PERMITS.....	27
31. TEMPORARY USE NOTICES (TUN)	28
32. OCCASIONAL USE NOTICES	28
33. SMALL SOCIETY LOTTERIES	29
APPENDIX 1 – MAP OF FENLAND	31
APPENDIX 2 – RESPONSIBLE AUTHORITIES	32
APPENDIX 3 – TABLE OF DELEGATIONS OF LICENSING FUNCTION	35

APPENDIX 4 - DEFINITIONS36

APPENDIX 5 - LIST OF CONSULTEES44

PART A - OVERVIEW

1. INTRODUCTION

1.1 This Gambling Statement of Policy sets out the principles Fenland District Council, as the Licensing Authority under the Gambling Act 2005 (referred to in this document as 'the Act'), proposes to apply in discharging its functions to licensed premises for gambling under the Act as well as:-

- designating the body responsible for advising the Authority on the protection of children from harm;
- determining whether or not a person is an "Interested Party";
- exchanging information with the Gambling Commission and others; and
- inspecting premises and instituting proceedings for offences under the Act.

2. THE LICENSING OBJECTIVES

2.1 In exercising most of its functions under the Act, Licensing Authorities must have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.2 The Licensing Authority notes that the Gambling Commission has stated that 'the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.

2.3 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) requires gambling premises to undertake a local risk assessment taking into consideration the local information.

2.4 This licensing authority is aware that, as per Section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives
- in accordance with the Authority's Gambling Licensing Policy Statement of Principles

3. DESCRIPTION OF THE DISTRICT

3.1 The Fenland District Council is situated in the County of Cambridgeshire, which comprises five District and City Councils and one County Council. The District has a population of ~~96,000~~102,080 ~~Cambridgeshire County Council Mid-Year~~

~~Estimates, 2005)~~ and covers an area of ~~54,547 hectares~~546.4 square kilometres. The main centres of population are in the towns of Chatteris, March, Whittlesey and Wisbech. A map of the Fenland District is at **APPENDIX 1**

4. RESPONSIBILITIES UNDER THE ACT

- 4.1 The Act introduced a new licensing regime for commercial gambling, to be conducted by the Gambling Commission and by Licensing Authorities, depending on the matter to be licensed.
- 4.2 The Act establishes each District or Borough Council as the Licensing Authority whose responsibilities must be discharged by the Licensing Committee created under Section 6 of the Licensing Act 2003. Fenland District Council is the Licensing Authority for the Fenland District.
- 4.3 The Gambling Commission is responsible for issuing Operating and Personal licences to persons and organisations who:-
- operate a casino;
 - provide facilities for playing bingo or for pool betting;
 - provide facilities for betting
 - act as intermediaries for betting;
 - make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
 - manufacture, supply, install, adapt, maintain or repair gaming machines;
 - manufacture, supply, install or adapt gambling machine software; or
 - Promote a lottery.
- 4.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. All types of gambling are covered, other than spread betting and the National Lottery. It is also responsible for issuing permits for premises with gaming machines and for receiving notices from operators wishing to use unlicensed premises for gambling on a temporary basis. It is also responsible for the registration of certain types of exempt Small Society Lotteries.
- 4.5 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling in so far as they think it is:-
- in accordance with any relevant codes of practice;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
 - in accordance with the Licensing Authority's Gambling Statement of Principles, subject to the three bullet points above,
- 4.6 Before the Licensing Authority can determine an application for a Premises Licence, an Operating Licence must have been obtained from the Gambling Commission.

5. STATEMENT OF LICENSING POLICY

- 5.1 The Licensing Authority is required by the Act to publish a Gambling Statement of Policy which contains the principles it proposes to apply when exercising its functions under the Act.
- 5.2 In this document this is referred to as 'the Policy'. This Policy must be published every three years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The 'new' Policy must then be published.
- 5.3 This Policy takes effect on 31 January ~~2022~~2019 and replaces the policy previously in force.

6. CONSULTATION

- 6.1 In producing this Policy, the Licensing Authority ~~will~~ consulted widely before finalising and publishing it. In addition to the statutory consultees (at 6.2), the Council chose to consult with additional local groups and individuals.
- 6.2 The Act requires that the following parties are consulted by the Licensing Authority:-
- The chief officer of police for the authority's area;
 - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
 - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 6.3 The other groups and people consulted were:-
- Organisations, including faith groups, voluntary and community organisations working with children and young people and organisations
 - working with people who are problem gamblers, medical practices or primary care trusts and the Citizen's Advice Bureau;
 - Other tiers of local government;
 - Businesses who are, or will be, holders of a GA05 Premises Licences;
 - Responsible Authorities under the Act.
- ~~6.4 Copies of the Policy were placed for inspection in the public libraries of the area as well as Fenland Hall and other Council offices for inspection during normal office hours.~~
- 6.4 The draft policy was available for viewing from our website by visiting [Licensing Public Consultation - Fenland District Council](#)
- 6.5 The Licensing Authority's consultation took place between xx xx 20~~21~~19 and xx xx 20~~21~~19

7. APPROVAL OF POLICY

- 7.1 This Policy was approved at a meeting of the full Council on xx xx 20~~21~~¹⁹ and was published via the authority's website. Copies are available on request.
- 7.2 It should be noted that this Policy does not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence, as each case will be considered on its own merit and according to the requirements of the Gambling Act 2005.

8. DECLARATION

- 8.1 In producing the Policy the Licensing Authority declares that it has had regard to the Licensing Objectives, formal Guidance issued to Licensing Authorities by the Gambling Commission and any responses from those consulted during the consultation process.
- 8.2 Any information and guidance contained within this policy is intended only to assist readers and should not be interpreted as legal advice or as constituent of the Council's policy. Readers of this document are strongly advised to seek their own legal advice if they are unsure of the requirements of the Gambling Act 2005, or the guidance or regulations issued under the Act.
- 8.3 This council recognises its diverse responsibilities under the equality act and will monitor the impact of these statutory duties through its various corporate schemes such as an Equality Impact Assessment.

9. RESPONSIBLE AUTHORITIES

- 9.1 A full list of the Responsible Authorities designated under the Act and their contact details are given in the APPENDIX 2 of this document. It should be noted that under the Act, the Licensing Authority is designated as a Responsible Authority.
- 9.2 The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In making this designation the following principles have been applied:-
- The competency of the body to advise the Licensing Authority;
 - The need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - The need for the body to be answerable to democratically elected persons rather than any particular invested interest group etc.
- 9.3 In accordance with the Gambling Commission's Guidance to Local Authorities, the Licensing Authority will liaise with the Cambridgeshire Safeguarding and Standards Unit for the protection of children from harm.

10. INTERESTED PARTIES

- 10.1 Interested Parties can make representations about licensing applications or apply for a review of an existing licence.
- 10.2 In determining whether a person is an interested party, the Licensing Authority will apply the following principles. The first principle is that each case will be decided upon its own merits. The Licensing Authority will not apply a rigid rule to its decision making and will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. 'Business interests' is given the widest possible interpretation and includes partnerships, charities, faith groups and medical practices.

10.3 These parties are defined in the Act as follows:

~~40.3 "For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person~~Section 158 of the Act defines interested parties. To accept a representation from an interested party, the licensing authority must take the view that the person:

- 'lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities,
- represents persons who satisfy paragraphs (a) or (b).'

- 10.4 Licensing authorities will need to have regard to anything an interested party says about their status to make representations.

- 10.5 There are a number of factors that the licensing authorities will take into account when determining whether a person 'lives sufficiently close to the premises'. These may include:

- The size of the premises
- The nature of the premises
- The distance of the premises from the location of the person making the representation
- The potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment
- the circumstances of the person who lives close to the premises.

This is not the personal characteristics, but their interests which may be relevant to the distance from the premises.

10.6 In determining whether a person has a business interest which could be affected, the District Council may consider, amongst other things:

- the size of the premises
- the catchment area of the premises, and
- whether the person making the representation has business interests in the catchment area that might be affected.

- ~~40.6~~10.7 A wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include interested parties can be persons who are democratically elected, such as District and Parish Councillors and MPs, as persons representing individuals in

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the other categories. Other representatives might include bodies such as trade associations and trade unions, and residents' and tenants' associations. A school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.

~~40.7~~10.8 Save for democratically elected persons, licensing authorities should satisfy themselves on a case by case basis that a person does represent interested parties, The Licensing Authority will generally require some form of written confirmation that a person is authorised to represent an interested party.

11. EXCHANGE OF INFORMATION

11.1 The Licensing Authority is required to include in the policy a statement of how it intends to exercise the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, Section 350 of the Act allows licensing authorities to exchange information with other persons or bodies as listed in Schedule 6(1) as:

- A constable or police officer
- An enforcement officer
- A licensing authority
- HMRC
- The First Tier Tribunal
- The Secretary of State

11.2 The principle that the Licensing Authority will apply is that it will act in accordance with the provisions of the Act in its exchange of information will have regard for:

- Provisions of the Gambling Act 2005, which include the provisions that the Data Protection Act 1998 will not be contravened
- Data Protection Act 1998
- General Data Protection Regulation (GDPR)
- Guidance issued by the Gambling Commission
- Human Rights Act 1998
- Environmental Information Regulations 2004
- Freedom of Information Act 2000
- Crime and Disorder Act 1998

12. PUBLIC REGISTER

12.1 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others. Regulations will prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

13. COMPLIANCE AND ENFORCEMENT

13.1 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing

Authority will endeavour to be:

- Proportionate - Intervention will only be when necessary.
- Remedies - should be appropriate to the risk posed and costs identified and minimised.
- Accountable – Authorities must be able to justify decisions and be subject to public scrutiny.
- Consistent – Rules and standards must be joined up and implemented fairly.
- Transparent – Enforcement should be open and regulations kept simple and user friendly.
- Targeted – Enforcement should be focused on the problems and minimise side effects.

13.2 The Licensing authority will have regard to the District Council's Prevention, Intervention and Enforcement (PIE) approach to enforcement.

13.3 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a ~~risk-based~~risk-based inspection programme which will take into account:

- The licensing objectives.
- Relevant codes of practice.
- This statement of principles
- Guidance issued by the Gambling Commission.

13.3

13.4 The main enforcement and compliance role of the Licensing Authority in terms of the Act will be to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operating and Personal Licences. Concerns about the manufacturer, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

14. LICENSING AUTHORITY FUNCTIONS

14.1 Licensing authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- issue *Provisional Statements*
- regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- issue *Club Machine Permits* to *Commercial Clubs*
- grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- register *small society lotteries* below prescribed thresholds

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- issue *Prize Gaming Permits*
- receive and Endorse *Temporary Use Notices*
- receive *Occasional Use Notices*
- provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- maintain registers of the permits and licences that are issued under these functions

14.2 It should be noted that Licensing Authorities are not involved in licensing remote gambling at all; this is regulated by the Gambling Commission via operating licences.

14.3 It should be noted that Licensing Authorities are not involved in spread betting activities, which are regulated by the Financial Conduct Authority.

PART B PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

15. DELEGATION OF POWERS

15.1 The Council has agreed a scheme of delegation for discharging its function under the Act and this can be seen at **APPENDIX 3**

16. GENERAL PRINCIPLES

16.1 Premises Licences will be subject to the permissions/restrictions set out in the Act as well as the specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing Authorities are able to exclude default conditions and also attach others, where it is thought appropriate.

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16.1.4 The council expects both applicants and licensees to undertake local risk assessments to identify risks to the licensing objectives posed by the general location and by the provision of facilities in the premises concerned, and then to propose and implement measures to mitigate those risks. Licensees should share their risk assessment with the licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

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16.2 Decision Making

Licensing Authorities are required by the Act, in making decisions about Premises Licenses, it should aim to permit the use of premises for gambling so far as it thinks fit:-

- in accordance with any relevant codes of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- to be reasonably consistent with the Licensing Objectives, subject to the two bullet points above; and
- in accordance with the Licensing Authority's Policy subject to the three bullet points above.

16.3 Definition of Premises:

Premises are defined in the Act as "any place". It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises. It will always be a question of fact in each circumstance. The Gambling Commission does, however, consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed

16.4 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

16.5 The Licensing Authority takes into account the Gambling Commission's guidance to Licensing authorities which states that licensing authorities should take particular

care in considering applications for multiple licenses for a building and those relating to a discrete part of a building used for other (non-gambling) purposes, and is aware that:

- The third Licensing objective seeks to protect children from being harmed by gambling, which in practice means not only preventing them from taking part in gambling activity but also preventing them from being in close proximity to gambling establishments. Premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating
- Customers should be able to participate in the activity named on the Premises Licence

16.6 The Licensing Authority is aware that the Gambling Commission guidance provides relevant access provisions for each premises type and suggests a list of factors to be considered during the application process. The Licensing Authority will consider these and other relevant factors on making its decision, depending on all the factors of the case.

16.7 Demand:

Demand is a commercial consideration and is not an issue for the Licensing Authority.

16.8 Location:

Location will only be material consideration in the context of the Licensing Objectives. This Licensing Authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's guidance for local authorities, this Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

16.9 Duplication with other Regulatory Regimes:

Duplication with other statutory/regulatory regimes will be avoided where possible. This Authority will not consider whether a licence application is likely to be awarded Planning Permission or Building Control consent.

16.10 Licensing Objectives:

Premises Licences granted must be reasonably consistent with the Licensing Objectives. With regard to these Objectives, the following will be considered:-

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime:
Whilst the Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of gambling premises in terms of this licensing objective.

Where an area has known high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and the need for conditions, such as the provision of door supervisors.

The Licensing Authority is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a Licensing Objective under the Act.

- Ensuring that gambling is conducted in a fair and open way:

The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. The Licensing Authority notes that in relation to the licensing of tracks, its role will be different from other premises in that track operators will not necessarily have an Operating Licence. In those circumstances, the Premises Licence may need to contain conditions to ensure that the environment in which betting takes place is suitable.

Protecting children and other vulnerable persons from being harmed or exploited by gambling: In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.

Customers should be able to participate in the activity named on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

The Licensing Authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

16.11 Conditions

The Licensing Authority is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. Where there are specific risks or problems associated with particular premises, the authority may consider attaching individual conditions

related to the licensing objectives.

Any conditions attached to licenses will be proportionate and will be: -

- relevant to the need to make the proposed premises suitable as a gambling facility.
 - directly related to the premises and the type of licence applied for.
 - fairly and reasonably related to the scale and type of premises; and
 - reasonable in all other respects.
- In addition, the Licensing Authority will examine how applicants propose to address the licensing objectives. In considering applications the Licensing Authority will particularly take into account the following:
 - Proof of age schemes.
 - CCTV.
 - Door Supervisors.
 - Supervision of entrances/machine areas.
 - Physical separation of areas.
 - Location of entry.
 - Notices and signage.
 - The training of staff to deal with suspect truants and vulnerable persons.
 - Specific opening hours; and
 - With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as Gam Care.

This list is not exhaustive but indicative of examples.

- 16.12 Decisions upon individual conditions will be made on a case-by-case basis. Consideration will be given to using control measures, should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult only areas, etc. Applicants will also be expected to offer their own suggestions as to the way in which the Licensing Objectives can be effectively met.
- 16.13 It is noted that there are conditions which the Licensing Authority cannot attach to Premises Licences. These are: -
- any conditions on the Premises Licence which make it impossible to comply with an Operating Licence condition.
 - conditions relating to gaming machine categories, numbers, or method of operation.
 - conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
 - conditions in relation to stakes, fees, and the winning of prizes.
- 16.14 This Authority will ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - only adults are admitted to the area where these machines are located

- access to the area where the machines are located is supervised
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

16.15 This Licensing Authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

16.16 **Door Supervisors:** The Licensing Authority may consider whether there is a need for door supervisors in terms of the Licensing Objectives of protecting of children and vulnerable persons from being harmed or exploited by gambling and also in terms of preventing premises becoming a source of crime. As the Act has amended the Security Industry Act 2001, door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority.

16.17 **Credit:** Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATMs) may be installed in such premises, but the Licensing Authority may apply conditions as to where they are sited.

16.18 **Betting Machines:** (See **APPENDIX 4** for definition)

In relation to Casinos, Betting Premises and Tracks, the Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the Casino*).

16.19 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, among other things, shall take into account: -

- the size of the premises.
- the number of counter positions available for person-to-person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

16.20 In deciding whether to impose conditions to limit the number of betting machines, each application will be considered on its own merit and account will be taken of codes of practice or guidance issued under the Act.

17. PROVISIONAL STATEMENTS

17.1 Developers may wish to apply for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

17.2 Section 204 of the Act provides for a person to make an application to the licensing

authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

17.3 The process for considering an application for a provisional statement is the same as that for a premises licence application in that the applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

17.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

17.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless.

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

17.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters.

- which could not have been raised by objectors at the provisional statement stage.
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

18. REPRESENTATIONS AND REVIEWS

18.1 Representations and Applications for Review of Premises Licence may be made by responsible authorities and interested parties however, it is for the Licensing Authority to decide whether the review is to be carried-out. This will be on the basis whether the request for the review is relevant to the matters listed below.

- In accordance with any relevant code of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives; and
- In accordance with the authority's statement of principles.

18.2 The Licensing Authority will decide if a representation or application for a review is

to be carried out on the basis of whether or not the request is:

- Frivolous or vexatious.
- Will certainly not cause the authority to wish to revoke/suspend the Licence.
- Substantially the same as previous representations or requests for a review.
- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.
- Reasonably consistent with the licensing objectives.

18.3 There is no appeal, other than by way of judicial review, against the authority's determination of the relevance of an application for review.

18.4 The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

18.5 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day consultation period. This period begins 7 days after the application was received the Licensing Authority, who will publish notice of the application with 7 days of receipt.

18.6 The Licensing Authority must carry out a review as soon as possible after the 28-day period for making representations has passed.

18.7 The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Sub-Committee are: -

- Add or remove or amend a licence condition imposed by the licensing authority.
- Exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion.
- Suspend the premises licence for a period not exceeding three months.
- And revoke the premises licence.

18.8 In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

18.9 In particular, the Licensing Authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

18.10 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- The licence holder
- The applicant for review (if any)
- The commission

- Any person who made representations
- The chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs.

19 ADULT GAMING CENTRES

- 19.1 Entry to these premises is age restricted and no customer must be able to access the premises directly from any other licensed gambling premises.
- 19.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.
- 19.3 This Licensing Authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory or exhaustive and is merely indicative of example measures.

20 (LICENSED) FAMILY ENTERTAINMENT CENTRES

- 20.1 A Licensed Family Entertainment Centre is defined in the Appendices of this document. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from:
- A casino
 - An adult gaming centre or
 - A betting premises, other than a track.
- 20.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

21 CASINOS

- 21.1 The Licensing Authority has not passed a resolution under section 166 of the Act not to issue casino premises licences. Any future decision to pass or not to pass a casino resolution will only be taken after a full consultation process has been undertaken with the area. The principal access entrance to the premises must be from a street; No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons; No

customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.

21.2 Casinos and Competitive Bidding:

The Licensing Authority is aware that where a Licensing Authority's area is enabled to grant a Premises Licence for a new style casino, there are likely to be a number of operators which will want to run a casino. In such situations the Council will run a competition in line with Regulations and Codes of Practice issued under the Act by the Secretary of State. It should be noted that at the time this Policy was adopted, this area had not been so enabled.

21.3 Betting Machines:

The Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the casino*). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, amongst other things should take into account:

- the size of the premises.
- the number of counter positions available for person-to-person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

21.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act.

21.5 **Credit:** Credit facilities are prohibited in casinos; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

22. BINGO PREMISES

22.1 A Bingo premises is defined in the appendices of this document Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use. No customer must be able to access the premises directly from.

- A casino
- An adult gaming centre; or
- A betting premise, other than a track.

22.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

22.3 Credit:

Credit facilities are prohibited in premises licensed for Bingo; however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

23. BETTING PREMISES

- 23.1 Betting Premises are defined in the appendices of this document.
- 23.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

Access must be from a street or from another premise with a betting premises licence.

No direct access from a betting shop to other premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

24. TRACKS

- 24.1 A Track is defined in the appendices of this document. Entry to these premises are generally age restricted. On race days, specific areas within the track may be age restricted dependent on the licensable activities taking place.
- 24.2 No customer should be able to access the premises directly from:
- A casino
 - An adult gaming centre.
- 24.3 This Authority expects the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 24.4 This Licensing Authority may consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - Self-exclusion schemes
 - Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory or exhaustive and is merely indicative of example measures.

24.4 Gaming Machines

Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

24.5 Betting Machines –

This Licensing Authority will, as per the Gambling Commission's guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer

25. TRAVELLING FAIRS

- 25.1 The Licensing Authority will determine whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at a travelling fair is met, where Category D machines and/or equal chance prize gaming without a permit are to be made available for use.

26. LOCAL AREA PROFILING

- 26.1 The Social responsibility Code ~~which came into effect on the 6 April 2016 and was recently updated in May 2019~~ requires licensees to assess the local risks to the licensing objectives posed by their gambling operations at each of their premises and have policies, procedures and control measures to mitigate those risks. Additionally, applicants will have to undertake a local risk assessment when applying for a new or variation of a premises licence, to take account of significant changes in the local circumstances or when there are significant changes at the licensee's premises.
- 26.2 The Licensing Authority is aware that there is no mandatory requirement to have a local area profile but recognises that one may offer a number of benefits. Should evidence be obtained to identify local risk areas then these will be reflected in a separate document and made available from Fenland District Council and the Council's website.
- 26.3 Enquiries with relevant organisations have not yet revealed any data to suggest that there are any areas within the Fenland District that could be identified as a risk. (However, should the consultation reveal such data then this paragraph will be updated).

27. LOCAL AREA RISK ASSESSEMENTS

27.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) requires operators to consider local risks in their application.

27.2 It is considered best practice for Licensing Authorities to set out matters they expect the operator to take account of in the risk assessment in its statement of policy and this licensing authority would recommend that the following matters are considered by operators when making their risk assessment

- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangements for localised exchange of information regarding self-exclusion and gaming trends.
- The location and proximity of buildings, attractions or facilities, etc. that may attract children or other vulnerable people.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc
- Whether the premises are in an area of deprivation

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26.3

- Health information and data relating to gambling related harm

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27.3 The LCCP requires that licensees review and update their local risk assessments as and when necessary to take into account the following:

- any significant changes in local circumstances
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks
- when applying for a variation of a premises licence; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

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27.4 A single generic risk assessment covering every premises in an operator's portfolio will not be considered by the Local Authority to be suitable or sufficient. It is also expected that operators will take full account of the local area when compiling their risk assessments, and to reflect this in the control measures which they will implement.

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27.5 Risk assessments must be kept at the individual premises to which they relate and all staff should be aware of their existence, ensuring they work in accordance with them.

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28. PUBLIC HEALTH CONSIDERATIONS

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28.1 The local authority is aware that Cambridgeshire County Council Public Health supports the Gambling Commission on the prevention of problem gambling. The Gambling Commission recognises it's a Public Health issue and is to be tackled along with other issues.

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28.2 The Licensing Authority will liaise with public health colleagues about new and variation applications within Fenland, so that we can both continue to monitor any increase in access to gambling opportunities for those at risk of problem gambling and work jointly to ensure that appropriate measures are put in place to minimise that risk and support those seeking help

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PART C PERMITS/TEMPORARY OR OCCASIONAL USE NOTICES/REGISTRATIONS

27.29. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS

27.29.1 Where a premise does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the Licensing Authority for a permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

27.29.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such policies and procedures will be considered on their merits, however, they may include: -

- A Disclosure & Barring Service check to ensure that the applicant has no relevant convictions. Where the applicant is a person who is the sole proprietor, the check will be against that person or where the applicant is a company, the check will be against the person who is normally in day-to-day control of the premises.
- Disclosure & Barring Service (DBS) checks for staff.
- Training covering how staff would deal with: -
 - unsupervised, very young children being on the premises; or
 - children causing perceived problems on/around the premises.
 - suspect truant children; and
 - have a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed Family Entertainment Centres.
- A plan scale 1:100 of the premises showing:
 - o The boundary of the premises including any internal and external walls, entrances, exits, doorways and windows, and indicating the points of access available to the public
 - o The location of any fixed or temporary structures
 - o The location of any counters, booths, offices or other locations from which staff may monitor the activities of persons on the premises
 - o The location of any public toilets within the boundary of the premises
 - o The location of CCTV cameras
 - o The location of any ATM or other cash/change machines
 - o The proposed location of the Category 'D' machines
 - o Details of non-category 'D' machines (e.g., skill with prizes machines)

This list is not exhaustive but indicative of examples.

28.30. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS

28.430.1 There is provision in the Act for premises licensed to sell alcohol under part 3 of the Licensing Act 2003 for consumption on the premises to automatically have two gaming machines, of Categories C and/or D. The Premises Licence holder needs to notify the Licensing Authority of the intention to make gaming machines available for use and pay the prescribed fee.

28.230.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.

28.330.3 Premises restricted to selling alcohol only with food, will not be able to apply for a permit.

28.4 The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with).
- the premises are mainly used for gaming
- an offence under the Gambling Act has been committed on the premises

28.430.4 Where an application for more than two gaming machines is received, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm, or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only machines. Measures will cover such issues as: -

- Adult machines being in sight of the bar;
- Adult machines being in sight of staff who will monitor that the machines are not being used by those under 18;
- Appropriate notices and signage; and
- As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information, and leaflets/helpline numbers for organisations such as Gam Care.

This list is not exhaustive but indicative of examples.

The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.

29-31. PRIZE GAMING PERMITS

29-431.1 Where a premise does not hold a premises licence but wishes to provide prize gaming, an application for a prize gaming permit may be made to the Licensing Authority. The applicant must specify the nature of gaming for which the permit is sought and demonstrate that he or she understands the limits to stakes and prizes that are set out in Regulations and that the gaming offered is within the law.

29-231.2 Statement of Licensing Principles:

The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such policies and procedures will be considered on their merits, however, they may include: -

- A DBS check to ensure that the applicant has no relevant convictions. Where the applicant is a person who is the sole proprietor, the check will be against that person or where the applicant is a company, the check will be against the person who is normally in day-to-day control of the premises;
- DBS checks for staff;
- Training covering how staff would deal with: -
 - unsupervised, very young children being on the premises, or
 - children causing perceived problems on/around the premises; and
 - suspect truant children.

This list is not exhaustive but indicative of examples.

In making its decision on an application for a permit, the Licensing Authority does not need to have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

30-32. CLUB GAMING AND CLUB MACHINE PERMITS

30-432.1 Members' clubs and miners' welfare institutes may apply for a Club Gaming Permit and/or a Club Gaming Machine Permit. The Club Gaming permit will enable the premises to provide gaming machines (three machines of category B4, C or D), or equal chance gaming i.e. Poker, Bingo. A Club Machine Permit will enable premises to provide gaming machines (three machines or category B4, C or D) Commercial clubs may only apply for a club machine permit.

30-232.2 A fast-track procedure is available for premises that hold a Club Premises Certificate under the Licensing Act 2003.

30-332.3 To qualify for these special club permits a member's club must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming. A member's club must be permanent in nature, not established to make a commercial profit and controlled by its qualifying members equally. Examples of these include branches of the Royal British Legion, working men's clubs and clubs with political affiliations.

~~30.4~~32.4 Before granting the permit, the council will need to satisfy itself that the premises meets the requirements of a members club and the majority of its members are over 18.

~~30.5~~32.5 Licensing authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- the applicant's premises are used wholly or mainly by children and/or young persons
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous ten years
- an objection has been lodged by the Commission or the police

30.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

~~34.33.~~ **TEMPORARY USE NOTICES (TUN)**

~~34.4~~33.1 The persons designated to receive TUNs and to issue objections are specified in Appendix 4.

~~34.2~~33.2 A TUN may only be granted to a person or company holding an operating licence relevant to the temporary use of the premises. Regulations have been issued by the Secretary of State prescribing the activities to be covered.

~~34.3~~33.3 For the purpose of a TUN, a set of premises is the subject of a TUN if any part of the premises is the subject of the Notice. This prevents one large premise from having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.

~~34.4~~33.4 The definition of "a set of premises" will be a question of fact in the particular circumstances of each Notice that is given. In considering whether a place falls within the definition of "a set of premises" the Licensing Authority will consider, amongst other things, the ownership/occupation and control of the premises.

~~34.5~~33.5 The Licensing Authority will object to Notices where it appears that the effect would be to permit regular gambling in a place that could be described as one set of premises.

~~32.34.~~ **OCCASIONAL USE NOTICES**

~~32.4~~34.1 Occasional Use Notices (OUNs), apply only to tracks, which are described as being premises on any part of which a race or other sporting events take place, or is intended to take place. Tracks need not be a permanent fixture.

~~32.2~~34.2 OUNs are intended to permit licensed betting operators who have the appropriate permission of the Gambling Commission to use tracks for short periods for conducting betting. The OUN dispenses with the need for a Betting Premises Licence for the track.

~~32.3~~34.3 The Licensing Authority has very little discretion as regards these Notices, aside from ensuring that a statutory limit of 8 days in a calendar year is not exceeded.

~~32.4~~34.4 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to avail him/herself of the Notice.

~~32.5~~34.5 The person designated to receive the OUNs and assess validity is specified in the scheme of delegation as shown at Appendix 4.

~~33.35.~~ **SMALL SOCIETY LOTTERIES**

~~33.4~~35.1 The definition of a Small Society Lottery is contained in Appendix-4 and these require registration with the Licensing Authority.

~~33.2~~35.2 The Licensing Authority will register and administer smaller non-commercial lotteries and applicants for registration must apply to the licensing authority in the area where their principal office is located.

~~33.3~~35.3 The Licensing Authority must be satisfied that the 'society' is established and conducted:

- for charitable purposes (as defined in S2 of the Charities Act 2006)
- for the purpose of enabling participation in, or of supporting, sport athletics or a cultural nature activity; or
- for any other non-commercial purpose other than private gain.

~~33.4~~35.4 In determining whether the Society is non-commercial the Licensing Authority may require applicants to provide copies of the society's constitution or terms of reference.

~~33.5~~35.5 For new applications or change of promoter, the Licensing Authority shall require the promoter of the lottery to produce a statement declaring that they have no relevant convictions that would prevent them from running a lottery. A list of 'relevant' offences is listed at Schedule 7 of the Act.

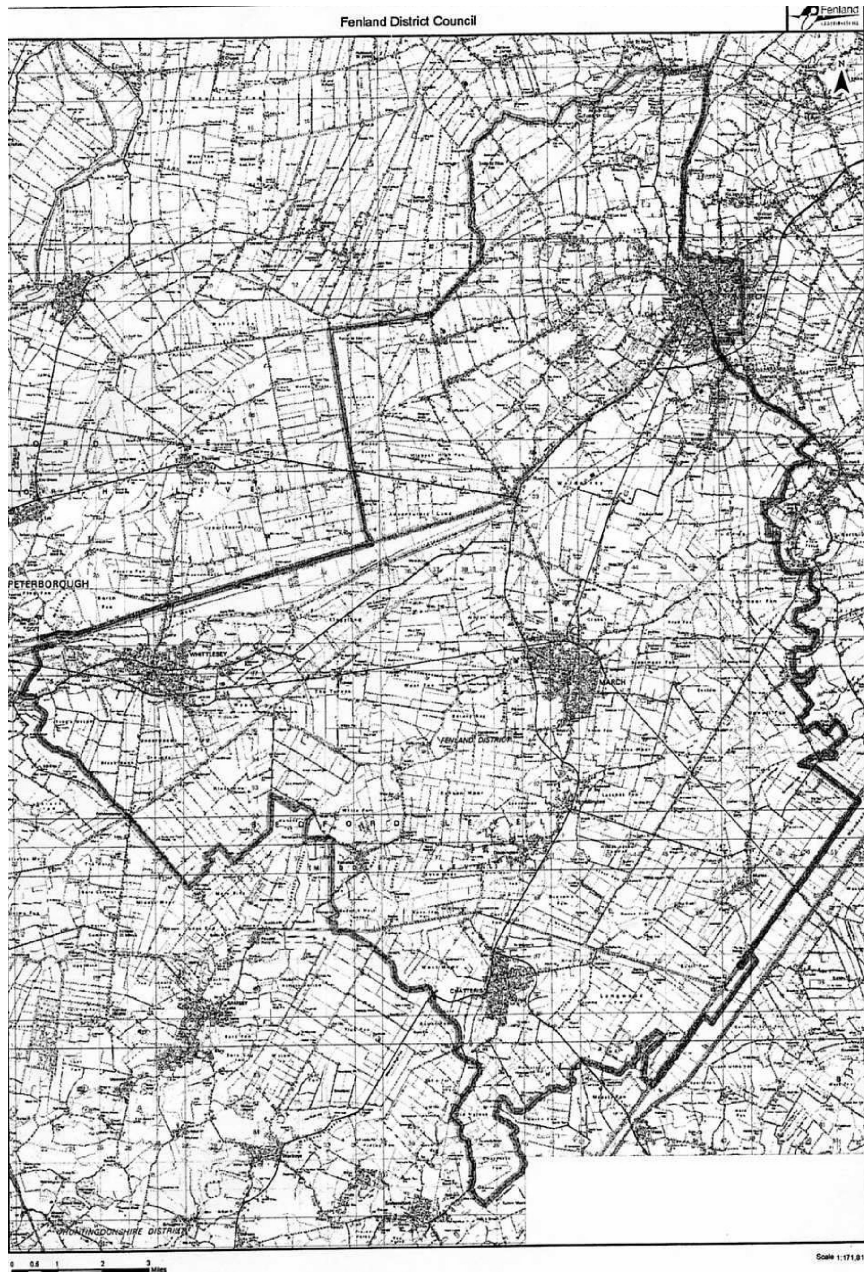
~~33.6~~35.6 The Licensing Authority may refuse an application for registration if in their opinion:

- the applicant is not a non-commercial society
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- information provided in or with the application for registration is false or misleading.

~~33.7~~35.7 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded refusing registration. It will also supply evidence on which it has reached that preliminary conclusion.

~~33-8~~35.8 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

APPENDIX 1 – MAP OF FENLAND



APPENDIX 2 – RESPONSIBLE AUTHORITIES

➤ Local Authority Environment and Health Services

Fenland District Council
Environmental & Leisure Support Team
Fenland Hall
County Road
Cambridgeshire PE15 8NQ
Telephone: 01354 654321
Email: Tdarnes@fenland.gov.uk
[Jhanson@fenland.gov.ukenvhealth@fenland.gov.u](mailto:Jhanson@fenland.gov.ukenvhealth@fenland.gov.uk)
k

➤ The Body Responsible for Health and Safety

Fenland District Council
Environmental & Leisure Support Team
Fenland Hall
County Road
March
Cambridgeshire PE15 8NQ
Telephone: 01354 654321
Email: Dsadler@fenland.gov.uk

➤ Cambridgeshire Constabulary

~~PC Grahame Robinson~~ [Police Licensing Officer](#)
Cambridgeshire Constabulary
Partnership & Operational Support Team
Licensing & Events Planning
Thorpewood Police Station
Peterborough
PE3 6SD
Email: LicensingNorth@cambs.pnn.police.uk

➤ Cambridgeshire Fire and Rescue Service

Chief Fire Officer
Hinchbrook Cottage
Brampton Road
Huntingdon PE29 2NA
Telephone: 01480 444500
Email:
[fireprotectionnorthconsultations@cambsfire.gov](mailto:fireprotectionnorthconsultations@cambsfire.gov.uk)
[.uk](mailto: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

➤ **HM Revenue & Customs**

HM Revenue & Customs
12th Floor
Alexandra House
Victoria Avenue
Southend-on-Sea
Essex
SS9 1B

The Gambling Commission

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP
Tel: 0121 230 6500
Email: info@gamblingcommission.gov.uk

ReferralCentre.Children@cambridgeshire.gov.uk

For vessels carrying more than 12 passengers the Certifying Authority will be:-

Maritime & Coastguard Agency
Surveyor In Charge
Harwich Marine Office
East Terrace Walton–
on-Naze Essex
CO14 8PY
Telephone: 01255 682107

For Vessels carrying 12 or less passengers the Certifying Authority will be:-

Environment Agency
Kingfisher House
Goldhay Way
Orton Goldhay
Peterborough
PE2 5ZR
Telephone: 01733 464277

APPENDIX 3 – TABLE OF DELEGATIONS OF LICENSING FUNCTION

Summary of Licensing Authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of Licensing Committee	Officers
Final approval of three year licensing policy	✓		
Policy not to permit casinos	✓		
Fee setting (when appropriate)			✓
Application for premises licenses		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		✓	
Application for club gaming/club machine permits		Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give counter notice to temporary use notice		✓	
Consideration of an Occasional Use Notice			✓

APPENDIX 4 - DEFINITIONS

ADULT GAMING CENTRE

An Adult Gaming Centre Premises Licence issued by the Licensing Authority will authorise gaming machines of Category B, C or D in the following numbers:

- 1 A maximum of 20% of the total number of gaming machines which are available for use on the premises - Category B3 or B4 machines
- 2 No limit on Category C and D machines.

AUTHORISED LOCAL AUTHORITY OFFICER

A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area.

BETTING MACHINES

A betting machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make such machines available to accept bets as a substitute for placing a bet over the counter. These machines are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines nor have to comply with any stake or prize limits. However, if a machine is made available to take bets on virtual races i.e. images generated by computer to resemble races or other events, that machine is a gaming machine and does count towards the maximum permitted number of such machines.

Section 181 contains a power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are being made available by attaching a licence condition to a betting premises licence or to a casino premises licence where betting is permitted in the casino. When considering whether to impose such a condition the Licensing Authority, amongst other things, should consider the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of machines by anyone under 18 years of age or by vulnerable people.

BETTING PREMISES

The legislation contains a single type of licence for betting premises. However, within this single class of licence there will be different types of premises which require licensing. One type will be off course betting i.e. the betting shop. The other sort of licensing will be betting at a track i.e. a racecourse. There is a separate type of premises licence for betting on tracks. It will also be possible for there to be premises licence for betting offices on tracks.

The Act also permits betting intermediary to operate from premises, although they usually offer their services via remote communication such as the internet. There is nothing to stop a betting intermediary applying for a betting premises licence to offer intermediary services on the premises.

No one under 18 will be able to enter premises with a betting premises licence although special rules apply to track betting.

Betting will be permitted as part of a casino premises licence and they will not require a separate betting premises licence. However, they will need to obtain a betting operating licence which can be combined with their casino licence.

The holder of a betting premises licence may make available up to 4 gaming machines of category B, C or D. The category B machines will be restricted to B2, B3 and B4

BINGO PREMISES

Bingo is currently categorised as “equal chance gaming” and is regarded widely as soft gaming. It is played in a variety of circumstances depending on where it takes place, for example as a commercial enterprise in a licensed bingo club for cash prizes, or as a prize bingo in amusement arcades, or on a non-commercial basis with low stakes and prizes in clubs, pubs and other institutes. Variations of club based include linked bingo where two or more clubs play a joint game using pooled stakes and multiple bingo, often known as the National Game, played across the country for large prizes. Clubs also offer machine gaming which is largely played during intervals between bingo games.

Commercial Bingo Clubs

- ❖ There should be no statutory limits on the stakes and prizes in bingo games;
- ❖ There should be no restriction on the frequency of multiple bingo games;
- ❖ Any new games should be approved by the Gambling Commission; and
- ❖ Rollovers should be permitted.

Bingo in Pubs and Clubs

- ❖ Where pubs or clubs offer prizes in equal chance games such as bingo above £2000 per week, they should be regulated by the Gambling Commission in the same way as commercial bingo.

CASINO

An arrangement whereby people are given an opportunity to participate in one or more casino games.

CASINO RESOLUTION

Resolution not to issue Casino Premises Licences.

CHILD

Individual who is less than 16 years old.

CLUB GAMING MACHINE PERMIT

Permit to enable the premises to provide gaming machines (3 machines of Categories B, C or D).

CONDITIONS

Conditions to be attached to licences by way of:-

- Automatic provision
- Regulations provided by Secretary of State
- Conditions provided by Gambling Commission
- Conditions provided by Licensing Authority

Conditions may be general in nature (either attached to all licences or all licences of a particular nature) or may be specific to a particular licence.

DEFAULT CONDITIONS

Conditions that will apply unless the Licensing Authority decides to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.

DELEGATED POWERS

Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.

DISORDER

No set interpretation. However, likely to be connected to the way gambling is being conducted. In the case of Gambling Premises' Licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.

EQUAL CHANCE GAMING

Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants.

EXEMPT LOTTERIES

Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are four types:-

- Small Society Lottery (required to register with Licensing Authorities).
- Incidental Non Commercial Lotteries
- Private Lotteries
- Customer Lotteries

EXTERNAL LOTTERY MANAGER

An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.

FAMILY ENTERTAINMENT CENTRE (LICENSED)

A family entertainment centre is defined as premises (other than an adult gaming centre) wholly or namely used for making gaming machines available for use.

It will be necessary to obtain a Gaming Machine General Licence from the Gambling Commission.

A family entertainment centre Premises Licence issued by the Licensing Authority will

authorise gaming machines to be provided as follows:

- 1 An unlimited number of Category C and D machines
- 2 Category C machines to be located in an adult only area.

GAMING

Prize Gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before the play commences.

GAMING MACHINE

Machine covering all types of gambling activity, including betting on virtual events.

Categories

Category	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited – no category A currently permitted
B1	£5	£10,000
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D non-money prize	30pence	£8
D non-money prize (crane grab machines only)	£1	£50
D combined money and non-money prize	10pence	£8 (of which no more than £5 may be a money prize)
D Combined money and non-money prize (coin pusher or penny falls machines only)	20pence	£20 (of which no more than £10 may be a money prize)

HUMAN RIGHTS ACT 1998 ARTICLES: 1, 6, 8 AND 10

Article 1: Protocol 1

The right to peaceful enjoyment of possessions.

Article 6:

The right to a fair hearing.

Article 8:

The right of respect for private and family life

Article 10:

The right to freedom of expression.

INCIDENTAL NON COMMERCIAL LOTTERY

A lottery promoted wholly for purposes other than private game, and which are incidental to non-commercial events (commonly charity fundraising events, lottery held at a school fete or at a social event such as a dinner dance).

EXCHANGE OF INFORMATION

Exchange of information with other regulatory bodies under the Gambling Act.

INTERESTED PARTY

A person who:-

- Lives sufficiently close to the premises to be likely affected by the authorised activities
- Has business interests that might be affected by the authorised activities
- Represents persons in either of the above groups

LICENSING OBJECTIVES

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
2. Ensuring that gambling is conducted in a fair and Open Way.
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

LOTTERY

An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.

LOTTERY TICKETS

Tickets that must:

- Identify the promoting society
- State the price of the ticket, which must be the same for all tickets
- State the name and address of the member of the Society who is designated as having responsibility for the Society for the promotion of the lottery or, if there is one, the External Lottery Manager, and
- State the date of the draw, or enable the date of the draw to be determined

MEMBERS' CLUB

A club that must:

- Have a least 25 members
- Be established and conducted 'wholly or mainly' for purposes other than gaming
- Be permanent in nature
- Not be established to make commercial profit
- Be controlled by its members equally.

OCCASIONAL USE NOTICES

Betting may be permitted on a 'track' without the need for a full Premises Licence.

Where there is betting on a track on 8 days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Occasional use notices cannot be used on more than 8 days in a calendar year i.e. the year starting on the 1 January and ending on 31 December.

The notice for an occasional use must be served on the licensing authority and the police. Notices can be given for a continuous period of 8 days.

OFF COURSE BETTING

Betting that takes place other than at a track, i.e. at a Licensed Betting Shop

OPERATING LICENCE

Licence to permit individuals and companies to provide facilities for certain types of gambling. It may authorise remote or non-remote gambling.

PERMITS

Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.

PERSONAL LICENCE

Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. Cannot be held by companies.

PREMISES

Defined as 'any place'. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.

PREMISES LICENCE

Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, Adult Gaming Centres and Family Entertainment Centres.

PRIVATE LOTTERIES

There are three types of Private Lotteries:

1. Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society.
2. Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises.
3. Residents' Lotteries – promoted by, and tickets may only be sold to people who live at the same set of premises.

PRIZE GAMING

Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.

PRIZE GAMING PERMIT

A permit to authorise the provision of facilities for gaming with prizes on specific premises..

PROVISIONAL STATEMENT

Where an applicant can make an application to the Licensing Authority in respect of premises that he:

- ☐ Expects to be constructed
- ☐ Expects to be altered
- ☐ Expects to acquire a right to occupy

RELEVANT REPRESENTATIONS

Representations that relate to the Gambling Licensing Objectives, or that raise issues under the Licensing Policy or the Gambling Commission's Guidance or Codes of Practice.

RESPONSIBLE AUTHORITIES

Public bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences as follows:

- ☐ The Licensing Authority in whose area the premises is partly or wholly situated
- ☐ The Gambling Commission
- ☐ The Chief Officer of Police
- ☐ Fire and Rescue Service
- ☐ The Planning Authority for the local authority area
- ☐ Environmental Health Service for the local authority area
- ☐ The Body competent to advise on the protection of children from harm
- ☐ HM Revenue and Customs
- ☐ Authority in relation to vulnerable adults
- ☐ Vessel only – the Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. the Environment Agency, British Waterways Board, the Maritime and Coastguard Agency.

SMALL LOTTERIES

When licensing authorities are approached by societies who want to register with them to operate lotteries, they are required to refer to the Act's definition of a small society lottery, which falls into two distinct areas:

- Society status – the society in question must be 'non-commercial'
- Lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

TEMPORARY USE NOTICE

Licensing Authorities may issue Temporary Use Notices to allow gambling activities to take place for limited periods in otherwise unlicensed premises. Only the holder of an Operating Licence may apply for a Temporary Use Notice. The same premises may not be the subject of a Temporary Use Notice for more than 21 days in any period of 12 months. However, provided that the aggregate period does not exceed that limit, it is possible to apply for more than one Temporary Use Notice during that period.

TRACK BETTING

Tracks are sites, including horse racecourses and dog tracks where races or other sporting events take place e.g. football grounds and cricket grounds. Betting is a major activity on the tracks, both in the form of pool betting (often known as the "tote") and also general betting known as fixed odds betting.

There is no separate class of betting premises licence for a track. However, in relation to tracks betting is divided into "on course" and "off course."

The "on course" betting operator is one who comes on to the track, temporarily, while races are taking place and operates at the trackside.

"Off course" betting operators may, in addition to premises away from the track, operate self-contained betting premises within the track premises. Such self-contained premises provide facilities for off course betting e.g. on other events not just those taking place on the track.

In addition pool betting can take place on the tracks, but only on certain types of track and the people who may run it are limited.

TRAVELLING FAIR

A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.

VEHICLES

Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted.

VULNERABLE PERSONS

No set definition, but likely to mean group to include people who:

- ☐ Gamble more than they want to
- ☐ Gamble beyond their means
- ☐ Who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

YOUNG PERSON

An individual who is not a child but who is less than 18 years old.

TEMPORARY USE NOTICES

The organisations designated to receive TUNs and to issue objections are:-

- ☐ The Licensing Authority
- ☐ The Gambling Commission
- ☐ Cambridgeshire Police
- ☐ HM Commission for Revenues and Customs

- ☐ If applicable, any other Licensing Authority in whose area the premises are situated (if the premises crosses the border between two Licensing Authority's areas).

APPENDIX 5 - LIST OF CONSULTEES

Responsible Authorities:

- ☐ The licensing authority
- ☐ The Gambling Commission
- ☐ Chief Officer of Police, Cambridgeshire Constabulary
- ☐ Cambridgeshire Fire and Rescue Authority
- ☐ Fenland Planning Authority
- ☐ Fenland Environmental Health
- ☐ Cambridgeshire Safeguarding and Standards Unit
- ☐ HM Revenue and Customs
- ☐ The Environment Agency
- ☐ The British Waterways Board
- ☐ Secretary of State for Transport (Maritime and Coastguard Agency)

In addition:

British Amusement Catering Trade Association (BACTA)
(Representing the UK pay to play leisure machine industry)

Association of British Bookmakers

The Bingo Association

Bingo premises
British Beer & Pub Association

Bookmakers within Fenland

Citizens Advice Bureau

Gamblers Anonymous Gam
care

Public Health

Town and Parish Council Clerks

Trading Standards

Faith Groups

Community Groups

Assessing Equality – The Equality Act 2010

Customer Impact Assessment

Name and brief description of policy being analysed

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

Policy being reviewed - Statement of Gambling Policy 2022 – 2025 (GA05)

The Council as the Licensing Authority has a statutory duty to review its Statement of Principles under the Gambling Act 2005 every three years. The current policy was adopted at Full Council and came into effect in 2019.

The Gambling Act requires each Licensing Authority to prepare and publish a Statement of Principles under the Gambling Act. The statement sets out how the authority intends to approach its licensing responsibilities and in particular how it intends to promote the three licensing objectives namely:

- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime.
- Ensure gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Gambling Policy is to be renewed every three years and the draft policy will cover the period of 2022 - 2025

Information used for customer analysis

Note relevant consultation; who took part and key findings; refer to, or attach other documents if needed; include dates where possible

The Responsible Authority Officers act as a main consultee:

Fenland District Council – Environmental Health

Fenland district Council – Health & Safety

Cambridgeshire Constabulary

Cambridgeshire Fire & Rescue

Safeguarding & Standards – Protection of Children from harm

Assessing Equality – The Equality Act 2010

Fenland District Council -Planning Authority
HM Revenue & Customs
Gambling Commission
Town Councils

Public Consultation

Comments were requested from the Public Consultation that took place from 24 September 2021 until 08 November 2021. The draft policy was advertised in the local newspaper and by social media feeds for example Facebook. It was also available on our Council website and available on request.

This CIA has taken into account any comments made during the consultation process and will also reflect any changes that are made with the draft policy prior to Licensing Committee approval on 26 November 2021

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

Assessing Equality – The Equality Act 2010

Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Human Rights	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N	
Socio Economic	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Delivery of the Gambling Policy will have a positive impact as it encourages responsible Gambling.	Y / N	
Multiple/ Cross Cutting	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Y / N	

Outcome(s) of customer analysis

a) Will the policy/ procedure impact on the whole population of Fenland and/ or identified groups within the population; negative ☐ neutral ☐ positive ☐

No major change needed ☒ Adjust the policy ☐ Adverse impact but continue ☐ Stop and remove / reconsider policy ☐

Arrangements for future monitoring:

Note when analysis will be reviewed; include any equality indicators and performance against those indicators

The next CIA analysis will take place when the Gambling Policy is reviewed in 2025, although an annual desk top review will take place for any new impacts with policy implementation.

Details of any data/ Research used (both FDC & Partners):

Results of the public Consultation carried out from 24 September 2021 until 08 November 2021

Completed by:

Name: Michelle Bishop

Position: Licensing Manager


Approved by (manager signature):

Date published: This should be the date the analysis was published on the website

Details of any Committee approved by (if applicable):

Date endorsed by Members if applicable:

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Agenda Item No:	11	
Committee:	Council	
Date:	08 December 2021	
Report Title:	Council Consultation Response in relation to the Fenland Electoral Review - Proposed Future Warding Arrangements	

1 Purpose / Summary

- For Members to consider and agree the formal Council consultation submission in relation to the Local Government Boundary Commission for England (LGBCE) Electoral Review of Fenland District Council. This report forms the Council's response to the second part of the electoral review process regarding the proposed future warding arrangements, including future ward boundaries, number of elected representatives per ward and future ward names.

2 Key issues

- The Local Government Boundary Commission for England (LGBCE) is an independent body established by Parliament in April 2010. One of its objectives is to work with principal local authorities to help them deliver effective and convenient local government to citizens. Every year, the LGBCE assesses electorate data for each local authority in England with the intention to intervene where "significant" electoral inequality exists. As a result the LGBCE intervention would be in the form of an electoral review should significant electoral inequality have been identified.
- An electoral review is an examination of a council's electoral arrangements. This means:
 - the total number of members to be elected to the council;
 - the number and boundaries of electoral areas (wards / divisions) for the purposes of the election of councillors;
 - the number of councillors for any electoral area of a local authority; and
 - the name of any electoral area.
- During the Annual Council meeting in May 2021, Full Council agreed to approach the LGBCE to commence an Electoral Review of Fenland District Council given the predicted electoral inequality that would be apparent by the next round of all out elections in 2023. The LGBCE subsequently agreed to this request and Fenland was added to the Electoral Review Programme.
- The LGBCE then subsequently made a request to the District Council to submit a proposal regarding the future total number of Councillors to be elected to the Council, known as Council Size. Considerations regarding the future Council size form the initial part of the electoral review process
- During the September 2021 Council meeting, Members agreed that a proposal should be submitted to the LGBCE that the future Council size should contain 42 elected representatives. In addition, Members were also asked to note the following principles to help inform the second stage of the electoral review process, regarding future warding arrangements and the formulation of future ward boundaries:

- No ward should have an electoral variance greater than 10.00%
- No Parish Council Area should be split between two different wards
- Where unavoidable whilst adhering to the first two rules, a Parish Council Area may be joined with part of an adjoining Town Council Area in a single ward (as we have now with Benwick, Coates & Eastrea Ward).
- The LGBCE Commissioners met to discuss the Council Size proposal and later confirmed they were minded to support the suggestion of 42 Members. Members were advised that the LGBCE Commissioners 'minded to' decision reflects the Commission's intentions as to the future council size for Fenland, not its final decision. The Commission are prepared, during the course of the review, to consider whether it might be necessary to change the proposed number of councillors slightly to achieve better levels of electoral representation across the authority area.
- On 26 October the LGBCE commenced the public consultation process in relation to the formal second stage of the electoral review process, namely the formulation of the new district ward boundaries, seeking consultation submissions regarding where the new boundaries should be. This initial round of public consultation concludes on 10 January 2022.
- The aim of the review is to improve electoral equality. This means as far as is reasonable that each district councillor represents the same number of electors. In addition, the further two criteria of effective and convenient local government and community identity, are considered and given equal weight.
- Fenland District Council decided that it would seek to put forward its own proposals at each stage of the LGBCE review project, to be ratified by Full Council. As a result the District Council formulated a cross party Member Working Group to lead the Council through the LGBCE process. The Member Working Group was informed by in depth consultation feedback from two cycles of member Focus Groups based on geographical which involved all 39 Councillors. In total 9 workshops were held.
- The cross party Member Working Group was convened to consider the current and future district warding arrangements including specific warding options informed by the Member Focus Groups. The Member Focus Groups have played a key role in identifying and refining warding options within the extensive consultation which has been carried out as part of this stage of the project.
- Following conclusion of the workshops, the Member Working Group considered two future warding proposals which emerged during the Member Focus Groups; the first of those proposals achieved warding boundary arrangements to reflect the future Council size of 42 elected representatives, which the LGBCE previously confirmed they were minded to agree. The second proposal contained future ward boundaries for 41 elected representatives. Both proposals contained a mix of single member, dual member and three member warding arrangements, both proposals believed the variation to best reflect local established communities.
- The Member Working Group agreed by a majority that the recommended proposal to be put forward to the December Council meeting would be for the future warding arrangements which achieved the future Council Size of 42 elected representatives, as the group concluded that this scheme achieved the optimum level of electoral equality, with electoral variants of within +/- 10% from the average number of elected representatives per elector, with all wards closer to the +/-5% electoral variant figure , whilst also being the most credible in terms of the other LGBCE statutory criteria, Communities of Interest and Effective and Convenient Local Government. The proposed future warding arrangements can be viewed via the following link https://rds.statmap.co.uk/map/map.html?login=fenland_viewer&scenario=OVERALL_SUGGESTED_SCHEME_VERSION_1&sid=3e4d59f185b8126f13d28acf90236b3c

3 Recommendations

- For Members to consider and approve the proposed future district warding arrangements which achieve a future Council size comprising 42 elected representatives.
- To delegate to Officers in conjunction with The Leader of the Council to add in the rationale and supporting evidence for the preferred proposed warding arrangements following debate at Full Council, prior to formally submitting the Council consultation submission to the LGBCE for consideration by the deadline of 10th January 2022.

Wards Affected	All	
Forward Plan Reference	N/A	
Portfolio Holder(s)	Member Working Group: Cllr Chris Boden Cllr Jan French Cllr Steve Tierney Cllr Sam Hoy Cllr Ian Benney Cllr Will Sutton Cllr Gavin Booth	
Report Originator(s)	Paul Medd - Chief Executive Carol Pilson - Corporate Director Anna Goodall - Head of Transformation, Customer Services and Democracy	
Contact Officer(s)	Paul Medd - Chief Executive Carol Pilson - Corporate Director Anna Goodall - Head of Transformation, Customer Services and Democracy	
Background Paper(s)	Full Council Paper - Electoral Review for Fenland District Council - 19/05/21 Full Council Paper - Fenland Electoral Review - Council Size Report - 30/09/21	

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Agenda Item No:	12	
Committee:	Council	
Date:	8 December 2021	
Report Title:	Constitutional Amendment - Planning Committee	

1 Purpose / Summary

For Council to agree a constitutional amendment to increase the number of Cabinet Members permitted to sit on the Planning Committee.

2 Key issues

- The Council has a Planning Committee made up of 13 Members observing political proportionality.
- The Planning Committee is a regulatory Committee and therefore a non-executive function of the Council.
- To uphold the non-executive function of the Planning Committee, there is a restriction in place to limit the number of Cabinet Members on the Committee. Currently that limit is 3 Cabinet Members.
- There is no statutory limit on the number of Cabinet Members allowed on a Planning Committee and therefore it is down to each individual local authority to decide how many Cabinet Members should be allowed albeit protecting its purpose as a non-executive Committee.
- The proposal is to increase the number of Cabinet Members allowed on Planning Committee from 3 to 4 Cabinet Members as per the amendment at Appendix 1.
- This proposal does not increase the overall number of Members on Planning Committee.
- Any new appointments to Committees are made by Group Leaders in line with proportionality which can be actioned between Council meetings through delegation to the Chief Executive.
- There are no financial implications in relation to this proposal.

3 Recommendations

For Council to agree the constitutional amendment as set out at Appendix 1 to increase the number of Cabinet Members allowed on Planning Committee from 3 to 4.

Wards Affected	All wards
Portfolio Holder(s)	Cllr Chris Boden - Leader of the Council
Report Originator(s)	Carol Pilson - Corporate Director Paul Medd - Chief Executive Amy Brown - Head of Legal and Governance

Contact Officer(s)	Paul Medd - Chief Executive Carol Pilson - Corporate Director Amy Brown - Head of Legal and Governance
Background Paper(s)	Constitution

Appendix 1

Responsibility for Functions

Definition of Memberships

Decision Making Body	Membership
Planning Committee	<p>Up to 13 members of the Council. No more than three<u>four</u> of which can be members of the Cabinet.</p> <p>The committee will have 1 Chairman and 1 Vice Chairman none of which can be members of the Cabinet.</p> <p><u>No planning decision will be taken at Committee if the number of Cabinet Members is more than 50% of the voting Members present.</u></p>

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