

# OVERVIEW AND SCRUTINY PANEL

MONDAY, 17 JANUARY 2022 - 1.30 PM



**PRESENT:** Councillor D Mason (Chairman), Councillor A Miscandlon (Vice-Chairman), Councillor G Booth, Councillor D Connor, Councillor M Cornwell, Councillor R Skoulding, Councillor D Topgood, Councillor R Wicks and Councillor F Yeulett

**APOLOGIES:** Councillor S Count, Councillor A Hay, Councillor M Humphrey and Councillor M Purser

**Officers in attendance:** Paul Medd (Chief Executive), Dan Horn (Acting Assistant Director), Phil Hughes (Acting Assistant Director), Mark Saunders (Chief Accountant) and David Wright (Policy & Communications Manager), Amy Brown (Head of Legal and Governance) and Niall Jackson (Member Services)

**ALSO IN ATTENDANCE:** Councillor J French, Councillor S Hoy, Councillor P Murphy, Councillor C Seaton

## **OSC30/21 PREVIOUS MINUTES.**

The minutes of the meeting of 6 December 2021 were confirmed and signed.

## **OSC31/21 UPDATE ON PREVIOUS ACTIONS.**

Members considered the update on previous actions and made the following comments:

- Councillor Mason informed the panel that all actions were now up to date.
- Councillor Miscandlon noted the update on the item concerning apprenticeships and confirmed that the CPCA discussions were still ongoing, and that Councillor Seaton was being updated.
- Councillor Booth thanked Councillor Seaton for the update on apprenticeships but noted that the question was to Councillor Benney who had given the original presentation. He stated that there was clearly still confusion about which portfolio holders were responsible for what areas.
- Councillor Booth also noted that the watching brief regarding preschools had now been sufficiently resolved and could be removed from list. He requested that the panel remind Cambridge County Council that not all preschools are businesses and that some are charities.
- Councillor Mason clarified the position of Nick Harding within his Fenland District Council role. He informed the panel that Nick was now exclusively employed by Fenland District Council but that his contract was not necessarily full time.

## **OSC32/21 DRAFT BUSINESS PLAN 2022-23**

Members considered the Draft Business Plan 2022-23 presented by Councillor Boden.

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

- Councillor Mason commended the Council for the Future initiative. He noted that every portfolio holder had a set of tasks but that these tasks should be based around SMART targets. He noted that the tasks should be time-bound and that regular updates should be

given regarding key performance indicators (KPI's) which are monitored and recorded. Councillor Boden explained that KPI's were monitored and recorded but not deemed necessary to come before Councillors. He noted that the KPI's that are reported to members are the ones which provide the most value to Councillors in judging how the Council was performing. He explained that setting targets can be very difficult and can be hard to hit when matters that are out of the portfolio holders control affect their work. Councillor Boden informed the Council that they had slimmed down the number of KPI's reported as they were previously drowning in numbers. He explained that the thought behind this was one of quality over quantity to allow Councillors to focus on the key areas rather than taking an overly wide view and missing the key points due to too much information. He said that if the panel wanted to make changes, they would want to look at a one in one out policy of changing which KPI's are reported. He noted that the KPI's were not meant to be performance indicators for the portfolio holders themselves but for the work of the Council. He ensured that they do set their own targets and that the portfolio holders work to these themselves but that there was not a direct line of accountability. He stated that they did not want to return to a bureaucratic system as this would use up valuable officer time, but he would be happy to hear any suggestions for change. Councillor Mason acknowledged Councillor Boden's points and reiterated that being more specific and measurable is advantageous as it prevents tasks from taking too long.

- Councillor Booth noted that the current KPI's did not reflect the actual priorities of the Council and noted that the priorities and KPI's do not always relate. He noted that some of the priorities are difficult to measure and hard to show when they have been delivered. He suggested that the Panel set up a Task and Finish Group to relook at this. Councillor Boden agreed with Councillor Booth's points around the difficulty of accurately measuring some priorities and supported the idea of setting up a Task and Finish Group to review the current system.
- Councillor Miscandlon supported Councillor Mason's earlier point about introducing timescales and noted that portfolio holders are free to ask other Councillors for assistance if needed. He also supported the idea of setting up a Task and Finish group. Paul noted that KPI's are a helpful way of performance managing the Council's key Business Plan objectives. It is important that KPI's don't become excessive and distract from service delivery priorities. Sometimes certain projects don't lend themselves to KPI's and where this is the case the performance management is undertaken through the project governance arrangements such as project board and action plan.
- Councillor Yeulett noted that the report mentioned that Fenland faced some challenges around deprivation regarding health and education. He argued that this was a misdemeanour as there have been a significant number of challenges over a long time and questioned whether the Council could place more emphasis upon that along with the fact that the Council would be working alongside partners to reduce this. Councillor Boden agreed that the issues had been around for many years and stated that they would unfortunately be around for many more as Fenland is significantly under the average for the area. He also agreed that the challenges would not be met alone, stating that the work to improve this area would not be easy or cheap. He noted that despite this Fenland should not be defined by its problems and challenges and assured the panel that these issues are constantly being raised with the Combined Authority and across other relevant forums. Paul Medd supported Councillor Boden's points and noted that members had been supportive of economic growth, infrastructure, and regeneration as the basis of making Fenland a more prosperous place. He suggested inviting Jyoti Atri, Director of Public Health to make a presentation on Fenland's health inequalities and how the Council can look at tackling these issues to which Councillor Mason agreed.
- Councillor Miscandlon asked whether the panel could ask Jyoti Atri to include any hotspots for health inequalities in the presentation if she came before the panel. Paul Medd suggested that the panel and supporting officers would be responsible for defining the scope of the presentation from public health so this could be included. Councillor Boden suggested that it would be good to examine the extent that public health had focused on

deprivation areas over general areas as he felt that there were inequalities here with not enough focused work.

- Councillor Cornwell asked why there was a difference in wording between the items labelled supporting our local community by delivering the leisure strategy and to work collaboratively with partners to deliver our health and well-being strategy as working collaboratively with partners should be common to both items. Furthermore, he asked whether the Leisure and Health and Well-Being strategies had been revisited as they ran out in 2021. Councillor Boden noted that the leisure and health and well-being targets were very much interlinked but that they were still separate targets. He explained that the leisure strategy primarily related to the performance of the leisure centres and outreach services explaining the emphasis of collaboration on this item. He noted that there were significant changes taking place regarding health and leisure, particularly with the regards to legislation changes surrounding health. Councillor Boden stated that once the changes had bedded in it would be more appropriate to revisit these strategies. He also noted that there was a hope that the effects of Covid were coming to an end from a leisure point of view and that they would be revisiting the partnership with Freedom Leisure following this. Councillor Cornwell replied that he agreed with the points made by Councillor Boden but noted that there did not seem to be an opportunity to review the strategies in the business plan.
- Councillor Cornwell noted that there seemed to be some shortfalls in the relationship between economic development and the planning team and asked whether there could be a review to see if the Council could get better value out of this relationship. Councillor Boden corrected that the Council now promotes economic growth rather than economic development. He agreed that the relationship between planning and economic growth was key and that the Council needed to continue to work on the impression that they were a burden to economic growth. He noted that they had been working hard to remove this perception, with special mention to Councillor Laws for her work on this issue. Paul Medd went on to inform the panel that the Council had developed a culture where the Economic Growth and Planning teams communicated and worked closely together, and that planning was aimed at facilitating rather than hindering growth. He explained that the Council had moved from simply selling land assets to looking at what growth value they have before taking them to auction as one observable on how growth was being pushed by the Council. He recognised that there was scope to improve the interface between Economic Growth and Planning but that they had been working on this.
- Councillor Booth said he was pleased to see that the Council was looking at the importance of rural areas within the district but noted that projects are very town centric. He noted that there was more to be done to look after the rural areas specifically regarding the Fenland Walking and Mobility Improvement Strategy which had very little focus on improving cycling and mobility into the towns. He finished by commenting that more needs to be done to improve the quality of life in the rural areas specifically around isolation and lack of mobility. Councillor Boden agreed and noted that it can be easy to overlook rural isolation and poverty as it is not concentrated as in the towns. He noted that despite most of the population living in the towns this should not be an excuse to overlook the rural areas. He assured that there had been efforts to get push the potential for improvement in the villages such as installing footpaths where there currently are none and that there had been an attempt to change the focus from solely around the towns. He accepted that there were problems in the rural areas and assured Councillor Booth that they would not be ignored.

**The Draft Business Plan 2022-23 was noted for information.**

**OSC33/21 REVISED GENERAL FUND BUDGET AND CAPITAL PROGRAMME 2021/22;  
DRAFT GENERAL FUND BUDGET ESTIMATES 2022/23 AND DRAFT MEDIUM  
TERM FINANCIAL STRATEGY (MTFS) 2022/23 TO 2026/27; CAPITAL  
PROGRAMME 2022 - 2025**

Councillor Mason informed the panel that there was a change to the agenda item orders with

agenda item 7 - Revised General Fund Budget and Capital Programme 2021/22; Draft General Fund Budget Estimates 2022/23 and Draft Medium Term Financial Strategy (MTFS) 2022/23 to 2026/27; Capital Programme 2022 – 2025 being moved before agenda item 6 - Draft Business Plan 2022-23.

Members considered the Revised General Fund Budget and Capital Programme 2021/22; Draft General Fund Budget Estimates 2022/23 and Draft Medium Term Financial Strategy (MTFS) 2022/23 to 2026/27; Capital Programme 2022 - 2025 presented by Councillor Boden.

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

- Councillor Mason thanked Councillor Boden for his presentation and noted that the Fenland Future programme was due for review at the March meeting. He asked if Mark Saunders had any further comments to make. Mark Saunders supported the points that Councillor Boden had made.
- Councillor Yeulett asked whether there will be more clarity between the relationship with Fenland Future before the Council meeting. Councillor Boden informed the panel that there would be an update before the Council meeting detailing more of the relationship between the Council and Fenland Future and how it will affect Fenland District Council's budget figures across the coming year and in the future. He apologised that the business plan had not been completed for Fenland Future and that it had not been incorporated in the figures but that this would be rectified in the coming weeks.
- Councillor Yeulett questioned whether the Fenland Future arrangement would feed into the budget for the following years and help reduce the deficit over the coming years. Councillor Boden confirmed this stating that there would be a continuous flow of income from Fenland Future to help support the continuation of services provided by the Council. He explained that Fenland Future would initially focus on land development which is already owned by the Council but that this was not necessarily the long-term direction of Fenland Future.
- Councillor Booth noted that the long-term financial forecasting of Fenland Future had not been included in the report and asked when it would be included as it would affect the Council's priorities. Councillor Boden explained that it had not been added yet as the figures would have been a guess at this point. Councillor Booth disagreed with this as all future forecasting required an element of educated guessing. Councillor Boden informed the panel that there was no requirement for the figures to be included until the budget is taken to Council.
- Councillor Wicks asked whether when the figures from Fenland Future are added into the budget calculations, they would be accompanied by a note of what the assumptions are and what the impact would be. Councillor Boden assured him that the impact of the Fenland Future figures would be clear due to their size and that it will be clearly set out as to what the assumptions are over the next 5 years. He noted that the business plan would also outline how the income will be generated.
- Councillor Cornwell noted his worries about the state of the report and the implications of some of the statements. He lamented that the report had been presented in an unfinished state and worried about what the public would make of the report. He informed the panel that he would hold his true worries back until the full report was published in hope that there would be more positive elements in the final version. Councillor Boden agreed with Councillor Cornwell's remarks and noted that the report was worse than previous years since there was still a lot of work to be done before coming before Full Council. He explained that it was necessary to come before the panel at this point to allow any comments to be reflected upon before the budget was taken to Cabinet and Council. Councillor Boden noted that it was unlikely that many members of the public would have read the report at this point, suggesting that they would wait to see the full report taken to Council. He aired the view that this was not a major point of concern for the public at this point and that the expectation would be on the Council to sort these matters out.
- Councillor Cornwell accepted that the public may be more interested in the next stages and noted that the report takes a long time to read and understand. He asserted that later the

public would be more interested when they learn what the expense to them would be over the next year. Councillor Boden agreed with this point and stated that the Council cannot continue forever with no Council Tax increase. However, he did also note that the Council does have the capability to proceed along a zero percent increase in Council Tax for a very long time if they maintained a strong control over their expenditure, improved the levels of income from other streams and had a level of luck.

- Councillor Miscandlon noted his worry that any person watching would see this as an incomplete report as had already been confirmed. He asked whether the Leader agreed that this was an incomplete report giving an incomplete picture on an incomplete future. Councillor Boden agreed with this statement and explained that this was why he had been candid around how it would be completed. He noted that the members of the panel were all experienced Councillors and that they would be able to read between and beyond the lines. He said that he hoped the information given during the meeting would be of some comfort and noted that the final report would make better reading.
- Councillor Booth noted that there was a zero percent inflation forecast for the Medium Term Financial Strategy which he disagreed with explaining that the governments target was 2.5 percent. He explained that there was a need to have the right level of inflation built into the calculations and asked why the net service expenditure had increased by approximately one million pounds if inflation had not been built into these calculations. Mark Saunders explained that a big factor in the increases in the service expenditure was due to staffing costs which make up around 60 percent of expenditure. He noted that there were significant reviews next year which result in significant pressures on the staffing bill. He explained that the changes in the cost of staffing and providing services are outside of their control. Councillor Boden added that he expected that the cost element on the revenue side would be lower and the income side would be higher than seen in the current report.
- Councillor Booth suggested adding a note to the zero general inflation to say that this excludes staff pressures to make it clearer. Councillor Boden and Mark Saunders accepted this recommendation.
- Councillor Mason summarised the points within the report and noted that the deficits could be funded by reserves but that the reserves could only be used once. Councillor Mason went on to recommend that they approve the revised General Fund Budget and Capital Programme for 2021/22 to be taken before Cabinet and Council on the condition that Council Tax is increased by 1.97%. This recommendation failed on the vote.
- There was a debate regarding whether the panel should approve or note the report for the revised General Fund Budget and Capital Programme for 2021/22 with it eventually being resolved that it should be noted.

**Members of the Overview and Scrutiny panel AGREED to:**

- **note the revised General Fund Budget and Capital Programme for 2021/22**
- **send the Draft General Fund Budget Estimates 2022/23 and the Draft Medium Term Financial Strategy 2022/23 to 2026/27 for consultation**
- **approve the Capital Programme 2022-2025.**

**OSC34/21 REVIEW OF FEES AND CHARGES 2022/23**

Members considered the Review of Fees and Charges 2022/23 presented by Councillor Boden:

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

- Councillor Yeulett welcomed the zero percent increase on the fees and charges for market stalls stating that there had been good performance at March market place. He questioned whether administering some of the fees incurred more in admin costs than they brought in. Councillor Boden noted that in some cases fees are required simply to regulate something even if it does incur more in administration than in profit. Mark Saunders explained that all the fees that are set by the Council are designed to include the cost of the admin as well. He noted that in situations where the fee is regulated by other parties it can be harder to

incorporate the cost of administration.

- Councillor Cornwell asked regarding the Council's physical expenditure such as with burials, how often they look at the true cost and compare the rate to what they are providing to check the validity of the fees. Mark Saunders explained that the fees are reviewed every year. He noted that some areas, such as burials, are more difficult to recover the full cost on due to the sensitivities of the subject and that this area had been increased at the same rate of inflation over the past few years in order to keep up with the costs of the service to Fenland District Council.
- Councillor Cornwell asked for clarification that the fee charges are actually meeting the costs incurred in the vast majority of cases. Mark Saunders confirmed that this was the Council's aim and that in certain areas they actively attempt to increase the market share however, in sensitive areas they take the opposite approach.
- Councillor Booth asked why the stall fees were left at a zero percent increase as it was previously found that the income was not covering the price of running them. He noted that there had been a struggle to increase the number of stalls at the markets and asked how viable they were going forward. Councillor Boden noted that he would take all comments on board and asked for clarification on whether Councillor Booth was suggesting an increase in fees to recover more money, decrease to attract more stalls, or to keep it at zero percent. Councillor Booth suggested that the fee should be kept at a zero percent increase but that the Council should renew their attempts to attract more market stalls.
- Councillor Booth questioned the thinking behind holding the fees for the fairs at a zero percent increase stating that attendance had begun to return to normal following the Covid-19 pandemic. Mark Saunders explained that the feeling was that the fairs had experienced a difficult 18 months and had not received any business support as other business had during the pandemic. Due to this, and wanting to keep the fairs coming to Fenland, it was decided that a zero percent increase was rational.
- Councillor Booth asked why the Council had decided to go above the 5.1 percent for the Hackney and Carriage taxi fees and suggested capping these at a 5.1 percent increase due to the increases in fuel prices. Mark Saunders explained that the slightly higher increases were needed to cover the costs of the new IT system that had been implemented. He explained that this would provide a financial boost in the long term and reduce the level of increase in future years but in the short term the costs needed to be recovered and there was no other way to recover these costs. Councillor Booth noted that the Council set both income and charges for the Hackney Carriages and that they were shrinking the profit that could be made by the drivers.
- Councillor Miscandlon agreed with Mark Saunders point about keeping the fairs fees at zero percent increase. He noted that the markets in the market towns were dying due to the lack of stalls and supported keeping the fees at a zero percent increase to encourage more stallholders to set up at the marketplaces across Fenland.
- Councillor Mason noted that the committee advises the consideration of possible rises in the future.

**The Overview and Scrutiny Panel agreed to recommend to Cabinet that the Fees and Charges be included in the final budget proposals for 2022/23.**

### **OSC35/21 FUTURE WORK PROGRAMME**

Members considered the Future Work Programme:

- Councillor Mason noted a change to the future work programme with the Enforcement Review due to come forward in February. Amy Brown informed the panel that it was requested for the report to come to a later meeting as the report was still in the stages of being finalised. She also confirmed that the Wisbech Rail item would be presented at the February meeting.
- Councillor Miscandlon noted that the Wisbech Rail item was also being discussed at the CPCA and requested that details of that meeting be incorporated into the report.

- There was a discussion about whether the final budget report would be presented to the Panel before it went to Cabinet and Council on February 24<sup>th</sup>. Amy Brown informed the panel that she would enquire as to whether it would be possible for the panel to scrutinise the finalised budget report before it was received by Cabinet and Council.
- Councillor Booth asked whether officers could relook at the possibility of producing a rolling 12-month forward plan.

Time Not Specified

Chairman

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