

Public Document Pack

COUNCIL

A meeting of Council will be held at Council Chamber, Fenland Hall, County Road, March on MONDAY, 30 SEPTEMBER 2024 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 8)

To confirm and sign the minutes of the meeting held 15 July 2024.
- 3 Civic Engagements Update. (Pages 9 - 10)
- 4 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 5 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.
- 6 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.
- 7 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 11 - 62)
- 8 Motion submitted by Councillor Tim Taylor (Pages 63 - 64)

Motion submitted by Councillor Taylor regarding Meat Labelling.
- 9 Motion submitted by Councillor Gary Christy (Pages 65 - 68)

Motion submitted by Councillor Christy regarding changes to the Winter Fuel Allowance and protecting pensioners from fuel poverty.
- 10 Overview & Scrutiny Panel Annual Report 2023/24 (Pages 69 - 78)

The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Panel during 2023/24 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny Panel in 2024/25.
- 11 Audit & Risk Management Committee Annual Report 2023/24 (Pages 79 - 88)

To report to Full Council the commitment and effectiveness of the Audit and Risk Management Committee's work from 1 April 2023 to 31 March

2024.

12 Revised Code of Procurement (Pages 89 - 134)

The purpose of this report is to consider the implementation of a New Code of Procurement Policy due to changes in Legislation.

13 Constitutional Amendments: Planning Scheme of Delegation (Pages 135 - 146)

The purpose of this report is to consider revisions to the Planning scheme of delegation within the Council's Constitution.

Fenland Hall
March



Chief Executive

Friday, 20 September 2024

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



MONDAY, 15 JULY 2024 - 4.00 PM

PRESENT: Councillor N Meekins (Chairman), Councillor B Barber (Vice-Chairman), Councillor I Benney, Councillor C Boden, Councillor G Booth, Councillor G Christy, Councillor J Clark, Councillor S Clark, Councillor S Count, Councillor D Cutler, Councillor Mrs M Davis, Councillor L Foice-Beard, Councillor Mrs J French, Councillor K French, Councillor R Gerstner, Councillor G S Gill, Councillor A Gowler, Councillor S Harris, Councillor A Hay, Councillor P Hicks, Councillor Miss S Hoy, Councillor M Humphrey, Councillor S Imafidon, Councillor Mrs D Laws, Councillor C Marks, Councillor A Miscandlon, Councillor J Mockett, Councillor P Murphy, Councillor Dr H Nawaz, Councillor D Patrick, Councillor M Purser, Councillor B Rackley, Councillor D Roy, Councillor C Seaton, Councillor E Sennitt Clough, Councillor M Summers, Councillor T Taylor, Councillor S Tierney, Councillor S Wallwork and Councillor Woollard

APOLOGIES: Councillor J Carney, Councillor D Connor and Councillor D Oliver

C12/24 PREVIOUS MINUTES

The minutes of the meeting of 20 May 2024 were confirmed and signed.

C13/24 CIVIC ENGAGEMENTS UPDATE.

The Chairman drew members' attention to the civic activities undertaken by himself and the Vice-Chairman in the weeks preceding Full Council.

Additionally, the Chairman had also attended the D Day Beacon Lighting on 6th June and the Huntingdon Mayor's Tea Party on 13th July.

C14/24 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

The Chairman made the following announcement:

“The first of my announcements today is to acknowledge the resignation of former Councillor Kay Mayor who stood down in June.

Kay was initially elected in 2007, diligently and dutifully representing her constituents over many years. During her time as an elected member of Fenland District Council, Kay took up many important positions serving on the Appointments and Overview and Scrutiny Panels, the Licensing, Planning, Project Review and Staff Committees.

Kay also fulfilled the role of Chairman for three years and was involved in the popular Golden Age Fairs and Twinning Association.

I would like to take this opportunity to offer Kay our sincere thanks for her many years of service to Fenland District Council and to wish her all the very best for the future.

As a result of this resignation, a by-election was held for the Whittlesey South Ward on 4th July and my next announcement is to confirm the appointment of Councillor Gurninder Singh Gill.

Councillor Gill, congratulations on your appointment and welcome to Fenland District Council and your first Full Council meeting.

Finally, I would like to take this opportunity to announce that this year's Civic Reception will take place between 6.30pm and 8.30pm on Friday 6th September at Gorefield Community Hall. I shall also be hosting a coffee morning here in the Council Chamber between 10.00am and 12.00pm on Friday 17th October. This will be held in aid of Damsons, a community support group based at Peckover House for people living with mild to moderate dementia and their informal carers. I look forward to seeing as many of you as possible at these events".

C15/24 **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.**

The Chairman stated that no written questions had been received under Procedure Rule 8.6. Councillor Booth asked the following question under Procedure Rule 8.4 as Leader of the Opposition.

- Following the decision by the previous Government to withdraw the moratorium on new incinerators what other practical matters can the Council undertake regarding the Wisbech incinerator now that the judicial review has been refused? Councillor Boden responded that although the area had been badly let down, the new government may be able to take action that could assist. Certainly, any proposal by government ministers to overturn the decision about the Wisbech incinerator would be resisted by civil servants, but their advice is not necessarily followed, particularly by one who would be involved, that person being Ed Miliband. A letter is being drafted to him as Secretary of State for Energy Security and Net Zero, Robbie Moore, Recycling Minister and Steven Reed, Secretary of State for the Environment to put a case to them that it would be in accordance with their own policies that they ran for election on. Anything that can be done will be done to get that decision reversed. Councillor Booth thanked Councillor Boden for his response, saying that is what he was hoping to hear, and he is sure would receive unanimous support from all members of the Council. It needs to be made clear that there is cross party opposition and all residents groups and associations in Wisbech and the surrounding area agree it would be the wrong decision to build this incinerator so near to schools and housing.

C16/24 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Members asked questions of portfolio holders in accordance with Procedure Rules 8.1 and 8.2 as follows:

- Councillor Hoy addressed Councillor Boden saying that during the election campaign, Councillor Patrick said the Liberal Democrats had done nothing regarding the Wisbech incinerator. She felt this to be an unfair comment as whilst she thought County Council could have done more, both Councillor Booth and Councillor Cutler had done a great deal. She asked Councillor Boden if he agreed it was unfair to make an assumption of an entire party when two individuals from that party on this Council had done a lot towards the campaign. Councillor Boden responded that it was not appropriate to bring party politics into the issue; there was complete support from the Council's opposition group leader and the members he represents and if fewer people had been concerned about party politics in this issue perhaps the outcome would have been better.
- Councillor Gerstner asked Councillor Mrs French if there is any update on Civil Parking Enforcement. Councillor Mrs French advised there was no update, but a solution is still being

worked upon.

- Councillor Sam Clark asked that Councillor Murphy convey her thanks to the Street Scene Team for their work investigating and prosecuting fly tippers. Two weeks ago, a vast quantity of waste appeared overnight in Newton-in-the-Isle. Street Pride members visited the site and found documents with a name and address. A Street Scene officer attended within the hour, collected the documentation, visited the address, gathered information and started a formal investigation. Within days, two individuals were identified for enforcement action which should lead to a prosecution. This incident highlights the professionalism of the Council's Street Scene officers and the strength of the partnership with Street Pride groups.
- Councillor Booth asked Councillor Mrs Laws for an update on the Local Plan. Councillor Mrs Laws said the Council's new Planning Policy Manager is currently reviewing the work done to date and mapping options for a pathway forward as proposed changes at national level may have an impact. Once this exercise is completed a more detailed project plan will be developed and shared with senior members which will include a range of stakeholders' engagement to ensure the final Local Plan reflects members' wishes. There is a lot going on within Planning and it is a case of waiting for Government. Councillor Booth asked if that meant there would be delay to a second public consultation. Councillor Mrs Laws responded that there would be a delay, there is no option and whilst the Council has a very good new planning policy manager, there has also been a wait for outside consultants' reports. However, all members will be kept informed, the working party will be resurrected and will move forward with the new guidelines from Government.
- Councillor Tierney addressed Councillor Boden and said that following the news about the incinerator he had been contacted by many residents who had a lot of questions. One of the most common refrains was that people felt the decision was a done deal from an early stage. Although he knows nothing about the workings of Government, he did find the timing of the end of the moratorium at almost the exact time that ministers ceased to be ministers was curious, and he wonders what role civil servants played in this. He has heard that both the leader of WisWin and the Mayor of the Combined Authority are going to write to the new Secretary of State so there is still a possibility that the new Government could show that there is no obstacle created by the civil service and that it is possible to reverse the decision. He would therefore like to ask the Leader if it is possible for every district councillor who wants to, to sign the letters that Councillor Boden previously mentioned to show a united front that is not based on party politics. Councillor Boden said he had no problem with members signing the letter if they so required, so long as it can be arranged without any delay to sending the letters.

C17/24 MOTION SUBMITTED BY COUNCILLOR TIM TAYLOR

Councillor Taylor presented his motion regarding weeds.

Councillor Nawaz seconded the motion stating that during the recent election campaign he had knocked on many doors in Whittlesey, and weeds was one of the major issues causing grievance and is a complaint repeated throughout the district. As minimum, weeds constitute a nuisance making the streets look scruffy and unsightly with rubbish getting caught up in them. He is aware that emergency calls have been made to Highways because excessive weed growth has impeded surface water drainage. The issue is prevalent, and he cannot understand the timing of treatment as suggested by the County Council.

The item was opened for discussion and Members made comments as follows:

- Councillor Miscandlon said he supported the motion because there has been a considerable increase in ragwort, which is dangerous for livestock and must be eradicated. The only way to do this is to use weedkiller and it needs to be done now.
- Councillor Count thanked Councillor Taylor for the motion although he took exception to the opening comment about the County Council's failure to deal appropriately with the weeds. Although not wrong, it was materially incorrect as County Council officers carried out the

instructions of the strategic political body that runs the Council. That body is made up of the Labour, Liberal Democrat and Independent Alliance which made a formal decision to stop weed killing despite being constantly warned by other members of the consequences of this approach and the resulting complaints that would come from the public. Those warnings and complaints were repeatedly ignored, and it was not until the groundswell of opinion reached fever pitch that they agreed to do something. There was a delay in immediate action as a little money was put in the budget process, but the budget was not passed until February this year. Spraying could have started in April but did not start until June, and it is now a case of too little, too late. Everyone can see how prolific weed growth is throughout the district and the resulting damage caused by roots which are well established. It will not be easy to eradicate them now with simple summer and autumn spraying. Councillor Count said that the administration then decided that as the weeds have grown too large and are too difficult to remove, they will need to be removed by hand. Councillor Count said he was angry to learn that the limited budget had already run out and many areas had not been touched. He felt it important to say that the county council officers had done a fantastic job of carrying out the instructions of the joint administration, they did what they had been told but this failed the public, despite the administration having been warned that this would happen. Councillor Count added that he is pleased the motion has been put forward; he will be supporting it because the situation as it stands is not good enough.

- Councillor Patrick said he would be supporting this motion having seen the state of Wisbech over the last year.
- Councillor Mrs French said she will support this motion but asked that it be sent to the Chairman of Highways and Transport as this was the committee where the decision was made to overturn the previous decision. She added that Councillor Count is right in saying that very little money has been put into the budget and that some parts of the County do not want the weeds sprayed which is a disgrace.
- Councillor Mrs Laws said she fully supports this motion and welcomes it. It was ludicrous for the County Council to say they were going to hand weed as it is a false economy. Weeds are coming through the gullies and into the drainage system and surface water has been a huge problem. We all complain about road surfaces, but the weeds have taken grip and are uprooting tarmac and lifting paving stones, which is a trip hazard. It was a ridiculous idea to stop weed spraying and she agreed with Councillor Miscandlon's point about the danger to animals.
- Councillor Tierney said that it is fair to say there is a policy difference at County Council level. It seems to him that there is nothing more important to those in charge than their environmentalism which then bleeds into every policy. He wishes that the Liberal Democrats and Independents at County were as sensible as those serving at Fenland District Council as here members work together to find common ground and work forwards and while this is not the case at County Council, these problems will keep arising.
- Councillor Gerstner said he also fully supports the motion. He had questioned Highways about their agenda for weed spraying in Whittlesey because the weeds are six feet tall in some places, but nobody could say when it would be done.
- Councillor Davis said that she supports the motion but warned that having asked when her area would be weeded, the date she was given has been and gone so any information they give cannot be relied upon.
- Councillor Imafidon said he supports Councillor Taylor's motion, adding that it is a false economy for the County Council not to spray the weeds. This is causing flooding in some areas of Wisbech as they are getting into the drainage system.
- Councillor Booth said that this is clearly a party-political motion based on many of the comments. The motion was raised last year but people forget that glyphosate must be used in dry periods, and it has been very damp this year but Highways have been applying weed killer and are trying to get round while they can but once sprayed, there needs to be time to allow glyphosate to take effect. The seasons are shifting and changing, and it is getting warmer later into the year. He does not disagree with what people are saying but repeated his opinion that this is a party-political motion. Meanwhile, ragwort can be mechanically removed, and

sometimes it has to be in order to remove the roots.

- Councillor Hoy said she understands Councillor Booth's point about it being party political, but it is hard to avoid that because the people in charge are of one persuasion. However, she would implore Councillor Booth to tell them a policy change is needed.

Councillor Taylor summed up saying that many farmers do use glyphosate in October to kill off the seeds that have fallen off the back of combines and then germinate, before they start working on the land. That late application also gives them a chance to hit a particular problematic weed for farmers called black grass, but normal annual and perpetual weeds would not be effectively growing in October unless there is a dry, hot summer. Farmers used to look after the roadsides but that was taken away from them. It concerns him that if the County Council are now looking at two applications of chemical spray, are they looking at preventing and stopping grass cutting as well? He thanked members for their comments and support for this motion.

The Motion was approved.

C18/24 TREASURY MANAGEMENT ANNUAL REPORT 2023/24

Members considered the Treasury Management Annual Report 2023/24 presented by Councillor Boden.

Councillor Mrs French thanked officers who have worked extremely hard on this, along with Councillor Boden.

Councillor Nawaz commented that the Council's fiscal management has been competent, and he will support and commend this report.

Councillor Boden said he was thankful for the recognition of the work done by officers and passed on his congratulations also.

Proposed by Councillor Boden, seconded by Councillor Nawaz and AGREED that the Treasury Management Annual Review 2023/24 be noted.

4.55 pm

Chairman

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Fenland District Council Fenland Hall County Road March Cambridgeshire PE15 8NQ
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Civic Engagements

From July 6,2024 to September 20, 2024

July 13, 2024	Afternoon Tea – Huntingdon Town Council Attended by the Chairman
July 14, 2024	Kings Lynn Festival Service -Kings Lynn &West Norfolk Borough Council Attended by the Vice Chairman
July 21, 2024	Thetford Civic Service Attended by the Chairman
July 25, 2024	Steak Night - Mayor of Raunds Attended by the Chairman
July 26, 2024	Jim Hocking – Wreath Laying St Wendredas Church Attended by the Chairman
July 29, 2024	Signing of Armed Forces Covenant Attended by the Chairman
August 6, 2024	Damson Charity Birthday Party Attended by the Chairman
August 17, 2024	Wisbech Park Run – First Birthday event Attended by the Chairman
August 19, 2024	Oasis Centre Event -Wisbech Attended by the Chairman
August 25, 2024	Cheese and Wine event Huntingdon Attended by the Vice Chairman
September 1, 2024	Sutton Bridge Memorial Event Attended by the Chairman
September 4, 2024	Barton Road Care Home Birthday event Attended by the Chairman
September 5, 2024	RAF Wyton event Attended by the Chairman
September 6, 2024	Fenland District Council Civic Reception Attended by the Chairman and Vice Chairman
September 7, 2024	Rushden Proms in the Park Attended by the Chairman



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September 13, 2024	Kings Lynn and West Norfolk Event – Royal Ship – Gloucester 1682 Attended by the Chairman
September 15, 2024	Thetford Battle of Britain Event Attended by the Chairman Mayor of March Civic Service Attended by the Chairman



Cabinet and Corporate Management Team

Portfolio Holder Briefing Report

**September 2024
(For performance in
June, July & August 2024)**

Cabinet Members



Cllr Chris Boden
Leader of the Council
& Portfolio Holder for
Finance



Cllr Ian Benney
Portfolio Holder for
Economic Growth & Skills



Cllr Jan French
Deputy Leader of the
Council, Portfolio Holder
for Revenues & Benefits
and Civil Parking
Enforcement



Cllr Sam Hoy
Portfolio Holder for
Housing & Licensing



Cllr Dee Laws
Portfolio Holder for
Planning & Flooding



Cllr Alex Miscandlon
Portfolio Holder for
Leisure & Internal
Drainage Boards



Cllr Peter Murphy
Portfolio Holder for
Refuse & Cleansing,
Parks & Open Spaces



Cllr Chris Seaton
Portfolio Holder for
Transport, Heritage &
Culture



Cllr Steve Tierney
Portfolio Holder for
Communications,
Transformation, Climate
Change & Strategic
Refuse



Cllr Susan Wallwork
Portfolio Holder for
Community, Health,
Environmental Health,
CCTV, Community
Safety & Military
Covenant

Communities

Projects from Business Plan:

Support Vulnerable Members of Our Community

ARP updates (Cllr French)

ARP continue to work to identify and prevent fraud leading to an increase in Council Tax income in the following areas:

- Local Council Tax Support
- Single Person Discount
- Council Tax
- Non-Domestic Rates.

The review of Single Person Discounts continues to provide positive outcomes. The ARP team are also working with the largest Social Housing provider in the Authority to tackle Right to Buy and subletting abuse.

The team continue to seek opportunities to identify dwellings and businesses not registered or having had an undeclared change in use, leading to increased charges, including possible retrospective charges.

The Cambridgeshire Fraud Hub continues into its second year. This work continues to consistently see savings outweighing the costs of the work in the areas of Local Council Tax Reduction and Single Person Discounts, with £243,064 fraud identified in Quarter 1 of this year alone. Funding for two additional posts from County has been secured for 2024/2025. The National Fraud Initiative (NFI) premium data matching has been funded by County.

Across the wider partnership, in Quarter 1, the Fraud and Compliance Team have identified fraud and error, for the ARP Local Authorities of over £1.5 million. Four successful prosecutions have concluded with custodial sentences seen in two out of four cases. Five official cautions and two Administrative Penalties have also been accepted as an alternative to prosecution. Ten cases are currently moving through the Court system with a further three cases awaiting sanction. In addition, there are 58 live criminal investigations ongoing.

The use of the Contact Us form by customers (which signposts customers to online forms to streamline avoidable customer contact) has risen sharply as we channel shift away from incoming emails to the form. Work progresses on the Council Tax and NDR mailbox in-tray, with our outgoing correspondence being updated. Over 4,500 forms were received in June with 80% automatically indexed.

Work continues on automation via a Capita form on Council Tax Change of Addresses, as well as automated Refund form to accompany the Direct Debit and Single Person's Discount (SPD) forms.

Work progresses on E-Billing with around 12% of Council Tax bills and 6% Business Rates bills being sent electronically. The bills are sent via PDF attachments to emails, which has lessened

the contact from customers compared to the previous method where they were required to log into a portal. A campaign is being undertaken amongst staff and Customer Services to promote and work is underway to contact all customers for whom we hold email addresses to promote if not already signed up.

In terms of performance in 2024-25 so far, Business Rates Collection is on target; Council Tax Collection remains on target year to date. Days taken to process Local Council Tax Support and Housing Benefit is not currently on target. This is due to the ongoing rollout of Universal Credit as migration files have increased, and staff have targeted new claims, so therefore volumes remain high. The staff continue to have focus days to target areas of work and we are confident that this will tackle the issue over the coming months.

Summary of the current position on the expansion of Universal Credit (UC)

The Department of Works and Pensions (DWP) now intends to contact households by benefit combination order, rather than geography.

Migration Notices have been issued to working age benefit households from April to June for those in receipt of Income Support; June to August for those in receipt of Housing Benefit only; July to September for those receiving income related Employment and Support Allowance (ESA) with Child Tax Credits; Pensioners on tax credits being asked to move to Pension Credit will be contacted from July, with those being asked to claim Universal Credit being notified from August.

Local authorities were sent a letter in April from the DWP confirming the announcement by the Prime Minister to bring forward the migration of ESA customers to Universal Credit from 2028 to 2025. This will have an impact on all local authorities as this includes a large number of working age Housing Benefit recipients.

As a result of this we are reviewing the potential impact on our resources and workload requirements as we are aware that the cohort of claimants moving from ESA to UC is likely to require additional support.

Supporting residents to manage the effects of the costs of living (Cllr Boden)

Our customer facing teams, including our Help Hub, provide support to residents struggling with cost-of-living issues in many ways:

- Issuing food vouchers
- Advising on additional benefits they can claim
- Signposting to other partners who can support
- Assisting with on-line Universal Credit (UC) applications
- Working closely with our ARP colleagues we signpost to avenues where discretionary benefits might assist
- We work with a huge range of partners who can also provide additional support, and we will link our customers into these channels
- We have just launched our Early Help Hub to provide an additional channel of support to residents who may be ready to return to the work environment, having had a protracted spell of ill-health.

As referred to above, the national timetable of the move to UC is likely to create a cohort of claimants moving from ESA to UC, which is likely to require additional support; and work

continues across the ARP with Communities Teams, referring customers who may need financial/welfare advice, with an ongoing campaign to contact customers who may be eligible to reclaim via TelSolutions.

Homelessness & meeting housing needs (Cllr Hoy)

So far in 2024/25 (Apr – Jul) the Housing Options team has successfully addressed the housing issues for 109 households where we assessed they were owed a duty to either remain in their own or found alternative accommodation within either a 56 day prevention period or 56 day relief period. This is broken down to 62 at the prevention stage and 47 at the relief stage.

Prevention means the household has accommodation but are threatened with homelessness. Here we usually attempt to keep the household in their current accommodation. Relief means they have left that accommodation therefore there is a need to source some alternative accommodation. This is usually the point at which a household would go into temporary accommodation.

The number of households seeking advice (homeless presentations) for this period were 684. The figure last year for the same period was 697.

Housing advice has been given to 351 households where no duties were owed by the Council. This means that following a housing needs assessment and any interventions there was no need to issue a formal homeless decision.

So far in 2024/25 we have accepted 86 prevention duties and 150 relief duties with 55 households being owed a main housing duty (owed a main housing duty means the Council could not resolve the housing issues presented by the household in either the “prevention” stage nor the “relief” stage and we now have a legal duty to find permanent accommodation and must accommodate them until the permanent accommodation is found).

The best outcome is to resolve the housing issue for as many households as possible within the prevention stage as this keeps them in their current accommodation. The second-best outcome is finding alternative accommodation for the household within the relief stage prior to having to make a main housing duty decision. The latter means that we sometimes need to make an adverse decision for the household such as not being in priority need or that they are intentionally homeless.

This context is important as it not only demonstrates our commitment to preventative work and that we are keeping people in their home but that we are able to get involved in a household’s homelessness situation early. Our prevention success rate so far in 2024/25 is 72% (the number of households prevented at this stage [62] divided by the number of prevention duties owed [86]).

We are trying our utmost to bring this successful prevention work into resolving more households’ issues at the relief stage. So far in 2024/25 we owed 150 relief duties with resolution found in 47 household’s cases. This is a relief success rate of 31%.

This had a significant impact on the overall reported performance indicator metric which is;

- The proportion of households presenting to the Council as homeless whose housing

circumstances were resolved through Housing Options work for the year = 46% (109 preventions divided by 236 households where duties were owed)

We continue to work hard to reduce B&B use for emergency accommodation. For example, the average stay for a family household in B&B is 11 days less than compared to this time last year.

Reducing Rough Sleeping (Cllr Hoy)

As at the end of July 2024 the Rough Sleeper Initiative (RSI) 5 Project were supporting a total of 21 clients. Of the 21 clients supported during this time; 6 were placed in off the street accommodation, awaiting their move on; 11 were street homeless and 4 were sofa surfing.

To date from this financial year, RSI have supported a total of 41 clients. Of the 41 individuals, we have successfully supported 13 into stable move on accommodation. This includes projects such as; Housing First, Supported living routes such as Ferry Project or Amicus, the Rough Sleeper Accommodation Programme with Clarion or reconnected with family or abroad.

RSI continues to support our core group of entrenched rough sleepers who do not actively engage with support. We speak regularly with our MHCLG advisor regarding these clients who suffer from multiple disadvantages and liaise with partners such as Changing Futures. This cohort is known as our Target Priority Group with MHCLG and we continue to adopt a multi-agency approach with partners to ensure the most support is being delivered to these individuals.

Housing Enforcement Policy & Empty Homes (Cllr Hoy)

April 2024 – July 31st 2024

Town	HMOs investigated	Other Homes investigated
Wisbech	15	42
March	6	19
Chatteris	8	7
Whittlesey	1	7
Villages	2	13

Total homes investigated is 120.

VILLAGE BREAKDOWN

Benwick = 1
Coates = 1
Coldham = 0
Christchurch = 2
Doddington = 1
Eastrea = 1
Elm = 1
Fridaybridge = 2

Foul Anchor = 0
 Gorefield = 1
 Guyhirn = 1
 Leverington = 1
 Manea = 0
 Murrow = 0
 Newton = 0
 Parson Drove = 0
 Stonea = 0
 Throckenholt = 0
 Thorney Toll = 1
 Tydd = 1
 Turves = 0
 Wimblington = 0
 Wisbech St Mary = 1

No.s of Notices Served April - December 31st 2023	S.11 Improvement Notice *	S.12 Improvement Notice **	Notice of Intent ***	Final Civil Penalty Notice ****	EIC R *****	MEES *****	EPC *****	Prohibition Orders
April	2	1	0	0	2	0	1	2
May	2	0	0	0	1	0	1	2
June	0	1	1	0	2	0	1	0
July	0	1	3	0	2	0	0	0
Total	4	3	4	0	7	0	3	4

* Notices served in relation to Category 1 (serious) hazards identified during inspection

**Notices served in relation to Category 2 hazards identified during inspection

***Notice issuing intent to serve a civil penalty fine due to a breach of legislation & can be reviewed by Assistant Director upon appeal if a request is submitted by the landlord.

****Final Civil Penalty fine issued after review by Assistant Director- (landlord can only make a further appeal to the First Tier Tribunal)

***** EICR- Requirement for Landlord to comply with Electrical Installation Regulations- Final Number of fines issued after internal review

***** MEES- Requirement for Landlord to comply with Minimum Energy Performance Regulations- Final Number of fines issued after internal review

***** EPC- Requirement for Landlord to comply with Energy Performance Certification Regulations- Number of fines issued after internal review

In summary, since the new approach to enforcement was implemented in September 2019, out of the 152 Enforcement Notices served:

- 126 have been paid in full.
- The remaining debts will continue to be registered as a Local Land Charge on the title deeds until they are paid, or the property is sold, at which stage the debt will be recovered.

Of the 65 Final Civil Penalty Notices served:

- 39 have been paid in full,
- 8 are subject to payment arrangements,
- 0 are subject to formal court action,
- 4 are with the High Court Bailiff,
- 3 are proposed to be written off as not recoverable
- 9 are subject to an ongoing appeal.

All fines from the EPC breaches have been paid.

Empty Homes

The tables below represent properties brought back into use up to and including 31 July 2024.

Table 1

Represents the total number of properties brought back into use through officer involvement. From 1 April 2024 to 31 March 2025

	LTE 6-11MTHS	LTEP 12MTHS +
Total Officer involvement	12	16
Total for the period	1.4.24 – 31.3.25	28

Table 2

Represents the number of properties brought back into use for the New Homes Bonus From 3 October 2023 to 7 October 2024 (CTB1 submission date)

	LTE 6-11MTHS	LTEP 12MTHS+
Total Officer Involvement	39	28
Total for the period	3.10.23 - 7.10.24	67

LTE = Long Term Empty

LTEP = Long Term Empty Premium

Golden Age & Supporting older people (Cllr Wallwork)

Due to the pre-election period we postponed our planned event in Eastrea on Friday 21st June as part of the Big Bash event week and it has been rearranged for Friday 20th September 2024 between 10am and 1pm at The Eastrea Centre.

A Golden Age event is scheduled to take place on Friday 13th September between 10am to 1pm at Tydd St Giles Community Centre.

There will be updates on both these events at the next Portfolio update report.

Leisure & Freedom Updates (Cllr Miscandlon)

Financial performance;

Q1 of 2024/25 has seen Freedom exceed income targets, but also incur higher expenditure than anticipated (due to energy costs and previous inflation levels for services and supplies). The business realised just under £1m income in the 3 months to July, but the excessive expenditure has meant a deficit £9k above the anticipated situation contained within the Leisure Operators Base Trading Account (LOBTA) submitted as part of the procurement process back in 2019.

Attendance

The number of participants within the leisure centres is marginally lower than the same period in 2023 down 3,401 to 123,641 in the first three month of 2024/25. Whilst there are smaller increases and decreases in all facilities across the key participation areas of gym / exercise classes / public swim / learn to swim, the reduction seen here is almost entirely attributable to a drop in public swimming at the George Campbell. The filter replacement (planned 1 week closure, over ran to 2 weeks) and subsequent pool pump failure (another week of closures or cool pool) mean a reduction in public swimming in the period of 4,656. No further pool issues or maintenance have occurred since Q1, so anticipated attendance levels to be reports after the end of Q2 should exceed 2023's results.

The number of gym membership are up 137, 3%, when comparing June 2023 and June 2024. The number of young people on swimming lessons has dropped by 146 (5%) to 2,893 per week when comparing June 2023 and June 2024.

Freedom has run several promotional campaigns over the period including;

- Refer a friend (April)
- No joining fee (last week in April)
- Move with Us (May)
- No joining fee (across May)
- 12 months for 9 (May)
- Swim Lessons – no admin fee (May)
- Swim lessons – free taster session (GCLC – April / May)
- 3 month, 20% off, m-ship Hudson (Mid May – end of June)

Social Media use is continuing to support attendance and membership generation, with the 4 facilities having individual Facebook and Instagram accounts, with a total community of 7,700 members at the end of June. In June social media reach was 94,055, with this generating 2,553 link click throughs, 8,855 visits to Fenland Freedom social media sites and 1,57 interactions with posts.

Freedom has generated several press releases in the period including an item on water safety that was picked up by Peterborough Telegraph, Cambs Times, Peterborough Matters and the Wisbech Standard.

Google reviews in the period include:

Chatteris Leisure Centre

- “Absolutely brilliant amazing staff they always check up on you”
- “Just wanted to say how much I enjoyed Matt's class. He explained things well and the class was well structured- a good mix- felt like a proper "road cycle"
- “Sean is lots of fun and gave everybody a great workout when running the maracas class”
- “Enjoyed the class, appreciated Adams detailed explanation of membership options”
- “Adam did a great tone & sculpt class, ensured everyone was comfortable at their own fitness level”
- “Great centre, lively atmosphere. Totally recommended””

Hudson Leisure Centre

“Well organised very neat the staff are very friendly””

Manor Leisure Centre

“Excellent Pilates class with Abbie””

“Great pool good facilities.””

“It has an ok gym. The pool is nice but the changing facilities not so much. The staff are friendly. It closes at 4pm Saturday and Sunday which doesn't suit me””

“Great place to come swimming and to relax”

Active Fenland (Cllr Miscandlon) – PH

The Active Fenland team continues to deliver a popular programme of low cost or free activities around the District. A full programme is available [here](#). Active Fenland sessions are commissioned by CCC Public Health Team and the Integrated Care System.

Health & Wellbeing Update (Cllr Wallwork) - The help hub

The health funded help hub has been operational since 3 June and by the end of July, it had triaged 91 residents who are either unemployed or have a GP sick note. The FDC triage team have worked with each client to understand the root cause of any barriers preventing work and referred them to a plethora of supporting agencies either in the voluntary and community sector or the public sector. It has been pleasing to see that there are examples of when the Council is now getting earlier heads up of a potential issue relating to our core services to make earlier and lower cost interventions. Examples of support include:

- Assistance with completing Direct Housing Payments for help with rent arrears and shortfalls in rent.
- Volunteering organisations to help keep active and for social support.
- Referral to Richmond Fellowship to offer support with existing employer.

Case study 1:

Customer out of work for 14wks. Previous role in caring but due to having a stroke is unable to return to this role.

The team made 2 referrals:

- to the Adult Early Help team for support at home with bathing.
- to the Papworth Trust for the Pioneer Programme to help with retraining.

Case study 2

This referral was one of the 1st help hub customers. He was referred from the DWP, as he had been given his notice in February. He suffers with arthritis. He was at a low point in his life after losing a family member a few months before. He was issued a foodbank voucher to help him through, which he was grateful for and was overwhelmed. The hub discussed his case with the disability coach at the DWP and what they would be able to help him with. The hub discussed support that he could possibly get for helping him around the house. At that time he was at too low a point to agree, but said he would think about it.

The hub built a rapport and talked about lots of things that he likes to do including photography and gardening. The hub then mentioned about volunteering. After saying no initially he did eventually sign up for Volunteer Cambs.

This built confidence and he is now working full-time and he says he has his Mojo back!

Feedback from an Officer from DWP:

“With regards to the referrals I have sent over to the team, the response from the claimants I have referred has been extremely positive. All callers have been spoken to with empathy and respect and have all come away with support or sign posting that has moved them forward with barriers be it schooling, housing, grants, foodbank support or referral to social support.

The gentleman that received food to his door was so grateful and moved by the kind gesture. I have had another customer that was signposted for social support around hoarding, and she is so happy to have received support and is even getting help to apply for jobs. I have others that have received housing and health support that has resulted in grants and white goods.”

Work with partners to promote Fenland through Culture & Heritage

Working with partners to promote Fenland through Culture & Heritage (Cllr Seaton)

Fenland Culture Fund:

A total of 19 applicants were successful with grants of up to £2000 each as part of the Fenland Culture Fund, funded by Arts Council England and the UK Shared Prosperity Fund. With a combined value of more than £34,000, more of those funded projects and activities have continued to take place since the last report.

- **Chatteris Midsummer Festival:** “The Fenland Culture Fund helped to make the Festival a success as it meant I was able to book all the acts and entertainment needed to ensure an action-packed weekend with limited costs to those attending.”
- **Wisbech & Fenland Museum:** “A fabulous morning with author and illustrator Moira Millman. Participants took inspiration from our latest exhibition, Beasts: epic creatures real and imagined, to create flipbooks that could be used to create magical mixed-up animals. The workshop was made possible thanks to a Fenland District Council grant

from the Fenland Culture Fund”.

- Wisbech & Fenland Museum: “A whopping 561 of you were counted through our doors, and many more of you enjoyed our courtyard activities and a glimpse of Inferno the dragon on his adventures in Museum Square. This free event would not have been possible without a grant from the Fenland Culture Fund. We thank them for their investment.”

Express Yourself:

The Express Yourself project was designed to support children and young people’s health and wellbeing through positively engaging with arts and cultural activity based on the NHS 5 Ways to Wellbeing. The 6-week long programmes have engaged with 363 young people across the district, and a range of artists and professionals delivering the sessions have also received further training and development opportunities. Both young people and artists involved have expressed the great improvement on their mood. In August a workshop called ‘Embedding Wellbeing into your Creative Practice’ was delivered involving 15 creatives and cultural practitioners to learn about supporting your own wellbeing creatively and empower the participants with skills to protect themselves in what can be challenging environments.

Place Partnership Fund:

An expression of interest to the Arts Council England Place Partnership has been submitted, with Clarion Futures as the lead applicant and FDC as a strategic partner. If successful, the project will see developed infrastructure and cultural leadership alongside developing festival activity culminating in new district-wide, multi-art festival activity in the summer of 2027. Officers are waiting for feedback as to whether a full application will be requested.

Supporting groups to hold public events (Cllr Murphy)

Please see updates [elsewhere in the report](#)

Pride In Fenland Awards (Cllr Wallwork)

Following the successful Pride In Fenland Awards 2024 earlier this year, the team are reviewing the event and looking at ways to bring in sponsorship for each of the categories. This will be the focus over the next few months and plans are in place to hold the next Pride In Fenland Awards after the elections in May 2025.

Key PIs:

Key PI	Description	Baseline	Target 2024/25	Cumulative Performance	Variance (RAG)
ARP1	Days taken: new claims and changes for Council Tax Support	9.52 days	9.00 days	11.97	
ARP2	Days taken: new claims and changes for Housing Benefit	7.37 days	8.00 days	15.19	
CELP1	Total number of private rented homes where positive action has been taken to address safety issues	294	250	120	
CELP2	The proportion (%) of households presenting to the Council as homeless whose housing circumstances were resolved through Housing options work (%)	45%	53%	46%	
CELP3	Number of empty properties brought back into use	86	50	28	
CELP4	Number of Active Fenland sessions deliver and total attendance per year	621	600	378	
CELP5	Satisfaction with our leisure centres (Net Promoter Score)	47	38	N/A (March 2025)	N/A
CELP6	Value of Arts, Culture and Creativity Grants achieved in Fenland	£199,000	£201,000	N/A (March 2025)	N/A

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

Comments
<p>In relation to ARP 1: Days taken to process new claims and changes for Council Tax Support and ARP 2: Days taken to process new claims and changes for Housing Benefit; unfortunately, the performance targets have not been achieved this month. Universal Credit migration files have continued to impact significantly on staff time. Staff have targeted Housing Benefit new claims and then CTRS claims this month; and assessing these claims has resulted in an increase in days to process.</p> <p>There are a number of measures that we have put in place to improve the performance in processing times, these include a focus on</p>

new claims, reducing Officer time (across the ARP partnership) on phone rotas thus freeing them up to process, reviewing tasks to focus on essential items only and continued monitoring of resources. We also continue to test the automation of migration notices, which we are receiving increasing numbers of, with the continued roll out to Universal Credit. We have seen a marked improvement in the past couple of weeks in our outstanding work reports, which is encouraging, particularly as we are in peak leave season.

We are on track to see real improvements in performance over the coming weeks, and this should be reflected in the next quarter's performance report.

Environment

Projects from Business Plan:

Deliver a high performing refuse, recycling and street cleansing service

Diverting waste from landfill (Cllr Murphy)

During the first quarter of this year, the teams collected more than 10,000 tonnes of domestic and commercial waste from our customers. Within this total, the Residual Waste (green bin waste) has reduced by 6.7% (418 tonnes) and blue bin recycling waste collected has increased by around 3.3% (71 tonnes). There has been slightly less garden waste collected, 1.8% (93 tonnes).

Collected Waste Tonnages	Quarter 1 2023/24	Quarter 1 2024/25	% Change
Overall tonnage	11,242	10,731	- 4.5%
Residual Tonnage (green bins)	6,196	5,778	- 6.7%
Dry Recycling Tonnage Actual (blue bins)	2,093	2,164	+ 3.3%
Compost Tonnage Actual (brown bins)	2,953	2,789	- 5.5%
Dry Recycling & Compost Tonnage Total (blue and brown bins)	5,046	4,953	- 1.8%

Collected Waste –		
Percentage Recycling (blue bins to green bins)	25.3%	27.3%
Percentage Recycling (blue and brown bins to green bins)	44.8%	46.1%

Customers are producing less residual waste than last year, which is good news against the background of property growth that Fenland has experienced. Customers remain active recyclers and the good quality recycling has increased. This increase is a refreshing contrast to the trend recently both locally and nationally which has seen reduced recycling.

By diverting this waste from landfill the Council has generated £121,000 of income from the County Council in recycling credits against their cost of landfill which would be in the region of £320,000.

We will continue to support our customers to maximise their recycling efforts and to treat their waste as a resource to generate income and reduce overall costs.

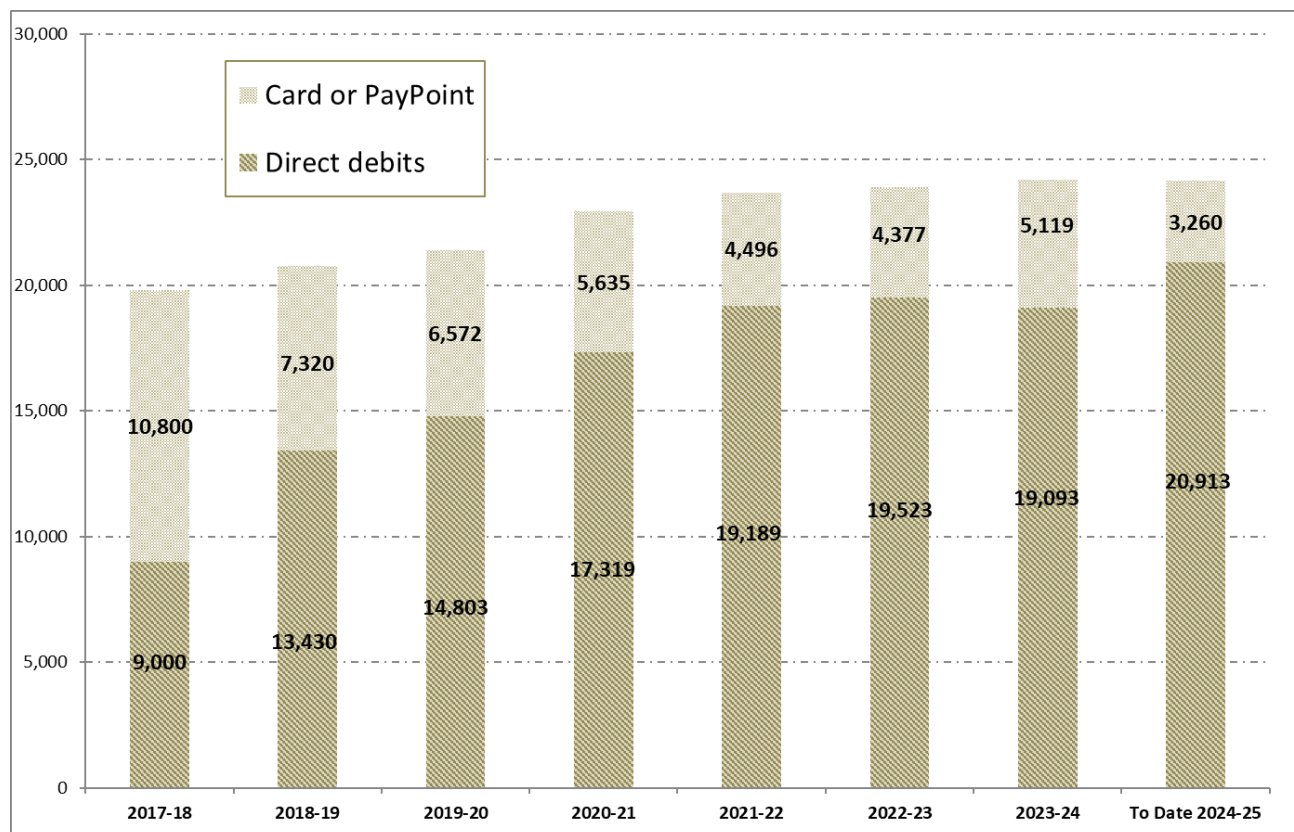
To protect the quality of recycling materials collected, the collection teams rejected 1,440 blue bins in the first quarter of the year. Each of these customers is written to with information about how to get their recycling correct. Alongside the checks upon collections, supervisors performed inspections of 1,702 bins with properties received information directly from them encouraging best use of recycling bins. Of the 1,702 bins inspected, 4% contained incorrect materials (43).

Garden Waste Collection (Cllr Murphy)

To date this year we have 24,173 subscriptions, with 87% direct debits and a total of

£1,099,450 of income. Last year there were a total of 24,212 subscriptions, with 78% direct debits, which generated an income of £985,000. This income covers the costs of providing the service.

Garden Waste Subscriptions 2017-2024



Delivering clean streets and public spaces (Cllr Murphy)

The cleansing team works 7 days a week, 364 days a year to keep Fenland’s streets and public open spaces clean.

Since April, the team have received 512 requests from the public to resolve environmental issues, such as litter, broken glass, flytipping, drug related litter or similar. 88% (451) of these were attended and dealt with the same or next working day.

The development, increased kilometres of kerbs requiring sweeping, the weather and the amount of building work taking place in some of the Fenland towns continues to place increased pressure on the available HGV mechanical street sweeping resource and schedules have had to move out to 8 or 10 weeks as a result.

The scheduled cleansing and Rapid Response service, with support from Fenland’s active local volunteers, including Street Pride groups, deliver clean streets and public open spaces in Fenland. The standard of cleanliness is monitored by Street Scene officers using Keep Britain Tidy surveying methodology across a range of land use types and all wards. Since April, officers have completed 434 surveys for litter and street sweeping and found 425 to be of a suitable standard (98%).

Work with partners and the community on projects to improve the environment and streetscene

Tackling fly-tipping, illegal parking, dog fouling, littering and ASB (Cllr Murphy)

Total number of fly tips during this time. Wisbech rural villages have been the most affected across the district.

Month	Total	Chatteris	March	Whittlesey	Wisbech	Villages
June	133	14	6	12	62	39
July	114	12	11	13	35	43

The Street Scene Team aim to be as proactive as they can and aim to attend fly tipped sites to look for any evidence and bring those responsible to account. Some of our proactive work is included below:

1 business has been fined in relation to waste relating to their business being found dumped in Whittlesey. This fine of £300 has now been paid.

4 Formal Interview Under Cautions have been carried out. All were questioned in connection with waste fund dumped.

Additional enforcement work is taking place on March Marketplace to raise awareness of the parking order following the recent improvement works. Sadly, we have had to issue **11 parking fines** to cars who were found to be parking illegally.

The team have received **a total of 55 reported abandoned vehicles**. All were investigated and 2 were removed by our contractor due to be a danger to the highway.

An internal and external partnership approach, coordinated by Community Safety and Street scene, has seen the removal of several 'abandoned vehicles' across the district being used for advertising purposes. The vehicles had been in situ for some considerable time and becoming an environmental nuisance. Consultation with Police, Cambs County Highways, Streetscene, Community Safety and planning have helped to identify potential offences and interventions.

Despite best efforts to work with the person believed responsible for the vehicles, it wasn't possible to achieve an informal resolution for all vehicles. Those considered to be the worst environmental nuisance were moved voluntarily.

However, for those that remained abandoned, vehicle legislation was found to be the best approach, and arrangements were made for the removal of the remaining vehicles using this legislation. In partnership with FDC's Contractor and County Council Highways, all remaining vehicles were moved from the public highway.

Maintain parks and open spaces through grounds maintenance contractor (Cllr Murphy)

The season has gone very well this year, despite some wet weather. Customer satisfaction

with FDC's open spaces remains high with attendances in the parks visibly buoyant. The addition of the pavilion in Wisbech Park and the café within has proved popular this year. Community events continue to use FDC's open spaces and are ever-popular.

Support community groups including Street Pride, In Bloom, Green Dog Walkers and Friends of groups (Cllr Murphy)

The council's Street Pride Coordinator took up a new job position at the council in May and therefore the role has been advertised during July and August, following some work with the transformation team to ensure the most effective and business focussed solution to resourcing environmental projects was in place. The new environmental projects officer, once appointed, will support a wide range of community groups including our getting it sorted volunteers.

Street Pride volunteers have continued their excellent work and held many events and working parties throughout June, July and August.

Highlights include:

Wisbech Street Pride, Wisbech in Bloom and The National Trusts 'Big Help Out' on Friday 7th June. Street Priders took visitors around Harecroft Fields to litter pick, hear about the great work they do and try out litter picking themselves, to see if it's something that they would like to volunteer to do in the future.

On Friday 5 July, Parson Drove Street Pride held an event to formally unveil their replacement carved log at the centre of the village. The old log had unfortunately deteriorated over the years to the extent that it was falling apart. The group applied to the Wryde Croft Wind Farm for funding to be able to replace it and were delighted to be awarded enough funds to engage a chainsaw artist to create a new log for the village. The unveiling event involved some of the local school children, the Street Pride volunteers, a representative from FDC and a number of villagers. They also unveiled a plaque at the oak sapling that was planted to commemorate the coronation of His Majesty King Charles III. The event was followed by tea and refreshments for all.

On 17 July 2024, Benwick Street Pride Volunteer Group welcomed the Anglia in Bloom judges David White, Kerry Maguire and Ruth Bradster to judge their entry to Anglian in Bloom. It was a very successful day with glorious weather. The group thanked all of their volunteers and supporters, in particular The FACT community charity and all those who donated towards their cause. They are hoping for a good result this year at the Awards ceremony sometime in September.

Working with town councils and the community to provide local markets and market town events (including Four Seasons events) (Cllr Murphy)

June was a great month for the Fenland Four Seasons events. Chatteris Festival was very successful attracting thousands of visitors across the course of the weekend. Highlights this year included Dangerous Steve stunt display and the children's fun day on the Sunday. The volunteers worked extremely hard to fund raise for the event throughout the year and will be holding a follow up fund raiser in October for next year's festival.

August has been a busy month for Whittlesey Festival too. They have been successful in securing grant support from Whittlesey Town Council for which they are very grateful. They

have also gained support from local private businesses. This means that at this year's festival, which will take place on Sunday 8th September, many of the amusements will be free of charge to the public. Attractions not to be missed this year include the Royal British Legion Marching Band and 160 classic vehicles.

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

There is currently no further update on the implementation of the CPE project. Progress on the implementation of CPE has been paused until such time as additional funding has been sought or agreed. It is estimated that the current budget shortfall is in the region of £500,000 but this figure is likely to increase with time by the annual CPI rate.

Reference should be made to the joint portfolio holder report for May [PHB Report for Council - May 2024 v2.pdf \(fenland.gov.uk\)](#) and the Cabinet report dated 18/12/2023 - Property, Assets & Major Projects – On and Off-Street Parking Enforcement Update Paper [Cabinet Committee Report CPE 18-12-2023.pdf \(fenland.gov.uk\)](#)

Officers have explored an alternative option and associated costs of introducing a District wide parking places order across all FDC owned car parks. Whilst this would not offer enforcement of on-street highway areas, this would enable off-street parking areas owned by FDC to be regulated and enforced which in turn would free up parking spaces to reduce the number of on-street parking contraventions. The estimated cost of this proposal is considered to be in the region of £75,000.

Street Lighting (Cllr French)

A total of twelve streetlight faults were reported and attended to during the months of June and July by Fenlands streetlight maintenance contractor on behalf of FDC and seven Parish Councils. Six of the reported faults related to District Council streetlights during this period. The performance figures for August were not available at the time of the report being prepared and so have been excluded.

An overview of the fault attendance can be seen below. These figures exclude any programmed replacement or upgrade works.

Fenland DC -	6 Fault Reports
Clarion -	0 Fault Reports
Parish -	6 Fault Reports

The above figures include one major fault which required attendance within 24 hours and one emergency attendance for District Council streetlight apparatus.

The current streetlight service provider contract has been extended until the beginning of November following an unsuccessful tendered exercise which closed on 15th July. A further streetlight repairs, maintenance and replacement work contract has been put out to tender and is due back on 2nd September. Following completion of the tender evaluation, governance and award procedures, it is anticipated that the new contract will commence in early November. The contract duration will be for three years with the option to extend for a further two years.

A contractor has been appointed to undertake the mandatory streetlight electrical and

structural integrity testing works for all streetlight assets either owned or managed by FDC. The works commenced in early August and is anticipated to be completed by the end of September. Following receipt and appraisal of the testing data, updated condition data will be sent out to Clarion Housing Association and the Seven Parish Councils FDC manage lighting assets for. The data will enable the asset owners to plan and budget for future replacement or upgrade works. It is also likely that the data will highlight some works which will require urgent action.

Capital Streetlight Replacement Works

A number of streetlight replacements or upgrades have previously been ordered through the existing streetlight contract for both FDC and on behalf of six Parish Councils. Officers are working with both our existing contractor and UKPN to complete as much of the outstanding works as possible prior to the end of the contract. Any works still outstanding at the end of the contract period will need to be cancelled with the existing service provider and carried forward to the new contract.

Due to the long material and associated connectivity led in times, no new replacement work orders are being placed through the existing contract with CTL. The remaining FDC capital streetlight replacement and upgrade works shall be ordered through the new service provider contract following receipt and analysis of the electrical and structural testing data.

FDC Car Park Maintenance (Cllr French)

All FDC's public car park inspections have been undertaken and officers are currently compiling a schedule of works for quotation. Any associated defects shall be quantified and actioned.

The FDC car park gully and surface water drain cleansing works contract is scheduled for re-tender in the coming months and will be in place prior to the annual cleansing work being undertaken in January/February 2025.

FDC officers continue to liaise with the National Trust in respect of the new lease agreement offer for the Chapel Road car park site in Wisbech. FDC's former lease will hold over on a protected lease arrangement until the final terms and conditions have been agreed.

Work with partners to keep people safe in their neighbourhoods by reducing crime & antisocial behaviour and promoting social cohesion

Community Safety Partnership updates (Cllr Wallwork)

ASB case study:

ASB case report received where customer has history of depression and is under the GP. Report indicated concern regards to current mental health situation but no immediate risk to personal wellbeing. Contact was made and arrangements to visit the customer were agreed. During the subsequent visit, some concerns were identified linked to access to food and general self-care & wellbeing. Consent obtained and the customer was subject of a referral

into the 'cost-of-living' support and a social care referral made.

As part of the Serious Violence Duty, Fenland CSP has secured funding to provide targeted youth provision to young people aged 11-19yrs in March, Chatteris and Whittlesey through to 31 March 2025. These programmes are specifically focussed on young people showing signs of being at risk of involvement in criminal activities, County Lines, criminal exploitation, or violence.

The programmes of support available includes:

Youth Outreach Activity across Chatteris, March and Whittlesey. In addition, there will be access to Mentoring, Sports Interventions, Creative Arts Interventions and Awareness Raising. The mentoring is focused on Chatteris and Whittlesey with sport and creative activities linked to March.

Before the extended school holiday period, partners from County Council Youth Services, local police team and FDC Community Safety delivered two County Lines awareness sessions to a small cohort of students at Neale Wade Academy. The sessions challenged perceptions around drug culture and drug dealing within peer groups and within gangs and included an input related to knife crime.

Fenland Diverse Communities Forum updates on delivering the Community Cohesion Action Plan (Cllr Wallwork)

Tackling hate crime:

An ASB report was received from a Benwick resident regarding graffiti appearing on a fence and the public highway. In addition to the hate nature of the words on display, there was a national situation of disorder linked to right wing hate motivations.

Linking with the customer, police, Diverse Communities Forum chair, County Highways and FDC's street cleansing team the necessary evidence was secured, and the offending graffiti removed before the end of the same day the report was received.

Cohesion action plan project example:

Fenland has one of the largest Gypsy Traveller communities in the Country. To help capture the history of Travelling people in Fenland and to aid integration, members of the Diverse Communities Forum and in particular Chatteris Museum, March Camera Club and One Voice4 Travellers have undertaken a project to document the complex histories of the Gypsy Traveller communities who have made Chatteris and Fenland their temporary or permanent home in the last half century. This follows on from an earlier project "Who lived in my House in 1921" which focused respectively on the changing townscape and its landmark buildings, and its population as recorded in the census of that year. This relied upon historic records, whether built or written. This project addresses the question, but what about those who did not live in houses, and moved from place to place?

The Museum's photographic collection and those of one of the members of the March Camera Club contain many historical images, from the 19th and 20th centuries, of Gypsy Travellers living on the Fen in their vans.

The project focused on a then and now picture lookalike from the perspective of their modern-

day counterparts. Looking at:

- How did/do Travelling people shape the life of the town?
- Why did/do they stop or settle here?

The project will enable all to reflect on these questions and to do this it will focus on documenting the discrete but overlapping lives of:

- Past and present Gypsy, Romany and Traveller communities;
- Travelling fairs, show people and entertainers
- Horse traders and general traders
- Reflecting on both van and house-based lives, and the transition between them.

Work has been/is being undertaken on the project rollout;

- Launch at the Chatteris Museum
- Cultural awareness training for Museum volunteers
- Collecting local stories at the Museum
- Roadshows and Festival

The project will be archived permanently at Chatteris Museum, to be used in future exhibitions, and digital outputs will be hosted on its YouTube channel, OV4T website and offered to the Traveller Times News Magazine.

Community Safety Grant Agreement updates (Cllr Wallwork)

UKSPF ASB project supported the WisBeach Rock Festival by offering different opportunities for youth engagement. There was football, rock climbing, jewellery making, and mental wellbeing relaxation sessions which attracted a constant flow of young people all day. Standout was the 60 individuals who engaged in discussions about volunteering opportunities through Cambridge Council for Voluntary Service (CCVS).

By engaging in conversations throughout the day with young people and parents, it was possible to provide valuable information and signposting to existing youth services including the detached youth work and youth café provided by Sports Connection Foundation within Wisbech Park each week.

There was also the opportunity to complete a youth focussed survey and signposting to youth activities available across the Wisbech area.

Following the Rock Festival, an introductory youth work and safeguarding course was held at the Wisbech Park Pavilion. Eleven participants attended the introduction into youthwork while twelve took part in the safeguarding course. Of the attendees, five were under 25, three of whom have since registered an interest in the Wednesday youth café and sports sessions. The other two are exploring volunteer opportunities. The session received positive feedback.

Safer Streets 5

Safer Streets 5 Officer has completed a follow up survey of the retail community who are part of the out-of-town commercial sector which is situated within the area of Wisbech subject of

this initiative. The same 22 stores were visited and asked the same questions as in December 2023, and retail theft continued to be the main issue. However, in all other categories there had been an improved situation. This included an increase in the number of outlets who were now reporting incidents of crime/ASB to authorities which is a priority objective of this project.

Community engagement

A Community Safety Partnership Engagement session took place in Whittlesey Library on 8 July 2024, coordinated by the community safety team at FDC and supported by Police, Bobby Scheme and Neighbourhood Watch. Residents were assisted with issues relating to electric scooters, safety concerns in residential areas, an assault, and drug related activity.

Community Safety supported the 'Clarion Resident's Community Day' in Sycamore Road, Whittlesey. Both the community safety team and Clarion had received reports of youth ASB this in this area and worked together with youth outreach partners to deliver an engagement event on an open green space, that was accessible to all of the local community. There was good engagement from local youth and other residents from within the locality.

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

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

From April to end of July 2024, the CCTV service has been able to respond to 430 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.

The CCTV intervention this has led to 65 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 and disorder, and anti-social behaviour, by delivering regular camera patrols of our four market towns and other key locations. Since April the CCTV team have delivered 1,564 patrols. All patrols all 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, damaged trees, to name but a few areas. Since April, the CCTV service has responded to over 103 calls for services from our telephone contact service.

The CCTV partner liaison meeting was held on Tuesday 6 August via MS Teams, which provided an informative and comprehensive update to all contributing partners and stakeholders on all matters relating to CCTV including a full performance update and review. These meetings are in addition to the quarterly performance updates that are provided to each town council partner throughout the year.

Street Drinking Update (Cllr Wallwork)

The police led partnership Operation Luscombe continues to provide a positive response to street drinking related anti-social behaviour.

Community reports to the police and Fenland District Council continue to be low in number. However, intelligence continues to be shared across partner agencies to help monitor the situation and to provide best opportunity to respond to an increase in street drinking nuisance.

This information sharing has identified some concern about the situation in St Peters Gardens and a potential new hotspot around the Old Market, both in Wisbech. There have been discussions with the local Police Inspector who continues to be supportive of the Op Luscombe model and has introduced new engagement/intervention directions for Luscombe patrol officers.

FDC/Police joint patrols continue, with patrols carried out at different times and days.

Key PIs:

Key PI	Description	Baseline	Target 2024/25	Cumulative Performance	Variance (RAG)
CELP7	Rapid or Village Response requests actioned the same or next day	93%	90%	88%	
CELP8	% of inspected streets meeting our cleansing standards	97%	93%	98%	
CELP9	% of collected household waste – Blue Bin recycling (1 month in arrears)	26.6%	28%	27.3%	
CELP10	Customer satisfaction with refuse and recycling services	93.6%	90%	N/A (March 2025)	N/A
CELP11	Customer satisfaction with our garden waste service	89.8%	85%	N/A (March 2025)	N/A
CELP12	Number of Street Pride and Friends Of community environmental events supported	255	204	June 24 July 21 August 17	
CELP13	% of businesses who said they were supported and treated fairly	100%	95%	N/A (Jul 2024, Jan & Mar 2025)	N/A
CELP14	% of those asked who are satisfied with events	97%	90%	N/A (Jul 2024, 96% Jan & Mar 2025)	N/A

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

Comments

Economy

Projects from Business Plan:

Attract new businesses, jobs and opportunities whilst supporting our existing businesses

Attract inward investment and establish new business opportunities (Cllr Benney)

The Cambridgeshire & Peterborough Combined Authority (CPCA) has recruited a sector team which will respond to FDI enquiries from DBT. The Economic Growth team has met with the team members and will host a visit by the team to Fenland. There have been 5 DTB enquiries received via the sector team relating to Biotech and Agritech. The Economic Growth team also met with a Dutch company and a British Embassy representative regarding potential investment in Fenland.

Provide responsive Business Support (Cllr Benney)

The Economic Growth team arranged for support for IPL staff facing redundancy following the closure of the March facility. Organisations providing job search, training and financial support attended a daylong session for employees at the facility.

Meetings were held with Fenland advanced manufacturing, food and robotics companies that are consolidating their operations in Fenland or looking to expand. A meeting was also undertaken with a recent Peruvian inward investment company who are planning to develop a manufacturing facility in 2025.

Promote business premises at South Fens, The Boathouse and Light Industrial Units (Cllr Benney)

The Estates team remain actively engaged with tenants of all sites. Overall occupancy across the investment estate remains high at 94.4%

All industrial units are fully occupied.

Boathouse occupancy has now risen to 100%.

South Fens Business Centre (SFBC) has fallen to 64.7%

We continue to have had a high turnover of tenants at SFBC. However, following the relaxation of the rents we are able to charge, we have seen a flattening of the curve and at least one tenant who had served notice to quit has reversed that decision based on the new rent profile and agreed a new lease. The Estates team are implementing a revised marketing strategy to commence in the autumn to maximise the exposure of the site.

Skills Update (Cllr Benney)

The Economic Growth team are working with the CPCA skills team to promote their Internship, Digital Badges and the My Skills platform to Fenland businesses. Companies that utilise the digital badging program can apply for up to £3000 to help them adopt the scheme

Environmental Health inspection and business support programme (Cllr Wallwork)

The council's food safety and health and safety regulatory service plans were published following portfolio holder consultation. These plans set out the forward plan for these statutory services and comply with the council's enforcement policy and national enforcement concordat. The plans can be read here:

[Food Safety Service Plan 2024/25 \(fenland.gov.uk\)](https://fenland.gov.uk)
[Health and Safety - Fenland District Council](#)

Food safety support

The table below sets out the number of support visits undertaken between April and July, and the resulting food hygiene rating score awarded following that visit. Data for August is currently not available however in the region of 15 more visits were undertaken.

FHRS score	5	4	3	2	1	0
5-0						
June	18	2	2	0	1	0
July	22	3	0	0	1	0

A total of 40 visits were undertaken in premises meeting the criteria for a food hygiene rating scheme award (take away and restaurant premises) and in total 63 interventions were undertaken, some of which include telephone surveys or questionnaires.

Premises receiving a score of 2 or lower will receive follow up visits. All premises, if unhappy with their score, may request a paid for reassessment.

The purpose of the food hygiene rating is to allow consumers to make informed choices about the places where they eat or shop for food and, through these choices, encourage businesses to improve their hygiene standards. Some premises may be excluded from the scheme or their rating may not be published for sensitivity purposes (e.g. data protection) however they are still rated in accordance with the standard.

[Search for ratings | Food Hygiene Ratings](#)

National sampling programmes

As part of both food safety and health and safety service plans, resource is allocated to undertaking sampling of various products and environments, following national study criteria.

There are currently 3 national surveys running.

- **Study 80:** Unpasteurised and pasteurised milk cheeses (UK and non-UK) from retail and manufacturers/dairies. Study to run from April 2024 until the end of March 2025.
- **Study 81:** Hygiene in Tattoo and Cosmetic Piercing Premises. Study to run from June 2024 until the end of November 2024.
- **Study 82: (Reactive Study)** Raw Shell Eggs (Non-Lion brand). Study to run from July 2024 until March 2025.

Currently we have 8 manufacturing / approved premises in the district. These include food preparation and packing premises. These approved premises are subject to more complex legislative requirements such as sampling of product and certain quality assurances.

Food allergen awareness

To support colleagues in trading standards services we are working closely to support their sampling campaign in relation to food allergen awareness. Trading Standards colleagues have accessed national funding streams to work closely with businesses to better understand this important food standards responsibility.

Health and safety support

Between April and 22 July supportive visits were undertaken with high risk or special project businesses.

There were 9 visits to tattoo and body piercing establishments. Some of these were to provide updated information and guidance and some to assess for additional licensing requirements to be added to current licenses. Thus, ensuring customers can be confident in the processes carried out to protect their health and safety, including infection control.

There were 13 visits to funeral director premises during June and July following a special request received from the Ministry of Justice and Department for Levelling Up, Housing and Communities.

This project was initiated following the distressing incident at Legacy Independent Funeral Directors in Hull and East Riding earlier this year, which has received widespread media coverage. The initial police investigation identified some concerns with practices at the premises and therefore each local authority was asked to undertake local visits. This information will be used to inform potential regulation of the industry, something which government have been reviewing since 2020.

A total of 13 visits were made. The visits, which were supported by an industry appointed representative for Cambridgeshire, followed a set protocol;

1. Hygiene, facility conditions, and capability
2. Traceability and transparency
3. Dignity and condition of deceased people in a funeral director's care; and
4. Pre-paid funeral plans.

A report was returned to Ministry of Justice setting out no local issues were identified.

Satisfaction with business support visits

Following the service plan interventions, a short survey is undertaken with customers. Approximately 25% of businesses are contacted and asked for feedback.

This year a total of 34 businesses have been surveyed and 100% provided positive feedback.

Promote and enable housing growth, economic growth and regeneration

Delivery of new homes (including affordable homes) (Cllr Laws & Cllr Hoy)

FDC have worked with Burmor and Accent on 48 new affordable homes in March, Cambridgeshire to allow work to start on site.

All homes will be available for social rent and achieve an EPC A rating. This development will provide a range of homes that will attract a diverse community and allow local residents to continue to live affordably in Fenland.

Properties will be available in 2026.

External funding bid and major projects updates (Cllr Boden) - all

Long-Term Plan for Towns (LTPFT), Wisbech (Cllr Hoy, Cllr Tierney, Cllr Wallwork)

Council Officers have successfully completed the requirements of MHCLG to access the LTPFT capacity funding. Work has been undertaken to set up a new Town Board in Wisbech with an independent chair, several local community representatives and representatives of local partner authorities.

The agreed aims and objectives of The Board are:

- To work together to shape and manage the development of a ten-year, long-term plan for the town.
- To work together to deliver a three-year delivery plan of projects (in the short term) for the town.
- To allocate and deliver projects in line with the Government guidance to invest £20,000,000 into the town of Wisbech.
- To explore new ways of working to maximise the impact of resource deployment within core organisational resources to address the priorities for the communities we support.
- To seek to add social value to the work we all deliver by considering wider socioeconomic, environmental and health impacts through our normal service and project delivery work.
- To work together to deliver a joined-up approach towards strategic interventions which improve the long-term opportunities and fortunes of our communities.
- To provide support and advice to the accountable body (Fenland District Council) in developing and governing a Long-Term Plan For Towns programme in line with the Government (MHCLG) prospectus.

The current makeup of The Board is as follows:

- Chair: Iain Kirkbright
- Member of Parliament: Steve Barclay
- Fenland District Council Member: Cllr Sam Hoy
- Wisbech Town Council Member(s): Cllr Susan Wallwork
- Police and Crime Commissioner (PCC) or their Representative: Chair to invite the PCC or ask the PCC for a senior local Police Officer to attend as the PCC's representative
- Local community member: Louise Pitt

- Local community member: Amanda Scott
- Local community member: Paul Faulkner
- Serving member of Cambridgeshire County Council: Cllr Steve Tierney
- Serving member of Cambridgeshire and Peterborough Combined Authority: Cllr Chris Boden

A long list of project ideas has been initially created which has been distilled down to form the basis of how The Board would like to see the investment spent.

The Board has taken its first actions to employ consultants (in line with MHCLG guidance on spending of funds) to create both a 3-year investment plan and 10-year vision for the town of Wisbech. Alongside this work there are public consultation events planned.

Following the recent change to central government, the deadline has been pushed back from 1 November to sometime in the future, although officers are awaiting clarity on this revised deadline from MHCLG. The Board have taken the decision to continue working with the consultants to generate the documentation as far as possible, however they have paused consultation until more information is available.

Shared Prosperity Fund and Rural England Prosperity Fund (Cllr Benney)

We remain in close contact with the CPCA about any potential SPF & REPF budget underspends from across the CPCA area that Fenland could utilise.

Shared Prosperity Fund

All grant offers have been issued and receipted invoices are now starting to be received into the Council enabling grant payments to be made to businesses. Additional funding has been made available and previous Expressions of Interest are being reviewed with the potential of inviting those businesses that just missed out in the 1st round to submit a full application.

Rural England Prosperity Fund

All grant offers have been issued and receipted invoices are now starting to be received into the Council enabling grant payments to be made to businesses. The grant scheme is being reopened to utilise surplus funding from the 1st round.

Start-Up/Early-Stage Grants

All grant offers have been issued and receipted invoices are now starting to be received into the Council enabling grant payments to be made to businesses. The grant scheme is being reopened to utilise surplus funding from the 1st round.

March Future High Street Fund (Cllr Seaton & Cllr French)

The March Future Highstreets fund programme continues through delivery phase and at pace. To date the Marketplace scheme has been completed on time and under budget, along with four property grants being provided to local property owners. March Dental and 24 Market Place have both received grants totalling £100,000 to improve their premises from empty/derelict properties to bring them back into use. Following intervention by the grants, FDC have been able to support the creation of two new purpose build business units (now let) and three new residential units (also let) within the town centre.

The Broad Street project continues to be delivered by the contractor Octavius, with regular community coffee mornings making officers and staff available to members of the public that may have questions or concerns. At the time of writing, phase one, two and three of the scheme are completed. The March toilet block has been removed and works continue to the western side of the road with a temporary roundabout and temporary road surface currently in operation throughout the works site.

Most importantly for the Town, the temporary traffic lights in Broad Street have now been removed. This allows traffic to flow through the town. As expected, the new roundabout design, alongside zebra crossings, is working very well and traffic is flowing much more effectively than it did in the past. The removal of the traffic lights at the northern end of Broad Street has significantly improved the traffic flow, with the zebra crossings allowing safe and swift pedestrian flow in the town centre.

Completion of the Broad Street capital works is currently programmed for late October 2024.

Following a successful Project Amendment Request to MHCLG, FDC have recently launched a further grant funding scheme for business owners to access funding for improving their shop-fronts. The team have received 16 Expressions of Interest to date with first full applications being requested in September.

11-12 High Street, Wisbech (Cllr Boden, Cllr Hoy & Cllr Tierney)

The cost of developing a meaningful building in the space where 11-12 High Street formally stood is considerable. Various options have been considered following the private developer pulling out due to affordability issues 2 ½ years ago. It should be remembered that the private developer was buying the plot for £1 and would have received £1m in National Lottery Heritage Funding – and still could not make the project viable.

Following discussions with Members, another option is being assessed for the space in terms of its cost.

Once a design has been settled on, the project will take several years to complete. Steps will include;

- Affordability; The cost of FDC's far smaller project at 24 High Street is around £3m. 11-12 is a space that is far larger – if this were built out the cost will exceed 24 High Street's significantly. Even a building on part of the plot will match – or exceed (given inflation in the past 18 months) the cost of 24 High Street. Potential funding partners such as the Wisbech Town Board, CPCA and National Lottery Heritage Fund will require an application process, associated governance and the time such processes take – with no guarantee of funding success.
- Designing the building.
- Planning permission – and the building is in a conservation area.
- Development of the specification for the building and the procurement pack for tender
- Tender, appointment of contractor, pre-contract period and the build itself. 24 High Street will take 2 years to construct due to the site difficulties and complexities, as well as the location of a compound away from the site and the High Street, meaning no road closures (unless very brief) are allowed.

24 High Street, Wisbech (Cllr Boden, Cllr Hoy & Cllr Tierney) – PH

24 High Street continues to progress, but remains a challenging site, despite the limited size of the build. Adjacent buildings lean into the space of number 24 and the fronts of all buildings along the side of the High Street do not match up. Our contractors are working around issues with our supporting consultants - architect, quantity surveyor, engineer.

The building is up to the second floor, more 40-year-old supporting steels within the 24 High Street gap have been removed, with roof completion expected in October.

Discussions are ongoing regarding the contractor's application for an extension of time for the project. Current expectations are completion in Q1 2025 calendar year.

The Elms, Chatteris (Cllr Boden, Cllr Benney, Cllr Tierney)

FFL and Lovell Homes are working on a reserved matters planning application.

Nene Waterfront Development (Cllr Boden, Cllr Benney, Cllr Tierney)

A planning application for the extra care scheme will be submitted in the Autumn.

Growing Fenland (Cllr Boden)

Chatteris Projects

The Chatteris Town Council managed Chatteris Museum project has now moved the museum into its new premises (the old Barclay's bank building in the High Street) as scheduled.

The contract for the works to 14 Church Lane is well underway in converting the former museum and town council chambers to create better workspaces, badly needed storage facilities and new community rooms. The existing first floor accommodation will become a residential flat, and initial work is now complete for the new build above the flat roof part of the building at the rear to create a second residential flat for rent. The building work continues but should be completed shortly, allowing Chatteris Town Council to move back after using temporary accommodation at 2 Park Street. As a result of the building works large meetings of the Council, including full council meetings, are being held at the King Edward Centre.

Whittlesey Projects

Funding from the CPCA, following the suspension of the Whittlesey Heritage Centre project, has been secured for work to;

- Develop an SOBC regarding a Whittlesey relief road (please see update on page 39).
- Add additional solar PV to the Manor swimming pool;
Business case developed. Procurement phase completed, awaiting results. Application to UKPN underway – awaiting notice from UKPN to proceed, prior to an order being placed. Expectation is that the solar will be fitted in the coming 3 months – subject to UKPN G99 notice permission.
- Improvements to the netball / tennis court area at the Manor Centre have been completed with a refreshed surface, new fencing and new lighting.
- Whittlesey Buttercross
The following improvements are planned and due to complete before March 2025;

- Remove phone box
- Reposition salt bin to alley way next to George Pub
- Remove bike rack outside Betfred
- Add a differing coloured tegula block every third block to highlight potential trip hazard
- Assess integrity of all Buttercross columns for future works if necessary
- Refurbish benching & paint additional wheat stalks / black bike racks / galvanised traffic signage / planters (where necessary)
- Assess drop bollards and replace as necessary; use lightweight lockable bollards & locate storage unit adjacent to litter bin beside George Pub. Remove temporary fencing once bollards are addresses

Wisbech Projects

Further works needs to be carried out to install equipment at Exchange Tower before the Shop Watch Radio Scheme can be progressed.

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 Benney)

The Estates team continue to engage as a key stakeholder in the ongoing accommodation review and to work with appointed agents in preparation of an outline business case to be presented to members in due course.

The first tranche of disposal continues as planning consents are granted followed by either a sale via auction or by private treaty. In the case of private treaty sales, to ensure fair value an independent valuation by a local RICS qualified surveyor is undertaken prior to disposal. Receipts to date have amounted to £431K with an additional £275K agreed in principle

Work has now concluded in relation to identifying potential sites for a further tranche of disposals, and these will be discussed with put before members for approval in due course prior to any disposal work commencing

Promote and lobby for infrastructure improvements

Promotion of sustainable road, rail and concessionary travel initiatives (Cllr Seaton)

Manea Station

The car park at the station opened in August 2023 with a soft launch. An official opening was held in January 2024.

March Station

The platform 1 building project and the refurbished and extended station car park was officially opened in May 2022.

Whittlesea Station

Following the completion of the second strategic outline business case and options appraisal

work in late 2022, additional funding needed to be sourced for the Outline Business Case (OBC) and to deliver projects on the ground. Following a public consultation in late 2023, the CPCA have approved £3 million pounds for Whittlesea Station from April 2024 to end of March 2027.

An initial Project Board Meeting was held in July 2024. High level options are now being developed for review in September which will then allow design work to be produced and schemes developed in the coming months.

Further details about the Whittlesea Station funding are available here [Document.ashx \(cmis.uk.com\)](#)

Hereward Community Rail Partnership

Community events and Meet the Manager sessions were held, along with the commencement of the CRP Try a Train Project. This programme aims to assist people with using the train and give them confidence to make independent journeys in the future. Children from local uniform organisations also attended safety and history talks at March Station. They also helped the station adopters with a gardening project. A women in railway event was also held to show girl guides about the opportunities for females to work in the railway industry.

The latest Highlights Poster detailing CRP activity from April 2023 to March 2024 is now available and can be viewed from the following link:

[Hereward CRP publishes its Annual Highlights Report poster. | Hereward Community Rail Partnership](#)

Engagement with CPCA and CCC on delivery of major road and rail infrastructure projects (Cllr Seaton)

Local Transport and Connectivity Plan (LTCP)

There is no specific update on this project

The LTCP sets out the forward transport strategy for Cambridgeshire and Peterborough. It is an essential document to help secure funding for local transport improvements. The CPCA are currently updating this document. In November 2023 the latest version of the LTCP went to the CPCA Board for further discussion and was adopted. This version of the document includes the full draft LTCP with the district chapters, the main report and all the appendices. It can be viewed from the link below.

[CMIS > Meetings](#)

Relating to the September 2023 version of the LTCP, at FDC Council on 2 October 2023, a motion was passed that the LTCP should be revised. The good elements should be retained and matters relating to deliverability and funding should be amended and prioritised. Any such prioritisation should recognise differences within individual districts. A copy of the motion has been sent to all CPCA Board members. Further details can be found in the FDC press release, a link to which is below

[Call for revised local transport plan - Fenland District Council](#)

Wisbech Access Strategy

There is no specific update for this project.

This is a CPCA funded project being delivered by Cambridgeshire County Council. It contains a range of transport projects in Wisbech that aim to address transport issues within the town

and to help support the delivery of the scale of growth in the Fenland Local Plan. 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 – A47 Broad End Road, A47 Elm High Road and A1101 Ramnoth Road/Weasenham Lane. A copy of the main accompanying paper for the meetings mentioned above 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>

There has been delays relating to land acquisition and ongoing discussions around related issues such as probate. This work is now expected to complete before the end of 2024. The next step for these 3 projects is to secure funding for their construction.

March Area Transport Study – Main schemes

This is a CPCA funded project being delivered by Cambridgeshire County Council. It includes a range of transport projects across March to address transport issues and to facilitate new housing and employment growth.

In July 2024, A paper went to CPCA Transport and Infrastructure Committee. The paper asked the Committee to approve the Full Business case (FBC)2 and the draw down of £7million pounds spend between 2024 and 2026. Discussion with CCC, FDC and the MATS Members Steering Group suggested that the £7million funding be to progress the schemes at Twenty Foot Road and St Peter's Road – total outturn cost of £6.1m and Northern Link Road FBC3 – estimated up to £0.9m. This was approved by the Committee.

Further details of the July 2024 meeting can be found in the link below:

[Agenda for Transport and Infrastructure Committee on Monday, 22nd July, 2024, 1.00 pm \(cambridgeshirepeterborough-ca.gov.uk\)](https://www.cambridgeshirepeterborough-ca.gov.uk/Agenda-for-Transport-and-Infrastructure-Committee-on-Monday-22nd-July-2024-1.00-pm)

March Area Transport Study – Walking & Cycling Schemes

The MATS project also includes a Walking and Cycling Strategy. £562,800 was approved at the October 2022 CPCA Board meeting. This funding allows for schemes in the Walking and Cycling Strategy to be progressed in 3 phases. The phase one schemes which are primarily lining and signing will be constructed and completed in full. Phase 2a schemes require further investigation and design work to determine the solution to be built. Phase 2b schemes require option development work as well as further investigation and design work. This funding will enable 28 projects to be progressed as set out above. Phases 2A and 2B will require further funding in the future for their construction.

An update on the walking and cycling schemes was provided by the CPCA at its Transport and Infrastructure Committee in July 2024. This was included in a paper setting out updates on the main MATS schemes. The majority of phase 1 is complete. Phase 2a is continuing and phase 3b has commenced. The link to this paper and further information is below:

[Agenda for Transport and Infrastructure Committee on Monday, 22nd July, 2024, 1.00 pm \(cambridgeshirepeterborough-ca.gov.uk\)](https://www.cambridgeshirepeterborough-ca.gov.uk)

The full technical details and feasibility study work associated with the March Area Transport Strategy 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 for this project. Work is ongoing to progress the individual projects as set out below.

This is a CPCA funded project with study work being taken forward by CPCA.

In November 2022, CPCA Transport and Infrastructure Committee and the Board approved work to Undertake an Options Assessment Report to provide the economic analysis on mode options, including existing information on heavy rail. This will be based on a service operating between Wisbech and March which removes the current dependency on Ely Area Capacity Enhancements whilst still being mindful of the future strategy to link into Cambridge. £80,000 has been drawn down from CPCA Medium Term Financial Plan to undertake this options assessment work. This study work is currently ongoing.

A link to the papers and information from the November 2022 CPCA meeting with the the relevant reports and papers can be found from the link below:

<https://cambridgeshirepeterboroughcagov.cmis.uk.com/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/2139/Committee/67/SelectedTab/Documents/Default.aspx>

A47

There is no specific update for this project. Work is ongoing to progress the individual projects as set out below.

In May 2023 National Highways released a series of documents and a consultation to support the Roads Investment Strategy 3 process covering the period 2025 – 2030. The consultation is live until 13 July 2023. It includes a Strategic Road Network Initial report, regional reports, and interactive maps. There are several references to A47 within the East of England regional report. The outcome of the consultation will feed into the RIS3 decision making by Government. The documents can be viewed from the following link:

<https://routestrategies.nationalhighways.co.uk/>

As part of RIS2 National Highways are working on a series of Pipeline scheme undertaking feasibility and other technical work to support decisions for RIS3. One of these projects is A47 Elm High Road roundabout. They are also considering this roundabout alongside Weasenham Lane/Ramnoth Road. Officers are providing extensive technical input into the project. The outcome of the work will go forward to Government as part of their decision making for RIS3. Any such decisions are expected to be in late 2024 or early 2025.

Whittlesey Relief Road Project SOBC

The Whittlesey Relief Road Strategic Outline Business Case (SOBC) project is being procured and managed by Fenland District Council with funding from the Cambridgeshire and

Peterborough Combined Authority (CPCA) market towns programme. The project commenced in March 2023 with a paper approved by FDC Cabinet for the Governance arrangements and procurement of a contractor to deliver the project. Please see the link to the Cabinet paper for further details.

[Cabinet Paper March 2023 - Whittlesey Relief Rd V2 6.2.2023 updated 02.03.23.pdf \(fenland.gov.uk\)](https://fenland.gov.uk/Cabinet%20Paper%20March%202023%20-%20Whittlesey%20Relief%20Rd%20V2%206.2.2023%20updated%2002.03.23.pdf)

A procurement exercise has since been completed and a contractor appointed in August 2023. The project agreed a programme to complete in late autumn 2024. Initial evidence and gap analysis work, including traffic surveys was completed in 2023 and early 2024. Technical workshops have been held to seek the views of key stakeholders and a case for change report has been completed. Option development work and associated high level designs are in progress. A public consultation is expected in Autumn 2024 and early preparation of materials and information is being progressed. All the steps of the project are in line with government business case guidelines.

Work with CPCA to influence housing and infrastructure funding to stimulate housing development and economic growth (Cllr Boden)

Work is underway across the CPCA area to make a pitch to Government through the submission of a Local Growth Plan with the aim that it will leverage in more inward investment into the area as a result. All Mayoral Combined Authorities have been requested to submit a Local Growth Plan to feed into central government's financial planning.

Key PIs:

Key PI	Description	Baseline	Target 2024/25	Cumulative Performance	Variance (RAG)
CELP15	% of major planning applications determined in 13 weeks	92.5%	70%	100%	
CELP16	% of minor planning applications determined in 8 weeks	68%	70%	86%	
CELP17	% of other planning applications determined in 8 weeks	85.75%	80%	88%	
EGA1	% occupancy of our business estates	94.2%	95%	94.4%	
MS1	% occupancy of Wisbech Yacht Harbour	95%	97%	90%	

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

Comments

Quality Organisation

Projects from Business Plan:

Excellent Customer Service

Customer Service Excellence accreditation (Cllr Tierney)

Our annual assessment took place on 13 June, and we have once again been reaccredited for Customer Services Excellence (CSE).

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 of its services, both customer-facing and internal, not just individual ones.

Following the remote assessment in June, the CSE assessor, Neil Potentier, stated that Fenland continues to demonstrate how they put residents at the heart of service delivery, with examples of reduced Council Tax and the introduction of new services, such as the Early Help Hub; a Transformation project at Stage 2 has added further channels, but traditional channels have also been enhanced ensuring access for the elderly, vulnerable or people who do not have a digital access.

Mr Potentier praised the Council, saying “The use of staff insight into delivering excellent services was already at a high level in 2023. However, staff insight has increased further through empowering the 3C’s (Compliments, Complaints and Comments) Team, which has led to them implementing their own ideas”.

Mr Potentier noted further, “the number and range of partner organisations is constantly increasing to meet the needs of a diverse community, including areas of deprivation”, with the Council “increasing their interaction with wider communities”.

We will continue to build on this achievement by continuing to listen to the valuable feedback of our residents and partners so we can identify opportunities for further improvements to our services.

Supporting vulnerable customers with complex queries (Cllr Wallwork)

Please see updates on [Homelessness](#), [Rough Sleepers](#) and [Community Safety](#).

Elections Update (Cllr Boden)

Parliamentary General Election 4 July 2024

On Thursday 4 July 2024 we successfully delivered the UK Parliamentary General Election for the North East Cambridgeshire Constituency.

There were 59 polling stations located across Fenland (the North East Cambridgeshire Constituency voting area) where 27,522 electors voted in person and a further 11,800 voted by post. The total eligible electorate for this election was 71,511.

The turnout was 54.99% and Stephen Barclay of the Conservative Party was duly elected.

This was the first General Election where electors were required to show Photo ID before they could vote in person at a polling station following the introduction of photo ID as part of the Elections Act 2022. We ran a campaign to raise and strengthen awareness of these requirements which included voter ID leaflet sent out with every Council Tax bill, email signature reminders, reminders on all post going out to in-person electors and an extensive programme of social media posts and press releases.

Following a Modern Polling iPad pilot rolled out across our previous two elections, the Elections Team and Polling Station Staff successfully used iPads in ALL polling stations in the North East Cambridgeshire Constituency at July's General Election.

By-Elections 4 July 2024

On the same day, Thursday 4 July 2024, the Council successfully delivered two By-Elections following the resignation of Councillor Mrs Kay Mayor as follows:

Whittlesey South Ward of Fenland District Council:

There were 3 polling stations located at St Andrews Parish Hall, The Manor Leisure Centre and Pondersbridge Village Hall where 1516 electors voted in person and 644 voted by post. The overall turnout was 58.21% and Gurninder Gill was duly elected.

St Andrews Ward of Whittlesey Town Council:

There was 1 polling station located at St Andrews Parish Hall where 692 electors voted in person and 331 voted by post. The overall turnout was 57.93% and Peter Bibb was duly elected.

Changes to European Union Voting and Candidacy Rights (EUVCr)

From 7 May 2024, following a change to legislation, European Union (EU) electors will only be able to vote or stand at Local Government elections in England if they are:

- a qualifying EU citizen
- a citizen from EU countries with reciprocal agreements with the UK, currently Denmark, Luxembourg, Poland, Portugal and Spain (referred to as the EU5), or
- an EU citizen with retained rights – EU citizens from other EU countries who were legally resident in the UK before 31 December 2020 (referred to as the EU19)

Eligibility Confirmation Review Process (ECR)

We are required to carry out an ECR on any electors that have not been confirmed as a qualifying EU Citizen via a DWP data check and by local data checks carried out by the team. We have written to all affected electors to explain the situation and to either confirm they are entitled to remain on the Electoral Register or to ask them to confirm one of the qualifying statuses above.

Approx 5000 electors have now been confirmed as a qualifying EU citizen and there are approximately 800 electors to follow up with reminder communications and personal visits where necessary. After all steps have been taken, any electors who confirm that they are not a qualifying EU citizen or those who fail to respond will receive a notice of removal and be removed from the electoral roll.

Annual Canvass 2024

The Annual Canvass was reformed in 2020, but the purpose of Canvass remains the same, to identify everyone who should be on the electoral register. The start of the annual canvass project this year was delayed when the snap Parliamentary General Election was announced, and because of this delay the canvass timetable had to be pushed back and therefore the revised register will be published on 1 February 2025.

The reformed canvass process incorporates a data matching step at the start in which registered electors are compared against National datasets to see if they match. The team also compare data against local datasets to match as many unmatched properties as they can. These steps inform us whether electors living in properties are likely to have changed allowing us to concentrate resources on the properties where data does not match.

Households of matched properties are allocated to Route 1 and those with email addresses received a Canvass Communication A (CCA) email, these emails require a response even if it is just to confirm there are no changes. We sent emails to approximately 25,000 households and have already received responses from around 25%. After the deadline non-responding households and those without email addresses will receive a CCA letter.

Households of unmatched properties are allocated to Route 2 and receive a Canvass Communication B (CCB) this route follows a more traditional canvass process with a reminder and a household canvass visit.

3C's Update (Cllr Tierney)

June - July 2024	Total received	On time	% On time
Correspondence			
	11	10	91%
Stage 1			
CELP	25	18	72%
GI	-	-	-
PRCS	7	7	100%
Stage 2			
CELP	1	1	100%
GI	-	-	-
PRCS	-	-	-
Stage 3			
CELP	-	-	-
GI	-	-	-
PRCS	-	-	-

Governance, Financial Control & Risk Management

Finance and internal audit updates (Cllr Boden)

The Annual Internal Audit Report and Audit Opinion for 2023/24 was presented to the Audit & Risk Management Committee (ARMC) at their July meeting. An audit opinion of 'reasonable assurance' was given over internal control, governance and risk for the Council. The Draft Annual Governance Statement was also presented at the same July meeting.

During the last quarter, work has started on the Internal Audit Plan 2024/25 (Debt recovery, Legal, Insurance, Grants, Taxi Licensing), and an update report on the status of the engagements within the Plan will be provided at the November ARMC meeting. A review of outstanding agreed audit actions is being undertaken to monitor their implementation by Services.

A new internal auditor now completes the audit team, whilst it remains small at 1.5 auditors and 1 manager. The Head of Audit sits on the newly established Corporate Governance Group and the Risk Management Group; the aim of both groups is to provide more concentrated focus on key issues. Work is also starting on assurance mapping of our risk register risks.

Data protection updates (Cllr Boden) – AB

There have been no reportable breaches of the UK GDPR during the period to which this briefing relates. However there has been 1 recorded breach requiring no further action. In the same period, there have been 2 data subject access requests.

Transformation and Efficiency

Transformation Project updates (Cllr Boden & Cllr Tierney)

The Transformation team are working with colleagues in the Procurement Team to ensure that all Officers are ready for the implementation of the Procurement Act 2023 in October.

With the Communities team we have mitigated risk and improved process efficiencies. This translates into quicker customer signposting for queries and better data handling and decision making.

The Hybrid Print and Post service review is addressing the cost of internal printing and is, making provision towards future cost avoidance of hardware.

The Marine Service Review is in the implementation stage, our recommendations were accepted for an improved maintenance schedule. This will provide a long-term cost avoidance

plan ensuring resilience in service provision. Alterations to the current standing operation procedure will result in an increased income.

The legal service review is underway, identifying improvement to expenditure decision making at Officer level empowering best value for the Council, as well as exploring ways to mitigate likely fee increases.

With effect of 1st August, we have implemented a more resilient approach for Public Health Funerals. We have an integrated new process between the My Fenland Bereavement team and the Environmental Health Team. The work is overseen by the Head of Environmental Health and Compliance, promoting a team approach.

We are working well with the Finance team to complete their Service Review and we expect to save Officer time by streamlining tasks that are administratively heavy.

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

Individual project updates are as detailed elsewhere in this report. A full review of 2022-23 was published in the Annual Report as approved by Cabinet on 17th July 2023. The report is available on our website. A review of 2023-24 will be presented to Cabinet in September 2024.

Communication, Consultation and Engagement

News update:

Due to the General Election on 4 July and the pre-election period commencing on 4 June, we were unable to publicise our normal selection of press releases.

The number of news stories added to the FDC website and distributed as press releases to local media in June = 3. We also created an additional 3 news articles we published on our website.

Highlights include:

- Active Fenland Activities this Summer
- Whittlesey By-Elections to be held on same day as General Election
- Don't miss Chatteris Midsummer festival 2024

The number of news stories added to the FDC website and distributed as press releases to local media in July = 8. We also created an additional 2 news articles we published on our website.

Highlights include:

- Council Maintains gold standard in customer services
- Event highlights free help available to innovative Fenland businesses
- Builders arrive at Wisbech High Street 'gap site'

- Fenland rail partnership launches art competition as part of anniversary celebrations
- Net tightening on Council Tax fraudsters
- Enjoy free summer activities in Wisbech Park
- Grants up to £25,000 available to help bring empty shops back into use
- Come along to free tea dances in Fenland towns

The number of news stories added to the FDC website and distributed as press releases to local media in August = 10. We also created an additional 3 news articles we published on our website.

Highlights include:

- Bids invited for March shopfront improvement grants of up to £50,000
- Fenland District Council formalises its commitment to supporting the armed forces community
- We need you to help us develop plans and secure funds for new and improved sports pitches, says Fenland District Council
- Bin collection changes in Fenland – make sure your blue bin is out early!
- Changing Places toilets improve accessibility in Fenland
- Whittlesey hosts enlightening talk on Bronze age archaeology
- Tributes paid to former Councillor and Mayor of Wisbech

All press releases are distributed to relevant press and media organisations, appear as a web article on the news pages of the [Fenland District Council website](#) and on our social media channels [Facebook](#) and [Twitter](#).

Monthly update on FDC social media sites

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

June:

Twitter = 102

Facebook = 98

July:

Twitter = 122

Facebook = 119

August:

Twitter = 115

Facebook = 109

We currently have 7,987 followers on Facebook and 8,806 followers on twitter.

Consultation Summary:

- Homelessness and Rough Sleeping Strategy – 8 July – 15 September 2024
- Taxi Tariff Consultation – July – 11 August 2024
- Fenland Play Zones – August – 8 September 2024

Consultation Strategy

Fenland District Council is committed to involving local people in shaping their area and the services they receive.

Fenland already has a good track record of consulting and engaging local people as a normal part of service delivery. We have well-established structures such as a network of Partnership Boards, user/focus groups and forums; we undertake regular customer satisfaction surveys; and we routinely undertake consultation across the full range of council activities.

The Consultation Strategy supports all the Council's core priorities as outlined in the corporate Business Plan. It is also aligned to our Transformation Agenda - Council for the Future.

The Consultation Strategy outlines our approach to consultation, who we will consult with, methods of consultation, our corporate consultation channels, and how we analyse and review our strategy.

The Consultation Strategy was approved at Cabinet on 15th July 2024.

Asset Management and Commercialisation

Commercial & Investment Strategy (Cllr Boden)

As part of the Commercial and Investment Strategy, a facility of £25m was granted to the Investment Board to finance capital expenditure to be undertaken in accordance with the aims and objectives of the agreed strategy. At the end of March 2024, £4m of this facility has been utilised to fund the acquisition of a commercial investment in Wisbech and a house in March. These acquisitions were approved at Investment Board meetings held on 16th March 2021 and 3rd December 2021 respectively. Further utilisation of this facility was used to fund the development of the two sites now owned by Fenland Future Ltd in line with the agreed Business Plan for 2024/25 has now been agreed.

The Commercial Investment in Wisbech has delivered a rental income of £230k every year since acquisition in March 2021 and continues to be on track for 2024/25. As we used our own funds to acquire this asset there is no external cost of capital and the loss of interest foregone on our funds is minimal at present. This acquisition has enhanced the Councils revenue position and has had a positive impact on the MTFS.

The most recent updates on the work of the Investment Board were presented to Cabinet at its meeting on 15 July 2024. The annual report on Investment Board activity will be presented to a the Overview and Scrutiny committee scheduled for 21 October 2024.

Fenland Future Limited (Cllr Boden, Cllr Benney & Cllr Tierney)

Fenland Future Ltd (FFL) has been granted Outline Planning permission on the two Council owned sites identified for development in their Business Plan. Work now progresses on options for the delivery methodology to be utilised in delivering the developments.

On The Elms site in Chatteris, Lovell Homes have been commissioned to work with FFL as a Development Management Partner and Design Architects, Planning Consultant and

Engineering specialists have been appointed to work up the Reserved Matters Application. At the Nene Waterfront in Wisbech, a Reserved Matters Application is being prepared for 1 of the 5 plots for a circa 70 home affordable housing extra care scheme.

Workforce Development

Workforce skills and training (Cllr Boden)

We have a strong commitment to learning and development. We believe that if we are to continue to deliver excellent services to our customers, our staff must be well trained.

We have an extensive learning and development offer for our workforce, which involves opportunities for formal and informal training; we have a range of learning resources available to all staff, e-learning, coaching, shadowing, secondments, in house training workshops delivered by our own in-house experts; as well as more formal courses and training and apprenticeships.

Staff value the learning and development opportunities that are offered at FDC and are able to indicate the difference that training makes to them and their team.

However, it is important that we continually review our learning and development offer to ensure it is fit for purpose and as accessible as possible.

We believe that talent exists in all our staff and that it is needs to be encouraged and nurtured. Every manager with staff responsibility manages talent through the following activities:

- Performance management
- Coaching and development
- Springboard (appraisal) discussion and regular 121's, which include a discussion about the learning needs and aspirations for each member of staff
- Recruitment

In the first few months of this financial year, we have arranged and delivered numerous development interventions based on the requests of our workforce, such as:

- IT skills courses
- Qualified project management skills courses
- Fire safety training
- First Aid training.
- People management skills workshops
- People Policies Briefings
- Mental Health First Aid Courses

to name but a few.

In addition to this, following the successful implementation of our new HR/Payroll software system, we have also trained the entire workforce on how to access and the use the new self-service application for booking holidays, submitting mileage and expenses, submitting sickness absence and recording the completion of annual appraisals.

Talent management and succession planning ensures ongoing organisational capacity and capability for the future and enables transformation; and at a time when more is demanded of less, it becomes increasingly important.

Supporting and empowering staff (Cllr Boden)

We are committed to supporting and empowering our workforce, and we have a range of support that our staff can access, from an Employee Assistance Programme (EAP)

The EAP is free and confidential for staff to use, and is available 24 hours a day, 7 days a week, 365 days a year and is accessible by phone, email and online.

The EAP is designed to help with a wide range of work, family, and personal issues. It provides practical information, fact sheets and packs, resource information on support services in the local area and even short-term face to face or telephonic counselling if required.

It is supported by a comprehensive EAP website offering extensive resources including articles, interactive tools, regular online seminars, confidential 24/7 support, self-help workbooks, Podcasts, blogs, videos, and articles on a range of topics, Debt advice, Debt Management, Domestic Abuse support, Wellbeing portal & App, Trauma programme and Exercise and Fitness advice.

Alongside this we provide additional support via our team of Mental Health First Aiders (MHFA), our Occupational Health Advisor, a range of family friendly policies and procedures, a comprehensive (cost neutral) employee benefits platform.

We also provide individual support via our HR team, service managers, our Management and Trade Union and Staff Partnership (MTSP) reps.

This year we will be carrying out pulse surveys for our staff via our new HR/Payroll system app to obtain more immediate feedback.

Enforcement

All enforcement policies updates (Cllr French (CPE), Cllr Laws (Planning), Cllr Murphy (Streetscene) & Cllr Wallwork Environmental Health))

The review of fixed penalty notice fines for environmental crimes will be presented, with recommendations to Cabinet, in September 2024.

Health & Safety

Maintaining Health & Safety Systems to comply with legislation (Cllr Boden)

The Council has a comprehensive suite of Health and Safety Policies and procedures, which all managers are aware of and trained on.

We have a Health and Safety Panel, with membership drawn from all areas of the Council. This Panel meets every quarter to ensure ongoing compliance in all areas; to track all health and safety related issues, accidents and near misses.

An ongoing Action Plan to monitor the corporate health and safety goals is in place and well established. Work continues to drive forward improvements in health and safety management where required.

In 2024/25 the emphasis will be to support managers and staff to continue good standards of health and safety,

A summary of some of the work planned for 2024/25 is provided below:

- Continue to review and update of the Council's Codes of Practice as required under the three yearly revision programme, and/or because of any legislative changes.
- Delivery of the ongoing corporate health and safety training programme.
- Conduct accident investigations as applicable and continue to build management skills in conducting these investigations.
- Coordinate delivery of a health surveillance programme across the Council.
- Development of e-learning training courses for the Council's new e-learning platform.
- Undertake audits/inspections of individual services/teams/buildings as per the audit programme.
- Continue to update intranet-based health and safety information for staff use.
- To deliver a programme of proactive health and welfare events across the Council

Health & Safety Action Plan updates (Cllr Boden)

Good progress has been made over the last 12 months to deliver our objectives as set out in the health and safety action plan for 2024/25.

Some of the actions are highlighted below:

- The final roll out of internal health and safety e-learning courses developed for staff training.
- An analysis of all accidents and their consequent actions has been undertaken.
- The Accident Incident Rate (based on 100 per employees) was 7.71, which is an increase of 1.4 on the previous.
- Health and Safety corporate training was delivered to a total of 65 staff.
- A programme of audits and inspections undertaken.

Other Updates:

Cambridgeshire & Peterborough Combined Authority (CPCA) update (Cllr Chris Boden)

Information relating to the CPCA can be found on their website:

[Cambridgeshire & Peterborough Combined Authority \(cambridgeshirepeterborough-ca.gov.uk\)](https://www.cambridgeshirepeterborough-ca.gov.uk)

Mayoral decisions can be found [here](#).

Office decisions can be found [here](#).

The papers for recent meetings can be found by clicking on the links below:

CPCA COMMITTEE	DATE OF MEETING	LINK
Combined Authority Board	24.07.24	Agenda for Combined Authority Board on Wednesday, 24th July, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Combined Authority Board	04.09.24	Agenda for Combined Authority Board on Wednesday, 4th September, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Business Board	30.09.24	Agenda for Business Board on Monday, 30th September, 2024, 2.30 pm (cambridgeshirepeterborough-ca.gov.uk)
Audit & Governance Committee	18.07.24	Agenda for Audit and Governance Committee on Thursday, 18th July, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Audit & Governance Committee	26.09.24	Agenda for Audit and Governance Committee on Thursday, 26th September, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Environment & Sustainable Communities Committee	31.07.24	Agenda for Environment and Sustainable Communities Committee on Wednesday, 31st July, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Overview & Scrutiny Committee	11.07.24	Agenda for Overview and Scrutiny Committee on Thursday, 11th July, 2024, 2.00 pm (cambridgeshirepeterborough-ca.gov.uk)
Employment & Skills Board	24.09.24	Agenda for Employment and Skills Board on Tuesday, 24th September, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Investment Committee	29.08.24	Agenda for Investment Committee on Thursday, 29th August, 2024, 2.00 pm (cambridgeshirepeterborough-ca.gov.uk)
Investment Committee	30.09.24	Agenda for Investment Committee on Monday, 30th September, 2024, 11.30 am (cambridgeshirepeterborough-ca.gov.uk)
Transport & Infrastructure Committee	22.07.24	Agenda for Transport and Infrastructure Committee on Monday, 22nd July, 2024, 1.00 pm

		(cambridgeshirepeterborough-ca.gov.uk)
Transport & Infrastructure Committee	18.09.24	Agenda for Transport and Infrastructure Committee on Wednesday, 18th September, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Skills & Employment Committee	29.07.24	Agenda for Skills and Employment Committee on Monday, 29th July, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Skills & Employment Committee	09.09.24	Agenda for Skills and Employment Committee on Monday, 9th September, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)

Forthcoming CPCA meetings include:

CPCA COMMITTEE	DATE OF MEETING	LINK
Combined Authority Board	16.10.24	Agenda for Combined Authority Board on Wednesday, 16th October, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Business Board	11.11.24	Agenda for Business Board on Monday, 11th November, 2024, 2.30 pm (cambridgeshirepeterborough-ca.gov.uk)
Audit & Governance Committee	08.11.24	Agenda for Audit and Governance Committee on Friday, 8th November, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Environment & Sustainable Communities Committee	25.10.24	Agenda for Environment and Sustainable Communities Committee on Friday, 25th October, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Human Resources Committee	14.10.24	Agenda for Human Resources Committee on Monday, 14th October, 2024, 1.00 pm (cambridgeshirepeterborough-ca.gov.uk)
Investment Committee	21.10.24	Agenda for Investment Committee on Monday, 21st October, 2024, 2.00 pm (cambridgeshirepeterborough-ca.gov.uk)
Overview & Scrutiny Committee	07.11.24	Agenda for Overview and Scrutiny Committee on Thursday, 7th November, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Transport & Infrastructure Committee	04.11.24	Agenda for Transport and Infrastructure Committee on Monday, 4th November, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)
Skills & Employment Committee	21.10.24	Agenda for Skills and Employment Committee on Monday, 21st October, 2024, 10.00 am (cambridgeshirepeterborough-ca.gov.uk)

Key PIs:

Key PI	Description	Target 2024/25	Cumulative Target	Cumulative Performance	Variance (RAG)
PRC1	% of customer queries processed at the first point of contact	99%	85%	99%	
PRC2	% of customers satisfied with our service (measured annually in February)	97.94%	-	N/A (Feb 2025)	
PRC3	% of contact centre calls answered within 20 seconds	43.96%	46.5%	54.48%	
PRC4	% of contact centre calls handled	83.46%	80%	92.06%%	
ARP3	In year % of Council Tax collected	100%	37.55%	37.90%	
ARP4	Council Tax net collection fund receipts	£73,595,060	£27,637,195	£27,810,092	
ARP5	In year % of NNDR collected	96.57%	36.23%	38.07%	
ARP6	NNDR net collection fund receipts	£28,409,318	£10,505,497	£11,756,589	
HR2	% of staff that feel proud to work for FDC	87%	-	N/A (Dec 2024)	

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

Comments

Motion submitted by Councillor Tim Taylor

LABELLING MEAT TO PROMOTE CONSUMER CHOICE

Before I start, I want to reiterate that this motion is not about religion. It's about animal welfare and most importantly consumer choice and truths.

There is currently no requirement by government for meat products to be clearly labelled with information about the method of slaughter used to bring the products to the market. Every food outlet, supermarket, butchers etc have a legal right to know their supply source but presently there is no requirement for that information to be passed on to the consumer. That said, abattoir codes have to be on packaging but if you don't know the codes, you will not be able to identify the method of slaughter used.

If the meat products are more clearly labelled it would enable customers to make more informed choices to include people who do and do not wish to purchase e.g. kosher and halal products.

This would then allow full consumer choices with no misleading or difficult to understand labelling.

MY STATEMENTS

LABELLING MEAT TO PROMOTE CONSUMER CHOICE

Council notes:

- 1 that it is legal in the UK for animals to be slaughtered for food in accordance with Halal and Kosher religious practices.
- 2 that some people prefer not to purchase products that have been slaughtered in accordance with Halal and Kosher religious practices.
- 3 that meat produced in accordance with religious slaughter requirements is not necessarily so labelled through the meat trade and when sold to customers.
- 4 that abattoir codes on meat, required by law for traceability, mean that all involved in the meat trade (other than the consumer) know whether meat has, or has not, come from a source where animals are religiously slaughtered.
- 5 that consumers should be able to make an informed choice about what meat products they purchase and should be able to clearly identify the manner in which it has been slaughtered.

Council therefore resolves to support and promote the voluntary labelling of meat which has not been religiously slaughtered.

This motion to be sent to the Secretary of State for DEFRA, our MP, the NFU, the Countryside Alliance and Pro-Farmers United.

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Motion submitted by Councillor Gary Christy

Changes to the Winter Fuel Allowance and Protecting Pensioners from Fuel Poverty

The new Labour Government has chosen to remove the Winter Fuel Payment from pensioners, and this will have a devastating impact on vulnerable people this winter.

The Winter Fuel Payment has been a lifeline for many older people and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.

From this autumn, those not on pension credit or other means-tested benefits will no longer receive the annual payments, worth between £100 and £300.

In Fenland the number of people eligible for Winter Fuel Payments in 2022/23 was 22,033. The estimated number of people under new plans is 2,536, meaning 19,497 people will lose this benefit. That is a loss of at least £5million in benefits to the pensioners of Fenland.

While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Fenland sit just above the cut-off for Pension Credit and will now lose their allowance.

The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.

The government's approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

Labour's policy is regressive and backward, particularly for those living in rural communities.

Labours policy will mean more pensioners will die from the cold this winter.

Council is asked to note:

1. The proposal to remove the Winter Fuel Payment (WFP) from pensioners who do not claim Pension Credit or other means tested benefits has the potential to disproportionately affect our most vulnerable residents, particularly those in rural communities.
2. The significant role that Winter Fuel Payments play in helping older residents of Fenland afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.

3. The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
4. The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.
5. Rural pensioners often live in older, less energy-efficient housing, with over 70% of rural homes in the UK built before 1980. These homes are typically harder and more expensive to heat due to poor insulation and outdated heating systems.
6. That all pensioners deserve to live in warm, safe homes, and that removing support will increase the risk of cold-related illnesses and excess winter deaths among our elderly population.

Council is asked to support this motion and to resolve to:

1. Condemn the proposal to remove the Winter Fuel Payment from pensioners who do not claim Pension Credit or are on other benefits, recognising the disproportionate impact this will have on our most vulnerable residents, particularly those in rural communities.
2. Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
3. Commits to Write to the Secretary of State for Housing, Communities and Local Government to ask for funding for a local advertising and outreach campaign to raise awareness about Pension Credit and other benefits, targeting pensioners who may be eligible but are not currently claiming.
4. Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.
5. Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Fenland are supported in claiming their entitlement.

Protecting Our Most Vulnerable Pensioners from Fuel Poverty

Supplementary Information


One in five excess winter deaths are directly attributable to cold homes, and one in ten to fuel poverty. (1)

This policy unfairly affects rural communities, as:

- Rural housing is more likely to be older and less energy-efficient, with a significant proportion built before modern insulation standards were introduced.
- Over 70% of rural homes in the UK were built before 1980, compared to about 50% in urban areas. (2) Rural houses have on average 49.6% energy efficiency compared to 65.5% in city centres. (3)
- Many rural homes are not connected to mains gas network, with households often relying on more expensive off-grid heating sources like oil, wood, or canister LPG. Around 1.5 million homes in the UK rely on oil for heating, with the majority located in rural areas. (4)
- Heating oil in January 2020 was 54p per litre, it is now 66p p/l, further straining the limited financial resources of rural pensioners. (5)
- Public Health England reports a 1.5% increase in Excess winter deaths (EWDs) for every degree Celsius drop below 18°C, underscoring the critical need for adequate heating.
- Excess winter deaths (EWDs) are a significant issue, with over 30,000 EWDs recorded in the UK each year, and a higher incidence in rural areas where healthcare access is limited. (6) (7)
- Rural communities often face isolation due to poor transport links and limited access to services. This lack of connectivity can hinder pensioners from accessing alternative financial support, energy efficiency schemes, or healthcare services. (8)

1 Office for Health Improvement and Disparities (OHID) 2023 2 English Housing Survey: "Energy Efficiency of English Housing 2021 3 DLUHC English Housing Survey data on energy performance 2022 4 Citizens Advice: "Off-Gas Consumers: Information on Households without Mains Gas Heating" 2019 5 Office for National Statistics – Average heating oil price 1000 litres 6 Public Health England: "Excess Winter Mortality in England and Wales 7 National Institute for Health and Care Excellence (NICE) 8 Department for Work and Pensions (DWP): "Income-related Benefits: Estimates of Take-up 2019-2020 community.

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Agenda Item No:	10	
Committee:	Council	
Date:	30 September 2024	
Report Title:	Overview & Scrutiny Panel Annual Report 2023/24	

COVER SHEET

1 Purpose / Summary

- 1.1 The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Panel during 2023/24 and takes a forward look at the programme of work and challenges for the Overview and Scrutiny in 2024/25.

2 Key Issues

- 2.1 The Local Government Act 2000 sets out the requirements of a modernised democratic structure for local authorities. The Act includes the establishment of an Overview and Scrutiny Panel or Committee.
- 2.2 Article 6 of the Council’s Constitution sets out the Overview and Scrutiny Panel’s terms of reference. There is a stated requirement for the work and working methods of the Overview and Scrutiny Panel to be reported annually to the Council.

3 Recommendations

- 3.1 That full Council acknowledges the broad scope of work undertaken by the Overview and Scrutiny Panel during 2023/24.

Wards Affected	All
Report Originator(s)	<p>Amy Brown, Assistant Director for Legal and Governance amybrown@fenland.gov.uk</p> <p>Elaine Cooper, Elections Team Leader ecooper@fenland.gov.uk</p>
Contact Officer(s)	As above
Background Papers	<p>Overview and Scrutiny Panel Agendas, Report and Minutes for 2023/24: Browse meetings - Overview and Scrutiny Panel - Fenland District Council</p>

OVERVIEW & SCRUTINY PANEL ANNUAL REPORT 2023/24

1 CHAIRMAN'S FOREWORD

It is a legal requirement for each local authority to set up a scrutiny process as a function of the Council.

Fenland District Council currently has a single Overview and Scrutiny Panel and the functions for which it is responsible are set out at Procedure Rule 5 of the Constitution.

As a matter of good governance and in the delivery of my role as Chair of the Overview and Scrutiny Committee, it is my pleasure to present the Annual Report for 2023/24.

I would first like to take this opportunity to thank members of the Panel for their time and contributions to the work programme over the term of their appointments and in particular, for the purpose of this report, during the last municipal year.

The Overview and Scrutiny Panel has an important role to play in overseeing the performance and delivery of services. This year the Panel has again had the benefit of receiving a variety of reports from internal and external colleagues across a broad range of service areas pertaining to the Council's core priorities. The cross-party Task and Finish Group established in the last municipal year also successfully concluded its review into the Council's corporate performance indicators making recommendations which were ultimately incorporated into the approved Business Plan. The Panel will continue to keep these changes under review as part of its annual oversight.

In the coming year, the Panel has and will continue to receive regular performance updates to ensure that services perform well. The future work programme will be published with the Agenda for each meeting and will focus on issues that are of paramount importance to local residents and businesses. Business will include updates on the Council's performance against corporate priorities as well as scrutiny of external organisations such as Clarion, Anglian Water and the regional representatives for the Arts Council.

I am confident that the Panel will utilise its ongoing knowledge and expertise to maintain the high standards expected of it in performing its functions and look forward to reporting on these again next year.

Maureen Davis
Chairman, Overview and Scrutiny Committee 2023/24

2. THE OVERVIEW AND SCRUTINY PANEL 2023-2024

Councillor Maureen Davis - Chairman
Councillor Roy Gerstner - Vice Chairman
Councillor Brenda Barber
Councillor Gavin Booth
Councillor James Carney
Councillor Lucie Foice-Beard
Councillor Alan Gowler
Councillor Anne Hay
Councillor Sidney Imafidon
Councillor Dr Haq Nawaz
Councillor Dal Roy
Councillor Elisabeth Sennitt Clough
Councillor Andrew Woollard
Councillor Gary Christy (Substitute)
Councillor John Clark (Substitute)
Councillor David Connor (Substitute)
Councillor Stuart Harris (Substitute)
Councillor Paul Hicks (Substitute)
Councillor Jason Mockett (Substitute)

3 INTRODUCTION

What is Overview and Scrutiny?

- 3.1 The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.
- 3.2 The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships, known locally as the Safer Fenland Partnership.
- 3.3 The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.

- 3.4 The Localism Act 2011 consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This aims to increase local accountability and transparency of public services as well as enhancing the involvement of local service users.
- 3.5 DLUHC issue guidance on the function of Overview and Scrutiny with the latest update having been published on 22nd May 2024.
- 3.6 All Overview and Scrutiny meetings are held in public session and attendance and involvement of the public is actively encouraged either via questions or suggestions for our work programme.

Main responsibilities of Overview and Scrutiny

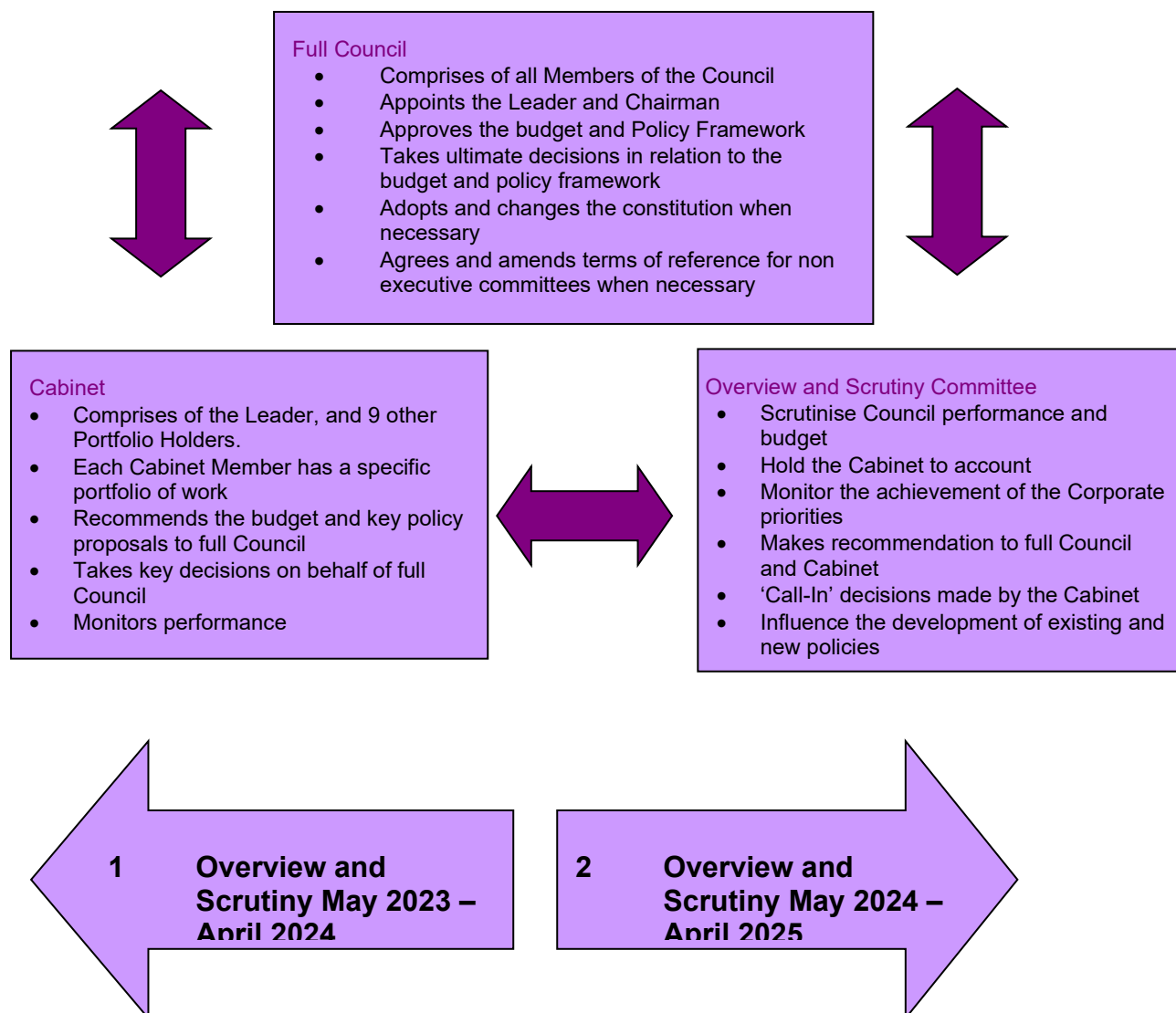
- 3.7 The role of Overview and Scrutiny has five broad functions:
- Holding the Council’s Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
 - Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy overview and development.
 - Contributing to continuous improvement in the delivery of the Council’s corporate priorities.
 - Having a positive impact on the work and outcomes of external agencies and providers of public services.
 - Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council’s policies have been effectively implemented by the Cabinet.
Recommending how the Council’s corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council’s corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing ‘value for money’

Appointing Members onto Overview and Scrutiny

- 3.8 On an annual basis and with input from the group leaders, it is the responsibility of full Council to appoint an Overview and Scrutiny Panel at their annual meeting which usually takes place in May. The Overview and Scrutiny Panel consists of thirteen members drawn from the political groups in the same proportion as they are represented on the Council as a whole. There are also 6 substitutes also allocated on a politically proportionate basis.

Relationship between Overview and Scrutiny, Cabinet and Full Council



4 A BACKWARD LOOK TO 2023 - 2024

What the Overview and Scrutiny Panel achieved in 2023/2024

External advisors/partners

- 4.1 The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.
- 4.2 Fenland's Overview and Scrutiny Panel continues its commitment to collaborating with partner organisations. The table below highlights the external partners the Overview and Scrutiny Panel have already engaged with, when undertaking the scrutiny function during 2023/24.

Agenda item	External Advisor/Partner	Organisation
Review of Delivery of Revenues and Benefits Service	Matthew Waite-Wright Lorraine King	Anglian Revenues Partnership
Review of Delivery of Leisure Services	Matt Wickham, Paul Doyle Simon Pesic-Smith	Freedom Leisure
Review of Community Safety Partnership Priorities	Inspector Andy Morris	Cambridgeshire Police
Q&A re: Water Supply, Treatment and Flooding in Fenland	Grant Tuffs Natasha Kenny,	Anglian Water
Review of Social Housing Provision	Sally Greetham Dan Read Yvonne Ogden Paul Norman Kirsten Wildman Danny Thorpe Carl Grimmer	Clarion
Review of Care Partnership Provision	John Rooke	North Cambridgeshire Care Partnership

- 4.3 As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will continue with this successful approach during 2024/25.

How the work of Overview and Scrutiny is linked to the Council's corporate priorities

4.4 Fenland District Council's Business Plan is the vision for the future of Fenland, clearly setting out a series of priorities that will be the focus of the organisation for the next twelve-month period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny in meaningful priority areas is achieved.

4.5 The table below illustrates how agenda items link in with Fenland's priorities:

C – Communities
 Env – Environment
 E – Economy
 QO – Quality Organisation

Topic/Issue	C	Env	E	QO
Review of Delivery of Revenues & Benefits				
Review of Delivery of Leisure Services				
Review of Priorities of Community Safety Partnership				
CIS & Investment Board Update				
Draft O&S Annual Report 2023/24				
LGO Annual Review of Complaints				
Progress against Corporate Priority: Environment				
Annual Meeting with Leader, Deputy Leader and CEO				
Local Government Ombudsman – Annual Review of Complaints				
Q&A re: Water Supply, Treatment and Flooding in Fenland				
Draft Business Plan 2024-2025				
Budget Report				
Fees and Charges 2024/25				
Review of Social Housing Provision				
Review of Care Partnership Provision				
Progress against Corporate Priority - Communities				

5 Specific reviews undertaken in 2023- 2024

- 5.1 A cross-party Task and Finish Group was formed in 2022/23 to review the Council's Corporate Performance Indicators to ensure that they continued to enhance the Council's corporate priorities in a measurable and achievable way.
- 5.2 The work of the Task and Finish Group continued into 2023-2024 with Councillors Woolard, Foice-Beard and Gerstner being appointed to replace those councillors who were no longer members of the Overview and Scrutiny Panel. Councillors Booth and Hay remained with the Group and were able to assist in ensuring continuity across the lifespan of the project.
- 5.3 The Task and Finish Group reported its suggestions to the Overview and Scrutiny Panel at its meeting on 28th November 2023 and these were considered by Cabinet and incorporated into the Business Plan for 2024/25. The work of the Group has therefore now concluded however, the Panel will continue to monitor the success of the changes and any future recommendations that may be required as part of its annual review of the Business Plan

6 Overview and Scrutiny Call – In

- 6.1 The Overview and Scrutiny Panel have the opportunity to scrutinise Executive decisions that have been made, but not implemented through the 'call-in' mechanism.
- 6.2 In accordance with the Council's constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman of any panel, or any 3 members of the Overview and Scrutiny Panel or any 10 Members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Panel has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.
- 6.3 If, having considered the decision, the Panel remains concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If however the Panel decides not to refer the matter back, no further action is taken and the decision can take effect.

- 6.4 The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. This should be clearly stated in the record of the decision. The Chairman of the Overview and Scrutiny Panel or in his/her absence the Chairman of the Council must agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Overview and Scrutiny Panel together with the reasons for the urgency.
- 6.5 Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.

The call-in procedure is therefore utilised when other means of influencing decision making have failed. Fenland District Council did not utilise the call-in procedure at all during 2023/24. There were 5 occasions during 2023/24 when the Chairman exercised her power to waive the need for call-in on grounds of urgency; Acceptance of the Planning Skills Delivery Fund, Acceptance of Defra Food Waste Capital Funding, Procurement of Polling Station Software, Healthy Homes Project and property purchase.

7 A FORWARD LOOK TO 2024/2025

Fenland's Priorities

- 7.1 In Fenland's Business Plan 2024/25 the Council's corporate priorities remain:
- Communities
 - Economy
 - Environment
 - Quality Organisation
- 7.2 It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to highest quality and any scrutiny work adds value. In addition the current Business Plan outlines the fact that Cabinet members have selected a number of projects to contribute towards the 'Council for the Future' agenda. These projects have a variety of aims; from tackling areas of particular need within the district, to transforming services and the wider organisation sustainably to be fit for the future. The Overview and Scrutiny work programme will also be informed by the Council for the Future agenda.

What the Overview and Scrutiny Panel will achieve in 2024/25

Strategic Priorities

- 7.3 The Overview and Scrutiny Panel will continue to articulate recommendations associated with the work plan and monitor how effectively the recommendations have been received and endorsed by the associated decision-making bodies.

Work Programme

- 7.4 The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Panel will scrutinise. The work programme is developed on a rolling basis and has been updated and revised for the forthcoming municipal year. Topics already identified for inclusion include a review of the Council's Corporate Priorities including Communities, Economy and Planning and Environment as well as Q&A sessions with partner organisations such as the Road Safety Partnership, Clarion Housing, Anglian Water and the Arts Council. This will also sit alongside regular items such as scrutiny of the Budget and Business Plan and the Council's management of complaints.

8 CONTACTS

- 8.1 Work of the Overview and Scrutiny Panel is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland we would very much welcome your input, please contact:

Helen Moore - Member Services Officer

HMoore@fenland.gov.uk

Amy Brown – Assistant Director

amybrown@fenland.gov.uk

Agenda Item No:	11	
Committee:	Council	
Date:	30 September 2024	
Report Title:	Audit and Risk Management Committee Annual Report	

1 Purpose / Summary

- 1.1 To report to Full Council the commitment and effectiveness of the Audit and Risk Management Committee's work from 1 April 2023 to 31 March 2024.

2 Key Issues

- 2.1 A good Corporate Governance framework helps the Council to deliver its Corporate Priorities.
- 2.2 The role of the Audit and Risk Management Committee includes:
- Providing independent assurance of the adequacy of the governance, risk management framework and the control environment (GRC), plus
 - independently scrutinising the Authority's financial and non-financial performance and overseeing the financial reporting process.
- 2.3 The Committee has taken action to ensure that its members are adequately informed on key themes of the Governance Framework via regular reports including:
- Governance
 - Internal Control
 - Risk Management
 - Anti-Fraud & Corruption and Anti-Money Laundering policies
 - Accounts and policies; and
 - Treasury Management.
- 2.4 The External Auditors provided the Statement of Accounts 2021-22 in September 2023, the Annual Auditor's Report 2021-22 in November 2023 and the Provisional Audit Plan 2023-24 in March 2024.
- 2.5 The Committee has been fundamental in the review and maintenance of the Council's Governance Framework.
- 2.6 In addition to the report attached the Committee Chair has completed a review of the committee's effectiveness using a checklist compiled by CIPFA, supported by the Interim Internal Audit Manager. This was a recommendation made by the external quality assessment and endorsed by Corporate Governance (now Audit and Risk Management) Committee in February 2018. The completed checklist is attached as Appendix A

3 Recommendations

- 3.1 It is recommended that Council agree the Audit and Risk Management Committee Annual Report for 2023-24.

Wards Affected	All
Forward Plan Ref	Not applicable
Portfolio Holder(s)	Cllr Chris Boden
Report Originator(s)	David Thacker – Interim Internal Audit Manager
Contact Officer(s)	Peter Catchpole – Corporate Director & Chief Finance Officer Amy Brown – Assistant Director & Deputy Monitoring Officer Deborah Moss – Head of Internal Audit Mark Saunders - Chief Accountant
Background Paper(s)	Audit and Risk Management Committee minutes CIPFA Position Statement on Audit Committees 2022 Audit Committees – Practical Guidance for Local Authorities and Police (CIPFA 2018)

Annual report of the Audit and Risk Management Committee

April 2023 - March 2024



1 What is corporate governance?

1.1 Corporate Governance in Fenland District Council is an essential part of the Council's standards for transparent and informed management and decision-making. It provides assurance of the adequacy of the risk management framework and the control environment, independent scrutiny of the Authority's financial and non-financial performance and to oversee the financial reporting process.

2 Responsibilities of the Committee

2.1 The Committee's purpose identified in the terms of reference states:

The purpose of our Audit and Risk Management Committee is to provide independent assurance to the members and other parties of the adequacy of the Council's governance, risk management framework and the internal control environment. It provides independent review of Fenland District Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees Internal Audit and External Audit, helping to ensure efficient and effective assurance arrangements are in place. It also ensures the Council is managing the risk of ensuring services have the resources to deliver on the Council's statutory responsibilities and corporate priorities whilst recognising the Council's financial position.

3 Members' Commitment to the Committee in 2023-24

3.1 The Committee is committed to delivering governance oversight for the Council and meetings included development briefings, and items of topical interest, to maintain knowledge and awareness of the Council's governance framework. Examples were:

- the role of the Committee, Officers and the annual work plan
- interpretation of Annual Financial Statements
- the role of Internal Audit in Local Government. Update report on audits completed is provided which includes the number of and theme of recommendations
- reports on the Corporate Risk Register
- reports on policies including the Regulation of Investigatory Powers Act (RIPA); and
- reports from External Audit.

3.2 Members' attendance statistics for the 5 meetings in the year were as follows:

Member	Attendances
Councillor Kim French (Chair)	5
Councillor Stuart Harris (Deputy)	2
Councillor Jason Mockett	3
Councillor Gary Christy	4
Councillor Gavin Booth	3
Councillor Steve Tierney	2
Councillor John Clark	1

3.3 Although the Statement of Accounts 2021-22 was presented in September 2023 Audit and Risk Management Committee members received no training to develop and enhance their understanding of them.

3.4 Training for Members of the Audit and Risk Management Committee is routinely discussed when reviewing the Committee’s Work Plan for the year. All members are invited to submit their ideas and suggestions for relevant topics for training or briefing sessions, that will continue to develop their skills or support identified gaps in knowledge.

4 Work programme and outcomes

4.1 The Committee considered the matters in the table below as part of its work programme for 2023-24

Programme	Outcome
Annual Governance Statement 2022-23	<p>The Authority has a statutory duty to publish a statement as to the level of effectiveness its governance and internal control framework.</p> <p>The Audit and Risk Management Committee was able to consider the sources of assurance and approve the content of the Statement prior to its publication with the Financial Accounts.</p> <p>The statement included an action plan which was reviewed during the year to ensure that governance and control framework weaknesses were addressed.</p> <p>This has helped the Council to proactively identify and manage governance and control risks that could affect Corporate Priorities. Examples include changes in legislation, finance and Government policy.</p>
Internal Audit work programme	<p>The Audit and Risk Management Committee received reports, from the Internal Audit Manager, for review of the:</p> <ul style="list-style-type: none"> • Risk based annual Audit Plan and Charter, • Performance Outturn 2022-23, • Interim Internal Audit Manager’s opinion on the overall adequacy and effectiveness of the Council’s control environment, and • Progress updates on delivery of the annual Audit Plan <p>These reports demonstrate that the Council has arrangements in place to comply with the Accounts and Audit Regulations, to maintain an adequate and effective Internal Audit and system of internal control.</p>

Programme	Outcome
Risk Management Framework	<p>The Committee received regular updates on the Corporate Risk Register, discussed emerging risks, and completed an annual review of the Risk Management Strategy.</p> <p>This provided assurance that significant risks are identified and managed for the Council.</p> <p>In addition, Members requested additional items to be considered which led to some changes to the risk register which have been implemented.</p>
Policies	<p>The Committee was presented with a few new/updated policies to approve that enhance governance, support risk management and reinforce controls:</p> <ul style="list-style-type: none"> • Anti-Fraud and Corruption • Anti-Money Laundering • RIPA
Treasury Management	<p>The Committee received reports throughout the year on the Treasury Management Strategy, Capital Strategy, Minimum Revenue Provision Policy, Annual Investment Strategy and financial performance.</p> <p>This provided assurance that the Council's assets are managed in accordance with the CIPFA Code of Practice on Treasury Management.</p>
External Audit	<p>The Committee received reports throughout the year from the External Auditors, EY, on the Statement of Accounts 2021-22, the Annual Auditor's report 2021-22 and the Provisional Audit Plan for 2023-24.</p> <p>This enhances the understanding of the Council's finances.</p>

APPENDIX A

**Fenland District Council
Audit and Risk Management Committee Self-Assessment Exercise**

For the year 2023-24

No	Issue	Y	P	N	Evidence/ Comment	Action Required
AUDIT COMMITTEE PURPOSE AND GOVERNANCE						
1	Does the authority have a dedicated audit committee?	Y			Referred to as the Audit and Risk Committee	
2	Does the audit committee report directly to full council? (applicable to local government only)	Y				
3	Do the terms of reference clearly set out the purpose of the committee in accordance with CIPFA's Position Statement?	Y			The Audit and Risk Management Committee has a Terms of reference that follow CIPFA's guidance on Audit Committees	
4	Is the role and purpose of the audit committee understood and accepted across the authority?	Y			The committee's Terms of Reference are documented in the Council's Constitution, which is available on the website, where officers and members can access relevant documentation. The revised Terms of Reference were agreed at Full Council in May 2023.	
5	Does the audit committee provide support to the authority in meeting the requirements of good governance?	Y			The committee supports the authority by following the Nolan Principles adopted by the authority and ensuring to the best of their ability that the corporate plan and strategic goals of the authority are adhered to.	
6	Are the arrangements to hold the committee to account for its performance operating satisfactorily?	Y			The Audit and Risk Management Committee reports to Council and provides an annual report to Council. Throughout the year other members of the Council may request to attend meetings.	
FUNCTIONS OF THE COMMITTEE						
7	Do the committee's terms of reference explicitly address all the core areas identified in CIPFA's Position Statement?	Y			The Committee's Terms of Reference were updated in 2023 and now cover all areas identified in CIPFA's Position Statement	
	good governance	Y				

	assurance framework, including partnerships and collaboration arrangements	Y				
	internal audit	Y				
	external audit	Y				
	financial reporting	Y				
	risk management	Y				
	value for money or best value	Y				
	counter fraud and corruption	Y				
	supporting the ethical framework	Y				
8	Is an annual evaluation undertaken to assess whether the committee is fulfilling its terms of reference and that adequate consideration has been given to all core areas?	Y			The Audit and Risk Management Committee completes an annual report, which encompasses this review. The committee also considers as part of its annual work the Annual Governance Statement and Corporate Risk Register. The Committee regularly receives reports from Internal Audit, External Audit and reviews the financial statements.	
9	Has the audit committee considered the wider areas identified in CIPFA's Position Statement and whether it would be appropriate for the committee to undertake them?	Y			The committee reviews Treasury Management reports and has oversight of the annual report.	
10	Where coverage of core areas has been found to be limited, are plans in place to address this?	Y			A review of the Terms of Reference has been completed.	
11	Has the committee maintained its advisory role by not taking on any decision-making powers that are not in line with its core purpose?	Y				
MEMBERSHIP AND SUPPORT						
12	Has an effective audit committee structure and composition of the committee been selected?	Y			The current Committee is separate from the Executive. The current membership has an appropriate mix of knowledge and skills, and the size is not unwieldy. The	A report remains under ongoing review

	<p>This should include:</p> <ul style="list-style-type: none"> • separation from the executive • an appropriate mix of knowledge and skills among the membership • a size of committee that is not unwieldy • consideration has been given to the inclusion of at least one independent member (where it is not already a mandatory requirement) 				<p>mix of members from each political party is in line with current policies.</p> <p>The Committee requested that the item be included on the Committee's action plan to review the need and requirement on an annual basis.</p>	
13	Have independent members appointed to the committee been recruited in an open and transparent way and approved by the full council or the PCC and chief constable as appropriate for the organisation?				Not applicable	See 12 above
14	Does the chair of the committee have appropriate knowledge and skills?	Y			<p>The current Chair of the Committee has the appropriate subject knowledge for the position. Members of the Committee have a financial and risk background and are given opportunity to freely discuss matters with fellow members of the Committee. Officers attending the meetings are always available for advice to the chair if required.</p> <p>Training is given to all members of the Audit and Risk Management Committee to ensure appropriate skills are up to date and relevant.</p>	
15	Are arrangements in place to support the committee with briefings and training?	Y			Training for members of the Committee is given to members on specific subjects (mainly technical areas – AGS, Statement of Accounts etc) prior to the official meetings taking place when requested.	
16	Has the membership of the committee been assessed against the core knowledge and skills framework and found to be satisfactory?	Y			<p>The Committee membership is formed from members with financial backgrounds, historical knowledge of the authority, knowledge from other authorities resulting in a varied mix of experience and knowledge.</p> <p>A formal assessment has taken place as part of the selection process for the year.</p>	
17	Does the committee have good working relations with key people and organisations, including external audit, internal audit and the CFO?	Y			All meetings are attended by a mixture of officers, including the Corporate Director / S151 officer, external audit, Chief Accountant, Head of Governance and Internal Audit Manager	

18	Is adequate secretariat and administrative support to the committee provided?	Y			Relevant officers attend meeting to facilitate secretarial and administrative support to the Committee.	
EFFECTIVENESS OF THE COMMITTEE						
19	Has the committee obtained feedback on its performance from those interacting with the committee or relying on its work?	Y			The Chairman of the Audit Committee presents an annual report to the Council and receives feedback from the Executive.	
20	Are meetings effective with a good level of discussion and engagement from all the members?	Y			All members are encouraged to be involved fully at all meetings. Relevant officers are invited to attend meetings to provide greater detail to help discussions and engagement.	
21	Does the committee engage with a wide range of leaders and managers, including discussion of audit findings, risks and action plans with the responsible officers?	Y			The Committee engages with the relevant responsible officers when discussing risks and action plans. Examples of this are the AGS, Corporate Risk Register, Treasury Reports and policies.	
22	Does the committee make recommendations for the improvement of governance, risk and control and are these acted on?	Y			All reports presented to the Committee for approval are discussed and actions minuted on suggested improvements. These actions are reviewed by the officers to ensure they are followed up on and discussed at the following meeting.	
23	Has the committee evaluated whether and how it is adding value to the organisation?	Y			No formal evaluation has taken place, but the annual audit committee effectiveness report considers this to some degree. The Committee regularly challenges all the reports submitted, which are documented in the minutes.	
24	Does the committee have an action plan to improve any areas of weakness?	Y			An action plan for the Committee was introduced to monitor actions and is included as part of the workplan	Continue to monitor the action plan and how it adds value to the organisation.
25	Does the committee publish an annual report to account for its performance and explain its work?	Y			Audit and Risk Management Committee Annual Report.	

Agenda Item No:	12	
Committee:	Full Council	
Date:	30 September 2024	
Report Title:	Revised Code of Procurement	

COVER SHEET

1 Purpose / Summary

- 1.1 The purpose of this report is to consider the implementation of a New Code of Procurement Policy due to changes in Legislation, namely the Procurement Act 2023. This report was prepared for an implementation date of the 28th of October 2024 but on the 12th of September it was confirmed that the date of implementation has now changed to the 24th of February 2025 to allow the Government to make changes to the National Procurement Policy Statement (NPPS).

2 Key Issues

- 2.1 The Code of Procurement (the Code) defines the regulatory and legal framework for procurement by Fenland District Council (the Council), in that it explains in an appropriate level of detail the Council's legal obligations and sets out internal requirements in relation to procurement. It requires adoption in accordance with the requirements of Section 135(2) of the Local Government Act 1972 and requires updating to reflect the Procurement Act 2023 (the Act) and the regulations made under it. The Act applies to all procurements commenced on or after 24th February 2024. The Public Contracts Regulations 2015, the Utilities Contracts 2016 and the Concession Contracts Regulations 2016 (as appropriate) will continue to apply to all procurements (and contracts awarded) where the procurement commenced before that date.

3 Recommendations

- 3.1 We have assessed that the changes to the (NPPS) are unlikely to impact the content of the Code of Procurement which has been drafted with reference to the Procurement Act 2023 which remains unchanged except for the current removal of the (NPPS). It is recommended that Council agrees to implement the revised Code for adoption on the 24th of February 2025. The Code of Procurement document is as set out in Appendix A.

Wards Affected	All
Forward Plan Reference	<i>[Insert Reference No. From Forward Plan. (It is a legal requirement to include key executive decisions on the forward plan for 28 days before the decision requested in this report is taken).</i>
Portfolio Holder(s)	Cllr Boden – Leader of the Council
Report Originator(s)	Shuan Beales – Purchasing & Procurement Manager Amy Brown – Assistant Corporate Director
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Background Papers	

1 Introduction and Context

- 1.1 The Procurement Act 2023 (the **Act**) is currently intended to come into force on the **24th of February 2024**. The Procurement Team has been working to put the Council in a position to meet the deadline with new policy and guidance. Some new elements are still awaiting government clarity, such as a Central Digital Platform which will be used to administer the procurement cycle covered by the legislation. The key message from the reform of public procurement is “transparency by default”.
- 1.2 Additionally, the Procurement Regulations 2024 expand on the Act’s requirements and, in particular set out the detailed requirements of notices to be given by contracting authorities, to conduct their public procurement in an open, transparent, and informative manner, as well as specifying where and how these should be published. This includes requirements to advertise contracts and to publish information about the outcomes of procurement processes and management of subsequent contracts on the Central Digital Platform. **See Appendix B - Table 1 - Transparency Notices.**
- 1.3 To reflect the changes made by the Act, the Council must amend its Contract Procedure Rules as set out in the Code of Procurement. **Appendix A** sets out a revised Code of Procurement which is recommended to Full Council for adoption.
- 1.4 A guide to the changes is set out in **Appendix B -Table 2 - Summary of the Procurement Code and Act Changes**. The changes reflect new rules in relation, for example, to procedures, much increased transparency notices and reporting requirements including payment compliance and KPIs. In essence, the Code of Procurement structure remains relatively similar.

- 1.5 The Council will need to procure an updated Procurement Portal which will link to the government's Central Digital Platform. This is currently being procured across Cambridgeshire via Cambridgeshire County Council.
- 1.6 Government is promoting the legislation as a means to reduce red tape, support business by simplifying public sector procurement, make it easier for suppliers (especially SMEs) to bid, encouraging innovation, and improving transparency.
- 1.7 The Council recognises the important role it has in shaping the local area, encouraging the local economy and supporting local businesses. In so far as legislation, collaborative procurement and value for money allow, the Council will seek to use local traders to supply goods, services and works, see **Appendix B - Table 3 - Thresholds and Procedures**.
- 1.8 Table 3 also explains the thresholds to which the council determines the procurement procedures to be used "quotes" or "tenders".
- 1.9 The Council requires anyone involved in a procurement process on its behalf to behave with the highest levels of honesty and integrity, in accordance with legislation (including the Act, the Bribery Act 2010), with the Code, Employee Codes of Conduct and fraud avoidance policies.

2 REASONS FOR RECOMMENDATIONS

- 2.1 It is recommended that Full Council adopt the revised Code to ensure that procurement processes remain compliant with legislative requirements effective from the 24th of February 2025. Once the impact of changes to the NPSS are known, these will be utilised to inform updates to the Procurement Strategy and the guidance and training we will offer to support implementation and embedding of the Code.

3 CONSULTATION

- 3.1 There are no formal consultation requirements connected with the proposed changes however feedback has been sought from key stakeholders to include group Leaders and officer colleagues.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Alternative options in the context of this Report include:

- (a) Not making any revisions to the Code of Procurement. This has been ruled out as an option as changes in legislation have necessitated some changes to the Code.
- (b) Revising the Code of Procurement only to reflect legislative changes. This has been ruled out as an option because the changes we have been required to make have also provided an opportunity to refresh the Code of Procurement overall in an ongoing attempt to ensure that it is as user friendly as possible.

5 IMPLICATIONS

5.1 Legal Implications

- 5.2 The Council, as a contracting authority, is required to comply with current public procurement legislation and this will remain the position under the new Act. As noted in section 2 above, the Code explains in an appropriate level of detail the Council's legal obligations and sets out internal requirements in relation to procurement. The Code must be adopted in accordance with the requirements of Section 135(2) of the Local Government Act 1972. This new version has been updated to reflect the Act and the regulations made under it.

5.3 Financial Implications

- 5.4 There are no specific financial implications connected with the proposed revisions to the Code of Procurement.

5.5 Equality Implications

- 5.6 There are no specific equality implications connected with the proposed revisions to the Code of Procurement.

6 Appendices

- Appendix A – Revised Code of Procurement
- Appendix B - Tables



Code of Procurement

Updated August 2024

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Introduction

1. Interpretation, scope and principles

1.1 This Code of Procurement (the **Code**) defines the regulatory and legal framework for procurement by Fenland District Council (the **Council**). It has been adopted in accordance with the requirements of Section 135(2) of the Local Government Act 1972 and has been updated to reflect the Procurement Act 2023 (the **Act**) and the regulations made under it. The Act applies to all procurements commenced on or after 28th October 2024. The Public Contracts Regulations 2015, the Utilities Contracts 2016 and the Concession Contracts Regulations 2016 (as appropriate) will continue to apply to all procurements (and contracts awarded) where the procurement commenced before that date.

1.2 The Code should be read in the context of the Council's Procurement Strategy 2024-2027.

1.3 In addition, section 13 of the Act requires that the Council must have regard to the National Procurement Policy Statement when undertaking any procurement (of whatever value). This is a link to the Statement:

[National Procurement Policy Statement \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

1.4 This Code requires that all procurements must:

- realise value for money (**VFM**) by achieving the best combination of highest quality of outcome and minimum whole life costs;
- achieve the highest standards of integrity;
- ensure fair and equal treatment of contractors, providers and suppliers;
- operate transparently, subject to any requirement for confidentiality;
- be in accordance with advice from the Procurement Team, Legal and Governance Team and as directed by the Monitoring Officer; and
- comply with all legal requirements, the Council's policies, including the Rules of Procedure and Code of Financial Management.

1.5 What does the Code apply to?

This Code applies to the procurement, commissioning, hire, rental, lease or disposal by the Council of:

- vehicles or plant;
- equipment, furniture and fittings;
- construction and engineering works;
- information and communication technology - hardware and software;
- goods, materials, stationery, services and utilities;
- repairs and maintenance; and
- consultants, agency staff, agents and professional services.

Separate policies apply to other contracts, such as those for the acquisition, leasing or sale of land or for the lending or borrowing of money.

All procurements or sales to which the Code applies must comply with the Code, subject to any overriding requirements of:

- the Council's Rules of Procedure and Code of Financial Management; and
- Laws or regulations applicable to the Council.

1.6 The Council, as a Local Authority within the meaning of the Local Government Act 1972, must comply with all relevant legislation of England and Wales in undertaking any procurement – this covers both the procedures used and how they are managed. This Code does not amount to a complete guide to the Act, so if any officer intends to procure works, goods or services they must confirm what legal requirements apply with the Procurement Team, in accordance with the Code.

1.7 Local Trade

The Council recognises the important role it has in shaping the local area, encouraging the local economy and supporting local businesses. In so far as legislation, collaborative procurement and value for money allow, the Council will seek to use local traders to supply goods, services and works (see Table 1 at paragraph 3.3).

Speak to the Procurement Team about what the Council is allowed to do in this regard. There are some legal constraints, but regulations made under the Act do allow below-threshold contracts to be limited to suppliers that are either based within the UK or based within a particular County or London Borough.

1.8 Who does the Code apply to?

The Code applies to anyone acting in accordance with delegated authority on behalf of the Council, including any authorised employee, consultant or agency (**purchaser**).

Throughout the Code, reference to a contractor means any person, company or supplier(s) who has been, wishes to be or may be awarded a contract for works, goods or services by the Council.:

1.9 Conduct

The Council requires anyone involved in a procurement process on its behalf to behave with the highest levels of honesty and integrity, in accordance with legislation (including the Act, the Bribery Act 2010), with the Code, Employee Codes of Conduct and fraud avoidance policies. Any failure to do so may result in disciplinary action and, potentially, criminal investigation.

Anyone involved in a procurement exercise on behalf of the Council or in any related decision making must inform the Monitoring Officer and the Procurement Team immediately if they have any personal or business interests which could result in there being a conflict of interest in or in connection with that procurement exercise. Failure to do so is a breach of the Employee Code of Conduct and an offence in accordance with section 117 of the Local Government Act 1972. Such failure may result in disciplinary action against the officer. The Monitoring Officer may require that the

interest declared prevents participation in the procurement process.

The procurement process

2. Step 1 – Buying and internal processes

2.1 Delegated authority

In the interest of efficiency, CMT should delegate buying authority to people who can demonstrate skills and knowledge appropriate to the task. Each senior manager must keep a list of names of people who can make purchases, specifying a maximum financial limit for each transaction that is within those limits set out in table 1 at paragraph 3.3. The list must be copied to the Corporate Director and Chief Finance Officer to aid financial control. The purchaser is responsible for ensuring that there is sufficient approved funding for any procurement and, if the proposed contract exceeds the approved budget, must seek supplementary budget approval or otherwise ensure that approved sums are not exceeded.

2.2 ICT purchases

In order to safeguard the integrity of the Council's Information and Communication Technology (ICT) network, purchases of ICT software and hardware that forms part of any of the ICT network should be purchased only following advice from the Corporate Director and Chief Finance Officer or the ICT Manager, and in accordance with the Council's ICT strategy.

2.3 Consultants

The rules on procurement by the consultants/agency staff the Council engages are set out in section 9.

In addition, you should ensure that any consultant or agency staff is not deemed to be employed by the Council (if contracting as an individual) or to be an employee for tax purposes (if contracting through their own company). Please seek advice from the Procurement Team and HR to complete a "check employment status for tax (CEST) tool" before placing an order.

2.4 Procurement Cards

The Procurement Team may purchase low value goods and services by using a procurement credit card. The limits on the credit card are set by the Chief Accountant

2.5 Internet purchasing

Goods may be purchased from the internet by authorised signatories only, either by the use of an official order, where accepted, or by submitting a request, on form PC1, to the Procurement Team to purchase an item(s) using a procurement card. (A copy of form PC1 can be obtained from the Procurement Team).

- Discuss your direct internet purchasing requirements with the Procurement

Team before placing an order. These are the routes and methods in conjunction with an Agresso Order:

- Via the Print room for stationery and ICT consumables. See [Print, Post and Design - Intranet MVC \(fenland.gov.uk\)](#)
- Via the Purchasing Manager for any ESPO or CCS framework or marketplace purchases.
- From any web supplier, direct via authorised signatories only, who will accept an official FDC order.
- From any web supplier via the Procurement Team who have access to credit facilities by use of Government Procurement Cards.

The Council does not permit the use of its IT equipment or mobile phones to carry out any personal purchases via the internet.

2.6 Ordering of Works, Goods and Services

All purchases should be made using the Council's Procure to Pay System (Agresso) and all orders should be approved by the relevant officer in accordance with the authorisation levels set by CMT.

2.7 Efficient procurement

Every effort should be made to make the best use of the Council's buying power by aggregating purchases whenever possible to benefit from economies of scale.

2.8 Existing corporate contracts.

Corporate contracts (i.e. supplies or services provided across Council departments) exist to rationalise the number of suppliers supplying the same service or product, for instance cleaning or catering, and to make efficiency gains surrounding the administration of the quotation and tendering processes. Where the Council has procured a contract for a service, such as cleaning or catering where the supplier can provide that service across the whole of the Council, then all similar requirements for that type of service must use that existing corporate contract, subject to availability, quality and vfm assessment. (See paragraph 10 for exemptions.)

Where the Council wishes to establish a supply relationship with a number of companies who provide similar goods or services it can create a framework agreement.

A framework agreement is where a limited number of companies can supply a specific service to the whole Council, and this will usually be created for corporate use by the Procurement Team. All purchases for this service will be acquired via the framework agreement, which will be reviewed every three years. Once the Council has created a framework agreement all services requiring such a service must use the framework agreement.

All corporate contracts should be regularly reviewed and tendered with the assistance of the Procurement Team.

A list of corporate contracts can be found on the Procurement Pages on the Council's intranet.

3. Step 2 - Identifying the routes to market

3.1 Procurement value calculation

The purchaser must calculate the value of the contract being procured. This means the estimated maximum monetary value over a contract's full duration. This is an accumulation of the 'whole life' costs of the contract, i.e. any cost associated with the procurement must be included to determine which procurement category should be used. It is, therefore, an aggregated value and not a single annual value. For aggregation purposes, where it is not possible to assess the maximum value of the contract e.g. because there is no specific contract length, purchasers should treat the contract value as being at least that of the relevant threshold in the Act for the purpose of this calculation. It is therefore advisable to make the best valuation based on the available information.

The value of a procurement should be calculated so that it includes VAT, if applicable.

On no account should any requirement be split or any calculation made in an attempt to avoid using the proper procedure under this Code and the Act.

Having determined the proposed contract total value purchasers should then follow one of the procedures set out in paragraph 3.3, table 1.

3.2 Secondhand purchases and purchases from auctions

There may be circumstances where the purchase of previously used goods will result in better vfm or allow the purchaser to remain within the allocated budget. This is permitted, subject to the following processes and rules:

- There must be documentary evidence that the goods being purchased are fit for purpose.
- Price comparisons must be sought for similar goods, in line with procurement thresholds outlined in table 1 at paragraph 3.3.
- Maintenance or replacement options must be covered either by the supplier or by in-house Council expertise.
- The condition of the goods must be assessed by the officer likely to be using the goods, to ensure the goods are fit for purpose.
- Warranties included in the procurement must be used to cover repair, maintenance or return of goods as appropriate.

All other procurement procedures, as set out within this Code, must be adhered to.

3.3 Before starting the procurement process; -

- Notify the Procurement Team of all prospective tenders, other than those that fall within Category A (as defined at table 1 below).
- The Procurement Team will;
 - review the proposed procurement against other contracts/purchases made by other services (to co-ordinate spend and achieve improved deals through discount for bulk.)
 - update and maintain their 'Contracts Database' and transparency register
 - advertise requirements via the central digital platform where required.

- Seek advice from the Procurement Team about;
 - Existing corporate contracts
 - Government frameworks and dynamic purchasing arrangements
 - Buying consortia
 - Existing suppliers on the Council's 'Supplier Database'
 - Collaborative opportunities
 - Following correct procedures
 - In-house service providers
 - Local suppliers
 - Social Enterprises
 - Whether a large contract could reasonably be divided into smaller lots
 - Value for Money (vfm)
 - Engaging the market before formal tendering – there are various legal requirements that must be complied with and different ways to ensure the most effective pre-market engagement.

Thresholds and procedures

Category	Estimated total value of procurement		Requirement	Exemptions
	Supplies & Services	Works		
A	Below £6,000, including VAT	Below £12,000 (including VAT)	An official order with at least one estimate (ideally more), including one from a local supplier if possible. See section 5.1.	Not applicable.
B	Between £6,000 and below £30,000 (in each case, including VAT)	Between £12,000 and below £120,000 (in each case including VAT)	At least three competitive quotations, including one quotation from a local supplier if possible. See section 5.2.	See section 10.
C	Between £30,000 and below £214, 904 (in each case including VAT)	Between £120,000 and below £214904 (in each case including VAT)	Competitive tenders but must not use a separate suitability stage to reduce the number of bidders invited to tender. See section 5.3.	See section 10.

C 1		Between £214,904 and below £5,372,609 (in each case including VAT)	Competitive tenders using either the Open Procedure or the Competitive Flexible Procedure. See section 5.4.	See section 10.
D	At least £214,904 (including VAT)	At least £5,372,609 (including VAT)	Competitive tenders using either the Open Procedure or the Competitive Flexible Procedure and the provisions in the Act for above threshold contracts must be complied with. See section 5.5.	See section 10.
E	Social and other "light touch" services		See section 5.8.	See section 10.
F	Concession contracts		See section 5.9.	See section 10.
G	Utilities contracts		See section 5.10.	

3.4 Use of public sector frameworks, dynamic purchasing systems and dynamic markets

Organisations such as Eastern Shires Purchasing Organisation (ESPO(Pro5)) and Crown Commercial Services (CCS), have a vast range of pre-tendered frameworks, dynamic purchasing systems and (under the Act will have) dynamic markets for works, goods and services available to Local Government. Suppliers have been competitively evaluated and quality assessed. The Council can access these catalogues in order to identify suppliers for its own needs, subject to the requirements of the Code.

These centrally procured arrangements, regardless of value, including above threshold values under the Act, enable contracts to be called off without the need for full processes for quotations and tenders. This improves administrative efficiency and reduces the time needed to acquire works, goods or services. N.b. that these frameworks must match the Council's requirement exactly.

If there is more than one pre-tendered supplier that can supply the works, goods or services required, then the Council will usually be required to operate a 'mini competition' which involves obtaining a price/quotation from all suppliers capable of supplying the requirements. The rules for use of these arrangements are not all the same and the Procurement Team should be consulted to offer advice and guidance in this area.

If a framework or other pre-tendered arrangement that the Council is entitled to use is available, then a purchaser may use that arrangement instead of the relevant procedure matching the contract value set out in table 1 at paragraph 3.3. Local external framework agreements, i.e. through the County Council or other Cambridgeshire Councils should be used where appropriate (e.g. for temporary staff

or printing framework agreements).

3.5 Cambridgeshire Procurement Group and collaborative/shared contracts

Collaboration exists between Cambridgeshire councils Any contracts entered into through collaboration with other local authorities or other public bodies, where a competitive process has been followed that complies with the Contract Regulations/Code of Procurement of the leading organisation (but does not necessarily comply with this Code), will be deemed to comply with this Code but will require an exemption in accordance with Section 10. However, advice must be sought from the Procurement Team in the first instance.

In general, to use this type of contract the Council's specification, including terms and conditions, and price (budget availability), must be matched.

In order to ensure the Council's contracts are available to other Cambridgeshire councils the following statement must (where relevant and appropriate) be included in all tender and contract documentation for category D procurements:

"It is possible that the contract may be extended to encompass the requirements of one or more of Cambridgeshire's five District Councils, Peterborough City Council and/or Cambridgeshire County Council at some point during the lifetime of the contract. It will be the responsibility of the appropriate Council to make this decision.

The District Councils are as follows:

- *Cambridge City Council;*
- *East Cambridgeshire District Council;*
- *Fenland District Council;*
- *Huntingdonshire District Council;*
- *South Cambridgeshire District Council*

The terms and conditions of this contract, as awarded, will apply to any of the named councils above should they so wish to utilise the procurement of goods, services or works within this contract.

3.6 Externally compiled lists.

Only those lists containing details of contractors that are compiled and maintained by an external organisation in a manner approved by the Corporate Director and Chief Finance Officer or Procurement Manager shall be adopted as approved lists of tenderers, e.g. Constructionline. Any approved list of tenderers shall be reviewed periodically and at least prior to the third anniversary of its initial or further adoption and must be again approved by the Corporate Director and Chief Finance Officer or Procurement Manager.

Adoption of such lists must be notified to the Corporate Director and Chief Finance Officer or Procurement Manager to be registered as a source for procurement.

For each use of the list, where the transaction falls into Category C, invitations to tender for a contract should be sent to no less than six entrants by means of the application of pre-determined and objective tenderer selection criteria.

In using a list, where tenders are for similar goods, services or works, i.e. have been tendered for previously within the last 9 months, then, to show fair competition, the new tender can include the best two returns from the previous tender and must include two new tenderers to replace the two lowest placed tenderers from the previous tender. The two remaining tender places can be taken by either local suppliers or tenderers from a previous tender. However, where possible, at least one of the six tenderers should be a local supplier.

Where the total is expected to fall into Category D, tenders may be invited using the standing list but each requirement must also be advertised under the Act.

4. Step 3 - Procurement process practicalities – the preparation stage

4.1 Advertising on the central digital platform

All invitations to tender must be advertised on the Government's central digital platform in line with required timescales.

4.2 Electronic procurement via a portal

This option may be available or may be offered as part of a collaborative procurement. Please seek advice from the Procurement Team before commencing the procurement process.

Otherwise, quotes for category A and B procurements can be requested and received via e-mail.

Otherwise, tenders for Category C, D, E and F procurements can be distributed via the Council's procurement portal, email via procurement@fenland.gov.uk or the postal system. Tender responses can be received via the Council's procurement portal, email via procurement@fenland.gov.uk or the post in the method described in this Code. In all cases seek procedural advice from the Procurement Team.

N.b. that all procurements with a value of at least £30,000 (including VAT) must be advertised via the Government's central digital platform. Please speak to the Procurement Team about this.

4.3 Checking all tenders

The Procurement Team must be given all draft tender documentation at least one week prior to sending out to enable the Team to:

- review the documents
- ensure standardisation and consistency
- check the process

The Local Government Transparency Code 2015 requires local authorities to publish quarterly details of every invitation to tender for contracts to provide goods or services valued at over £5000 (excluding VAT). Notify the Procurement Team of any relevant invitation to tender.

5. Step 4 – Identifying Suppliers – the procedures.

5.1 Category A Procurement

For contracts for services or supplies valued below £6,000, and £12,000 for works (including VAT in each case), competitive quotations are not required under this Code, though it is always good practice to seek more than one quote if other suppliers are available. Officers must in all instances ensure the Council is receiving vfm. If an officer is unsure of vfm when only one quote is received, they should either consult with the Procurement Team or obtain further quotes.

An official order relating to at least one estimate must be completed. An estimate from a local supplier should be included if possible. It is good practice to obtain more than one estimate/quotation. Officers must be sure that they have obtained vfm.

5.2 Category B Procurement

For contracts for services or supplies valued between £6,000, and below £30,000, and for works between £12,000, and £120,000 (in each case including VAT), at least three written quotations must be invited, specifying the supplies, services or works and setting out prices, terms and conditions of contract and terms of payment before a formal purchase order is issued. At least one quotation should be obtained from a local supplier if possible.

E-mailed quotations or framework options are acceptable in these cases.

If the Council is not bound to accept the lowest quote then this must be set out in correspondence to those suppliers intending to submit quotes. Officers must in all instances ensure the Council is receiving vfm.

5.3 Category C Procurement

For contracts for services or supplies valued at between £30,000 and £214,904 for goods or service, or between £120,000 and £5,372,609 for works (including VAT in each case) this Code requires that an advertised tender procedure must be conducted. See paragraph 5.4 for further information in relation to contracts for works between £214,904 and below £5,372,609).

Under the Act, where a Category C procurement is advertised, the Council must not use a separate suitability stage to reduce the number of bidders invited to tender. It may request suitability information, but may not apply this until the preferred bidder is selected.

Before competitively tendering a Category C contract, the Council must consider any barriers that SMEs may face, and how they might be reduced or removed.

Under the Act, there is no requirement to publish a notice if the Council advertises to a closed group of pre-selected suppliers (e.g. suppliers on a framework) or from one or more targeted individual suppliers, provided that the procurement is not advertised in any other way such as in a newspaper or a local website or portal. Quotes in accordance with this code would also not trigger a requirement to publish a below threshold tender notice. Quotes/targeted suppliers as routes to markets are only permitted under this Code if exempted in accordance with Section 10.

Officers must in all instances ensure the Council is receiving vfm.

In most instances, a procedure equivalent to the Open procedure (described below at paragraph 5.6 is likely to be the most appropriate route to market.

Please discuss with the Procurement Team which is the most appropriate procedure.

5.4 Category C1 Procurement

This applies to works contracts between £214,904 and below £5,372,609 (in each case including VAT).

The requirements set out in respect of Category C apply, but the purchaser may restrict the submission of tenders by reference to suppliers' suitability to perform the contract.

Please discuss with the Procurement Team which is the most appropriate procedure.

5.5 Category D Procurement

This applies to transactions valued (inclusive of VAT) as at least £214,904 for goods/services and £5,372,609 for works (including VAT). The Act requirements for above threshold procurements must be complied with. Under the Act, the contract may be awarded following the Open procedure, Competitive flexible procedure or, in specific circumstances, by direct award. The Act requirements are very detailed and consequently, advice should be sought from the Procurement Team prior to the start of the procurement process.

Whichever form of procedure is chosen, the procedure must be proportionate having regard to the nature, complexity and cost of the contract.

In any case, an advertisement must be placed on the central digital platform and the advertisement should specify a time limit (usual will be a minimum of 25 days) for the return of initial responses/tenders.

In addition, section 12 of the Act requires that (for Category D procurements) the Council must have regard to the importance of:

- (a) delivering vfm;
- (b) maximising public benefit;
- (c) sharing information for the purpose of allowing suppliers and others to understand the Council's procurement policies and decisions;
- (d) acting, and being seen to act, with integrity.

In carrying out a category D procurement, the Council must have regard to the fact that SMEs may face particular barriers to participation, and consider whether such barriers can be removed or reduced.

In carrying out a Category D procurement, the Council must treat suppliers the same unless a difference between the suppliers justifies different treatment. If it does consider that different treatment is justified in a particular case, the Council must take all reasonable steps to ensure it does not put a supplier at an unfair advantage or disadvantage.

5.6 Open Procedure

The Open procedure is a single stage procedure where anyone can submit a tender. The Council must base its decision to award the contract solely on the single tender, subject to disregarding any tenders in accordance with the Act. It requires the following process:

5.7 Competitive Flexible Procedure

The competitive flexible procedure is non-prescriptive, so the Council has the flexibility to apply a procedure suitable to its specific requirements. In most cases, the procedure will be multi-staged with, for example, a first stage inviting tenders and then a price negotiation stage for bidders selected after the first stage.

5.8 Category E - Light touch contracts

These services are specified in Schedule 1 to the Procurement Regulations 2024, such as contracts for social care, cultural or sporting services, training services, catering services, administrative services. The requirements of the Act (other than those specifically applying to below threshold contracts – see paragraph 5.3) do not apply to light touch contracts below £663,540 (including VAT). The tender processes for above threshold light touch contracts are similar to non-light touch contracts but there are some flexibilities and different rules. Please speak to the Procurement Team if you are planning to award a light touch contract. The principles in this Code in respect of Categories A and B apply to contracts for light touch contracts of the same values and in respect of Category C up to £663,539.99 and in respect of Category D above that value (subject to the light touch contract specific provision in the Act).

5.9 Category F - Concession contracts

A concession contract is a contract for the supply, for pecuniary interest, of works or services to a contracting authority where at least part of the consideration is a right for the supplier to exploit the works or services and under the contract the supplier is exposed to a real operating risk. An operating risk is a risk that the supplier will not be able to recover its costs in connection with the supply and operation of the works or services, where the factors giving rise to that risk are reasonably foreseeable and arise from matters outside the control of the parties.

Valuation rules under the Act are specific to concession contracts, but their award is otherwise broadly subject to the main requirements of the Act for above threshold contracts (i.e. at least £5,372,609 (including VAT)). This applies to concessions for both works and services. The provisions applying to regulated below-threshold contracts do not apply to concession contracts. Please speak to the Procurement Team if you are planning to award a concession contract. This Code requires that services or works concession valued at least the values set out for Category C contracts will be subject to an advertised tender process and the principles for Category D contracts shall apply to above threshold concession contracts.

5.10 Category G - Utilities Contracts

A utilities contract is a contract for the supply of goods, services or works wholly or mainly for the purpose of a "utility activity". The award of a utilities contract is exempt from some notices requirements and benefits from certain special rules. The

provisions relating to below-threshold contracts do not apply.

The Council carries out utility activities in relation to Wisbech Port and thus will be awarding utilities contracts. Otherwise, it is unlikely that the Council will be entering into a utilities contract for the purposes of the Act, except in the context of a project e.g. if the Council is engaging in a project to build and combined heat and power plant. Please speak to the Procurement Team if you think you may be planning to award a utilities contract.

5.11 Conditions of participation

A contracting authority can only set conditions to the extent they are considered a proportionate means of ensuring suppliers have either:

- The legal and financial capacity to perform the contract; or
- The technical ability to perform the contract.

N.b. the requirement for these to be applied only at award stage for Category C contracts.

This Code requires that sufficient vetting shall be undertaken to ensure that all successful bidders:

- will comply with minimum standards of insurance;
- have the necessary Health & Safety policy and performance and (where applicable) membership of the Contractor's Health and Safety Scheme or equivalent health and safety standard;
- are financially viable based on a risk-based assessment;
- have an appropriate environmental policy;
- comply with equalities legislation and policy; and
- possess the experience and capacity required.

The Procurement Team will provide an appropriate questionnaire for the purpose of vetting bidders.

Certain criteria for works contracts must be applied, regardless of value, and a contractor may only be selected who: -

- can confirm a business contact address and telephone number
- will have an acceptable level of public liability insurance.
- is registered for tax and holds a valid certificate (where appropriate).
- is capable of undertaking the work safely and competently and is a member of a recognised trade association, e.g., NICEIC or ECA for electrical installation works or Gas Safe for gas installation works.

A contractors' pack must be completed (and this is available from the Assets team).

5.12 Award Criteria

Tender documentation must state how submitted tenders will be evaluated and what weighting/multiplier, if any, will be applied to the calculation.

The Act requires that award criteria must relate to the subject matter of the contract and:

Commented [SJ1]: CDM, contractor's pack? Check with Works department for requirements

Commented [SB2R1]: Yes we have a contractors pack

- Be sufficiently clear, measurable and specific.
- Not break the rules on technical specifications.
- Be a proportionate means of assessing tenders.

Advice from the Procurement Team should be sought prior to the start of the procurement process.

6. Step 4 – Receiving and opening tenders

6.1 Category B transactions

For Category B transactions this Code shall be applied so that fair and ethical procedures ensure that the most advantageous arrangement is obtained for the Council and that no potential contractor is treated any less fairly than another.

6.2 Category C or D transactions

Where tenders or quotations for Category C or D transactions are invited, in accordance with this Code, no tender or quotation will be considered unless:

- it has been sent electronically to procurement@fenland.gov.uk e-mail address, an e-vault, which the Procurement Manager has sole access to once the tender expiry date has been reached.
- contained in a plain envelope which shall be securely sealed and shall bear the word “Tender” or “Quotation” followed by the subject to which it relates. Contractors shall be notified accordingly. The envelope shall not bear any distinguishing matter or mark intended to indicate the identity of the sender. Such envelopes shall be addressed impersonally to the Procurement Manager.

6.3 Opening tenders

All envelopes or e-mails received shall be kept securely and shall not be opened or accessed until the time appointed for their opening. All tenders or quotations invited in accordance with this Code shall be opened at one time only and by at least two officers, one of whom must be an officer from the Procurement Team.

All tenders or quotations upon opening shall be recorded in writing on either a tender or quotation opening record, as is appropriate. The Form of Tender or Quotation and any accompanying documentation shall be marked with the date of opening and signed by at least two officers present at the opening. The tender or quotation opening record shall also be signed by at least two officers present at the opening. The Procurement Manager shall retain the original opening record.

6.4 Late quotes and tenders

Generally, any tenders or quotations received after the specified time must be rejected by the Council. However, where it is fair and proportionate to accept that tender (for example, if there has been an unforeseen internet problem affecting the transmission of tenders)) then a late tender may be accepted at the discretion of the Procurement Manager. If a tender is rejected then the tender or quotation may only be opened to ascertain the name of the contractor, but no details of the tender or quotation shall be considered.

7. Step 5 – Evaluation of tenders and quotations.

7.1 Single tenders

For transactions in category B or C, single tenders may only be accepted after a waiver has been obtained for this purpose under the procedure set out in Section 10 of this Code.

7.2 Category A or B procurements

Where written quotations are invited for transactions in category A or B then the bidder submitting the lowest price bid should be awarded any resulting contract, unless alternative pre-determined criteria are used. In which case the tender providing the most advantageous arrangement to the Council according to the pre-determined criteria shall be selected.

7.3 Category C or D procurements

For transactions in category C or D, a more complex best value tender evaluation procedure based on the identification of the Most Advantageous Tender (**MAT**) should be used in preference to a price-only evaluation, where appropriate.

This evaluation involves scoring tenders objectively, by a panel selected from officers and/or independent experts. The panel must be chosen by the appropriate member of CMT, using criteria that should:

- (a) be pre-determined and listed in the invitation to tender documentation
- (b) be strictly observed at all times throughout the tender process
- (c) reflect the principles of best value/vfm
- (d) almost always include price (check with the Procurement Team)
- (e) consider whole-life costing, particularly in the case of capital equipment where the full cost of maintenance, decommissioning and disposal should be taken into account
- (f) measure achievement of technical requirements where appropriate
- (g) be capable of objective assessment
- (h) be weighted according to their respective importance
- (i) include, where applicable, the quality of the tenderers' proposals to transfer staff under the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations 2006 (as amended)
- (j) avoid discrimination or perceived discrimination on the basis of nationality, or other discrimination contrary to the Council's Equality Policy.

Where this evaluation methodology is used, any resulting contract must be awarded to the tenderer who submits the most advantageous tender, i.e., the tender that achieves the highest score in the objective assessment.

7.4 Arithmetical Errors

Contractors may be permitted to alter their tenders or quotations after the date specified for their receipt but before the acceptance of the tender or quotation, where examination of the tender or quotation documents reveals arithmetical errors or discrepancies which affect the tender or quotation figure. The contractor shall be given details of all such errors or discrepancies and afforded an opportunity of confirming, amending or withdrawing this offer in writing.

8. Step 6 – Awarding contracts

8.1 Recording results

The results of the tender evaluation process should be recorded and retained by the Procurement Manager in accordance with this Code.

8.2 Contract authorisation/signing

Contracts must only be signed by a member of CMT or officers authorised to do so by a member of CMT. In nominating authorised officers, consideration shall be given to length, value and complexity of contract. All contract awards of at least £30,000 must be published on the central digital platform.

8.3 Formal written contract for Category C or D

A formal written contract with appropriate terms must be agreed for any procurement of supplies, services and works falling into Category C or D.

8.4 Letters of intent

Letters of intent provide a contractor with the authority to proceed prior to the award of a contract. Use of this type of process is considered a 'high risk' and consequently can only be used under exceptional circumstances.

Letters of intent must be in a form approved by the Council's Legal Team and must be signed by the member of CMT responsible for the relevant service.

This requirement applies to both new contracts and contract extensions.

8.5 Awarding above threshold contracts

All awarded contracts that are above threshold contracts under the Act should be formally notified to the Corporate Director and Chief Finance Officer.

8.7 Assessment summary

Before entering an above threshold contract, the Council must give an assessment summary to each contractor that submitted an assessed tender. The summary must contain information about the Council's assessment of the tender and the most advantageous tender submitted. An assessment summary given to an unsuccessful supplier must include:

- The award criteria.
- How the successful contractor scored against each award criterion.

- How the contractor scored against each award criterion to the extent that the tender was assessed against that criterion.
- Any other explanation of why the contract is not being awarded to the contractor e.g. disqualification, failure to meet pass/fail criteria.

8.8 Contract award notice and standstill period

After giving the assessment summaries (but before entering into an above threshold contract), the Council must publish a contract award notice. This triggers the start of a mandatory 8 working day standstill period.

Light touch contracts, awards under frameworks or by reference to dynamic markets and certain other awards do not need a standstill period.

8.9 Contract details notice

The Council, after entering into a public contract must publish:

- A contract details notice confirming that it has entered into a contract.
- For contracts over £5 million, a copy of the contract.

9. Consultants

9.1 Procurement and purchasing authorisation

Only permanent employees of the Council can have any procurement and purchasing authorisation.

Therefore, consultants, agents, contractors, professional advisors and agency staff, have no authority to:

- Authorise Official Orders.
- Make any verbal or written commitment on behalf of the Council.
- Authorise invoices for payment

Exemptions to the above can be approved by the Corporate Director and Chief Finance Officer, but in so doing must form part of the terms and conditions of their contract/relationship/employment by the Council.

It shall be a condition of the engagement of any consultants, agents, contractors, professional advisors and agency staff who are to be responsible to the Council for the award or supervision of a contract on its behalf, that in relation to that contract they shall:

- comply with this Code as though they were an employee of the Council;
- at any time during the carrying out of the contract produce to CMT, on request, all the records maintained by them in relation to the contract; and
- on completion of the contract transmit all records that they have produced or received that relate to the contract to the appropriate member of CMT.

10. Exemptions

10.1 Act exemptions

Certain contracts are exempted from the application of the Act. These include:

- Land and buildings. Contracts for the acquisition of land or buildings, or an interest or right over them.
- Financial services. Loan contracts in any currency, investment or ancillary services from investment firms or qualifying credit institutions, or services by the Bank of England.
- Alternative dispute resolutions. Contracts for arbitration, mediation, conciliation or similar services.
- Legal services. Contracts for legal representation in or advice in connection with judicial or other dispute resolution proceedings, notary services or legal services provided by someone legally required to provide them.
- Employment. Contracts of employment or worker's contract, or a public office appointment.
- Emergency services. Contracts for a specified list of not-for-profit emergency services, such as fire extinguishing, search and rescue or ambulance services for medical emergencies.
- National security. Contracts which the contracting authority considers exempt for national security reasons.
- Vertical contracts between a contracting authority and a person solely or jointly controlled by it, or by another contracting authority that controls the awarding contracting authority.
- Horizontal public to public contracts - between contracting authorities, in certain circumstances.

Save where specifically mentioned elsewhere in this Code or where other Council policies apply, the principles in this Code do not apply to these contracts. Contact the Procurement Team for advice.

10.2 Direct awards under the Act

The justifications are set out in Schedule 5 to the Act:

- The supply of prototypes or the testing, viability research or development of other novel (that is, developed at the request of the contracting authority) services
- The creation or acquisition of a unique work of art or artistic performance
- Only one supplier can supply the goods, works or services because of intellectual property or other exclusive rights and there are no reasonable alternatives
- Only one supplier can supply the goods, works or services due to the absence of competition for technical reasons and there are no reasonable alternatives
- The extension or partial replacement of existing goods, services or works by the existing supplier where a change in supplier would result in receiving different or incompatible goods or services, resulting in disproportionate technical difficulties in operation or maintenance

- The supply of similar goods, services or works by an existing supplier where the existing contract was awarded competitively to the existing supplier in the last five years and the tender notice for the award specifically mentioned the contracting authority's intention to use this direct award justification
- Goods purchased on a commodity market
- A contract on particularly advantageous terms because the supplier is undergoing insolvency proceedings
- The goods, services or works are strictly necessary because of extreme and unavoidable urgency and cannot be awarded in a competitive tendering procedure
- Where deemed necessary by regulations to protect life, health or public safety
- Where the contract is for the supply of user choice services, as designated by regulations and supplied for the benefit of the individual. To apply, the individual to receive the services must have expressed a preference of supplier or there must be only one supplier capable, and the contracting authority must consider that it is not in the best interests of the individual to competitively award the contract

Please contact the Procurement Team if you wish to award a contract using any of these justifications. The competitive procurement route is not required if one of these justifications applies but the other principles set out in this Code may apply, depending on contract value.

10.3 Category B or C exemptions

Purchasers may apply an exemption under the Code from steps 3 and 5 for Category B or C when:

- a) work to be executed or goods, services or materials to be supplied consist of repairs to or the supply of parts of existing proprietary machinery, equipment, hardware or plant and the repairs or the supply of parts cannot be carried out practicably by alternative contractors.
- b) specialist suppliers, consultants, agents or professional advisers are required and:
 - there is no satisfactory alternative; or
 - evidence indicates that there is likely to be no genuine competition; or
 - circumstances are such that a specialist needs to be assigned with urgency to mitigate against a legal, regulatory and/or financial claim and delay would worsen the claim.
- c) the work is of a short-term nature to enable services to continue; short term is defined as a maximum of 3 months.
- d) the work is of a one-off emergency nature to prevent danger or harm to any person.
- e) a tendering exercise has been performed in accordance with this Code and only one tender has replied and has met the Council's specified requirements in accordance with Step 3 of this Code.
- f) it is in the best interest of the Council to employ consultants or suppliers already

contracted or previously contracted, within the last 12 months, following valid tendering procedures from other Council's or partners, to be employed for further work associated with, but not critical to an existing project.

- g) a decision is taken by the Corporate Director and Chief Finance Officer, which is supported by the relevant Portfolio Holder, to suspend formal tendering procedures. All reasoning surrounding this decision must be clearly minuted and copied to the Procurement Manager.
- h) Where a contract is to be entered into through collaboration with other Local Authorities or other public bodies and where a competitive process has been followed that complies with the Contract Regulations/Code of Procurement of the leading organisation, whether or not it complies with this Code. Appropriate checks will be carried out by the Procurement Team to ensure this Council's interests are safeguarded.
- i) For purchases made at public auctions.

In each case, the award must be in accordance with the Act and, as appropriate in the circumstances, legal advice has been obtained.

Vfm should still be considered in any instance.

10.4 Applying exemptions

To exercise any of the above exemptions the purchaser shall compile and retain a record:

- setting out the reasons for the decision; and
- evidencing approval by the relevant member of CMT and (in the case of g)) the Corporate Director and Chief Finance Officer (or a nominated authorised signatory from within the Finance Service for procurements under Act threshold limits); and
- evidencing any action taken to ensure that vfm and (in the case of a negotiated contract) that the most advantageous arrangement has been obtained from the negotiations with the contractor.

10.5 Corporate contracts

An exemption not to use a corporate contract where one exists for the relevant services or supplies must be obtained in writing from the appropriate member of CMT along with documented valid reasoning. Documentary copies must be forwarded to the Procurement Team.

10.6 Advice on exemptions

In the first instance, advice and decisions on applying exemptions will come from the Procurement Team.

11. Contract modifications

11.1 The Act provides that contracting authorities may only vary public contracts (or contracts that will become public contracts i.e. go over the threshold as a result of the modification) in one of these circumstances:

- The modification is a "permitted modification" under Schedule 8.
- The modification is not a "substantial modification".
- The modification is a "below-threshold modification".
- The contract is a light touch contract.

These deal with changes to the terms and extensions to the length of the contract.

11.2 A permitted modification

This is where:

- the change is provided for in the contract and the tender or transparency notice and would not change the overall nature of the contract.
- there are unforeseeable circumstances that could not reasonably have been foreseen before award, the modification would not change the overall nature of the contract and would not increase the estimated value of the contract by more than 50%.
- additional goods, services or works are needed and using a different supplier would result in supplies that were different from, or incompatible with, those already in the contract. Using a different supplier must also result in disproportionate technical difficulties in operation or maintenance or other significant inconvenience and substantial duplication of costs for the Council. The variation must also not increase the estimated value of the contract by more than 50%.
- there is a transfer on corporate restructuring. This includes the sale of a business, either because of insolvency or planned strategy.
- it is because of urgency and the protection of life.
- it results from materialisation of a known risk. This is to manage a known risk which has materialised through no fault of the contracting parties but prevents the contract from being delivered to the Council's satisfaction. The Council must consider that it would not be in the public interest to award a new contract and the amendments must not increase the estimated value of the contract by more than 50%. A "known risk" must have been identified in the tender or transparency notice along with the possibility of modification.

11.3 Substantial modification

A substantial modification is one which may:

- Increase or decrease the term of the contract by more than 10%.
- Materially change the contract scope (that is, provide for services, works or goods not already provided for under the contract).
- Materially change the economic balance of the contract in favour of the supplier.

11.4 Below-threshold modifications

Changes are permitted where all of these apply:

- Do not increase or decrease the value of the contract by more than 10% (for goods or services) or 15% (for works).
- Are not a permitted modification or non-substantial modification.
- Do not materially alter the scope of the contract.
- The aggregated value of below-threshold modifications is below threshold. This is for the type of contract. As now, contracting authorities will therefore need to determine the value of any below-threshold modifications cumulatively throughout the term, to ensure that their total value falls below the relevant financial threshold.

11.5 Contract change notices

The Council must publish a contract change notice before it varies a public contract. This is not required if :

- The contract is a light touch contract; or
- The change:
 - increases or decreases the contract value by less than 10% (goods or services) or 15% (works);
 - increases or decreases the term by 10% or less than the maximum provided for on award,

unless the variation involves a permitted change in supplier.

Contract change notices may specify a voluntary standstill period, which must not be less than 8 working days from the date the notice is published. Where a contract notice is required and the contract is worth (before or after the modification) more than £5 million, the Council must publish a copy of the modified contract or the modification itself within 90 days of the change.

11.6 Contract modifications permitted under this Code

Contract modifications may only be made:

- if they are permitted by the Act;
- they are approved in writing by the appropriate member of CMT (Complete form CE1 obtained from the Procurement Team);
- budgetary provision is available;
- in the case of an extension, if continuing with the existing contract can be shown to provide better value for money than re-tendering on the basis of identifying possible suppliers; and
- appropriate contract change notices are then published if required by the Act.

11.7 As noted at paragraph 1.1, the Public Contracts Regulations 2015, the Utilities Contracts 2016 and the Concession Contracts Regulations 2016 (as appropriate) will continue to apply to all procurements (and contracts awarded) where the procurement commenced before 28th October 2024. Therefore the rules on modifications to those contracts are as set out in the earlier legislation and not in the Act. The rules set out in this Code at paragraph 11.6 apply to modifications to those contracts, with the relevant earlier legislation being substituted for “the Act”.

12. Disposals

12.1 Competitive processes similar to those used for buying supplies must be applied to

the disposal of surplus or obsolete goods, although separate procedures apply to the sale of land and/or property.

In principle:

- (a) competitive bids must be invited for all goods whose estimated value falls into Category A, except where the item is unlikely to attract any interest, in which case written approval must be sought from the Procurement Manager before disposal.
- (b) if the estimated value of the goods falls into Category B then a minimum of three bids must be invited.
- (c) if the estimated value of the goods falls into Category C or D then a professional valuation should be obtained, a minimum of 3 sealed bids must be invited and opened in accordance with the procedure in Step 4 of this Code.

12.2 In case of doubt, professional advice should be sought when making valuations. For higher value items, sale by auction should be considered as an alternative to sealed bids, but care should be taken to evaluate the full cost of the process.

12.3 In all cases, the highest bid received must be accepted, unless it can be demonstrated that an alternative bid is more economically advantageous overall to the Council in which case the reasoning for the decision should be recorded and prior approval sought from the Corporate Director and Chief Finance Officer or Procurement Manager.

12.4 Public Auction can be used for items of any value where deemed most likely to achieve greatest interest in the goods for disposal. In the case of auction then a reserve value should be agreed with the Corporate Director and Chief Finance officer or Procurement Manager prior to sale commencement or in accordance with a valuation process approved by the Corporate Director and Chief Finance Officer or Procurement Manager.

12.5 Disposal by auction can be made either by a professional auction house or an internally managed formal auction process.

12.6 The Council's intranet may be used for an internally managed auction process

13. Prompt Payment Requirements

13.1 The Act imports implied payment terms into above threshold contracts (other than concession contracts) that require the Council to pay sums due within a minimum of 30 days of issue of a valid undisputed invoice or, if later, the due date. The Council must notify suppliers if it considers the invoice is invalid or disputed without undue delay.

13.2 This means that in dealing with suppliers the Council must:

- Pay suppliers through the Council's Procure to Pay system (Agresso), on time within 30 days.
- Provide suppliers with clear and easily accessible guidance on payment procedures ensuring there is a system for dealing with complaints and disputes

which is communicated to suppliers advising them promptly if there is any reason why an invoice is in dispute.

- Contractors should be required to pass this through the entire supply chain.

13.3 Before committing to suppliers wishing to operate shorter payment terms than the usual 30 days, the Chief Finance Officer should be notified of the alternative requirement to ensure that the terms can be met.

14 Terms and conditions

14.1 All orders placed by the Council shall be on the Council's Terms and Conditions or industry standard terms and conditions used by the Council, including compliance with the requirements of the Prompt Payment requirements (see section 13).

14.2 Where a contractor formally insists on trading on Terms and Conditions other than those of the Council, these must be approved, prior to an order being placed, by the Assistant Director, Legal and Governance, except for:

- Any call off from a public sector procured framework agreement, dynamic purchasing system or dynamic market by the Council.
- Orders for less than £5,000, where goods or services are purchased on a retail basis on terms available to the general public.
- Orders for software where the licence is for a 'standard' product, but not where customisation, development or on-site service is required for a 'standard' product.

15 Performance bonds

15.1 Where a contract is estimated to exceed Act thresholds and is for the execution of the works by a particular date or series of dates or in cases where the relevant member of CMT so decides, the contractor shall supply a performance bond in the sum of 10% of the contract sum or such lower amount as the Corporate Director and Chief Finance Officer shall certify as the maximum loss which could be suffered by the Council. The surety shall be a substantial bank or insurance company approved for that purpose by the relevant member of CMT and approved by the Corporate Director and the Chief Finance Officer.

15.2 A parent company guarantee may be given in lieu of the provision of a performance bond if the relevant member of CMT, the Corporate Director and the Chief Finance Officer agree.

15.3 The requirement for a bond or a guarantee may be waived if the relevant member of CMT, the Corporate Director and the Chief Finance Officer agree, provided that their reasons for agreeing a waiver are set out.

16 Retaining documentation

16.1 Purchasers should record and retain quotations and tenders obtained to provide evidence of competition, fairness, vfm to the Council and the basis of decisions made.

16.2 Document retention guidelines will be supplied by the Procurement Team, including statutory requirements as appropriate.

17 Transparency

- 17.1 The table in the Appendix sets out various notices required under the Act.
- 17.2 All intentions to tender will be logged by the Procurement Team before any formal documentation, supplier contact or advertisement has commenced, in line with the Act and the Code.
- 17.3 Once a contract has been awarded, whether following a tender process or not, the details of that contract must be notified to the Procurement Team and these details will be recorded on the Council's Contracts Database and Transparency Register.

18 Review and amendment of the Code

- 18.1 The Council's Monitoring Officer is authorised to make amendments from time to time to ensure that this Code is consistent with legislative requirements, best practice guidance issued from central government and changes to the Council's policies, procedures and personnel.
- 18.2 A formal review and update of the Code will take place before 31st March 2029.

19. Governance – approval of contracts

- 19.1 At the commencement of any procurement exercise it is important to identify the correct level of approval required. This will ensure that contract awards are not delayed and that the Council is fully compliant with its wider governance obligations.
- 19.2 Generally, a procurement exercise can commence on the authority of the relevant service lead and following any required liaison with CMT and/or portfolio holders. In that instance, arrangements need only be made for approval of the contract at the point of award. This will either be by Full Council, Cabinet, a Cabinet Member or an Officer. In some instances, particularly where a substantial change is being proposed (e.g. the outsourcing of a service), it is good practice to present the options to the decision maker prior to the commencement of the procurement process to ensure that the proposal is likely to be support at the final decision making stage. Advice as to which approach to choose can be taken from the Monitoring and/or Deputy Monitoring Officers.
- 19.3 On every occasion there should be a fully documented record of the decision. Where the decision is taken by Full Cabinet or Council, this will be in the form of a Report. Cabinet Member and Officer decisions are recorded in either a Cabinet Member Decision or Officer Decision Notices. Templates are available on request from Member Services.
- 19.4 There are publication and transparency requirements surrounding the publication of Reports and Decision Notices and it is therefore important to contact Member Services at the very earliest opportunity to ensure that you have time to comply with them. For example, Cabinet and Council Reports are published at least 5 working days before the respective meeting is due to take place. Similarly, a Cabinet Member must receive the draft Cabinet Member Decision Notice at least 3 working days before they are required to finalise their decision. All decisions executive decisions (i.e.

those taken by Cabinet, Cabinet Members or officers on their behalf) must be published for 5 working days prior to them being implemented. The Procurement Team will indicate how long the procurement process is likely to take and Member Services can advise you of the dates of scheduled meetings of Cabinet and Council as well as the practicalities of publishing decision notices.

19.5 Where the predicted cost of the award is £100,000 or over or is likely to have a significant impact on one or more wards, an entry must also be included in the Forward Plan as the decision will be classed as a 'key decision'. More information about the limits on how much officers, individual members and Cabinet are authorised to spend can be found in the Constitution. Advice as to any aspect of the governance process can be sought from the Monitoring or Deputy Monitoring Officer.

19.6 Where this Code requires a written contract to be entered into, this must be arranged in accordance with the relevant delegated authorities. Contracts must be entered into as a deed where this is a legal requirement and also where the Monitoring Officer considers that this is appropriate. Member Services will arrange for deeds to be executed as required.

Appendix

List of Notices under Procurement Act 2023 (PA23)

Reference to a regulation is a reference to The Procurement Regulations 2024

Links are to Government guidance

Name of Notice	Further information	Required?
Qualifying Planned Procurement Notice	<p>Optional notice, which goes further than the pipeline notice to provide a transparent view of upcoming procurement</p> <p>See section 15: planned procurement notices See regulation 16: planned procurement notices See regulation 18 (and as incorporated into regulations 19 - 22)</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-planned-procurement-notice-html</p>	No
Preliminary Market Engagement Notice	<p>Can be used instead of PINs where pre-market engagement takes place. This notice must be published before a Tender or Transparency notice</p> <p>See section 17</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-preliminary-market-engagement-html</p>	<p>Yes, where</p> <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary market engagement is undertaken; and <input type="checkbox"/> There are no justifiable reasons for not doing so
Pipeline Notice	<p>This notice is to provide the market with a transparent view of current and future procurement opportunities.</p> <p>See section 93 for when a Pipeline Notice applies See regulation 15 for what to include in a pipeline notice</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-plan-phase/guidance-pipeline-notice-html</p>	<p>Yes, by 26th May each financial year if anticipated annual spend on non exempt contracts is more than £100 million. N.b. that (on the basis of 24/25 spend levels) this requirement will not apply to the Council.</p>
Tender Notice	<p>This notice must be published to invite tender proposals.</p> <p>See section 21 See regulation 18 : tender for open procedure See regulation 19: tender for competitive flexible procedure See regulation 20: tender for frameworks See regulation n 21: tender for dynamic markets See regulation 22 tender for qualifying utilities market</p>	<p>Yes, if undertaking a competitive tendering procedure.</p>
Regulated Below Threshold Contracts Notice	<p>This notice must be published where a contract falls below the threshold (unless an exemption applies).</p> <p>See section 87 for when Below Threshold Contracts Notice applies</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-below-threshold-contracts-html See regulation 36</p>	<p>Yes, if both:</p> <ul style="list-style-type: none"> Contract value is at least £30,000 (including VAT); and Contracting authority is inviting tenders for the contract (unless tenders are requested only from pre-selected or particular suppliers)

<i>Modification Notice</i>	<i>This notice must be published following the substantial modification of a tender. See section 31</i>	Yes
<i>Dynamic Market Notice</i>	<i>This notice must be published before establishing a dynamic market. See section 39</i>	Yes
<i>Transparency Notice</i>	<i>This notice must be published before awarding a contract under section 41 or 43 See section 44</i>	Yes with a few exceptions
<i>Contract Award Notice</i>	<i>This notice must be published for all contracts awarded but before entry into the contract. See section 50</i>	Yes, with a few exceptions
<i>KPIs</i>	<i>See section 52</i>	Yes, if contract exceeds £5million, but not required for frameworks, private utilities, concession contracts or light touch contracts.
<i>Contract Details Notice</i>	<i>This notice must be published after the contract has been entered into See section 53 Under the regulations, the required content varies depending on the type of contract.</i>	Yes, including for certain regulated-below-threshold contracts
<i>Copy of contract</i>	<i>See section 53(3)</i>	Yes, if the contract is more than £5 million.
<i>Procurement Termination Notice</i>	<i>This notice must be published as soon as reasonably practicable if a contracting authority decides not to award the contract after publishing a tender or transparency notice. See section 55</i>	Yes
<i>Exclusion Notice</i>	<i>This notice must be published if a contracting authority decides to disregard a tender or exclude, replace or remove a supplier. See section 59</i>	Yes
<i>Contract Change Notice</i>	<i>This notice must be published to alert the contracting parties of any intended changes to the contract. See sections 75 & 76, 77 See regulation 40</i>	Yes, but not for light touch contracts – and with a copy of the contract if the value (before or after the modification) exceeds £5 million
<i>Contract Termination Notice</i>	<i>This notice must be published to notify intent to terminate the contract. See section 80 for when a Contract Termination Notice applies See regulation 41</i>	Yes
<i>Payments compliance notice</i>	<i>See section 69, regulation 38. A requirement to publish prescribed information about payments made or due to suppliers under public contracts in the preceding six month period.</i>	Yes
<i>Information about significant payments</i>	<i>See section 70. A quarterly requirement to publish specified information about payments made over £30,000 under a public contract.</i>	Yes, but not for concession contracts

<i>Contract performance information</i>	<i>See 71, regulation 39. Relating to KPIs and performance information</i>	<i>Yes, but not for light touch contracts</i>
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APPENDIX B - TABLES

TABLE 1 – TRANSPARENCY NOTICES

List of Notices under Procurement Act 2023 (PA23)

Reference to a regulation is a reference to The Procurement Regulations 2024

Links are to Government guidance

Name of Notice	Further information	Required?
Qualifying Planned Procurement Notice	<p>Optional notice, which goes further than the pipeline notice to provide a transparent view of upcoming procurement</p> <p>See section 15: planned procurement notices</p> <p>See regulation 16: planned procurement notices</p> <p>See regulation 18 (and as incorporated into regulations 19 - 22)</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-planned-procurement-notice-html</p>	No
Preliminary Market Engagement Notice	<p>Can be used instead of PINs where pre-market engagement takes place. This notice must be published before a Tender or Transparency notice</p> <p>See section 17</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-preliminary-market-engagement-html</p>	<p>Yes, where</p> <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary market engagement is undertaken; and <input type="checkbox"/> There are no justifiable reasons for not doing so
Pipeline Notice	<p>This notice is to provide the market with a transparent view of current and future procurement opportunities.</p> <p>See section 93 for when a Pipeline Notice applies</p> <p>See regulation 15 for what to include in a pipeline notice</p> <p>https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-plan-phase/guidance-pipeline-notice-html</p>	<p>Yes, by 26th May each financial year if anticipated annual spend on non exempt contracts is more than £100 million. N.b. that (on the basis of 24/25 spend levels) this requirement will not apply to the Council.</p>

Name of Notice	Further information	Required?
<i>Tender Notice</i>	<i>This notice must be published to invite tender proposals. See section 21 See regulation 18 : tender for open procedure See regulation 19: tender for competitive flexible procedure See regulation 20: tender for frameworks See regulation n 21: tender for dynamic markets See regulation 22 tender for qualifying utilities market</i>	<i>Yes, if undertaking a competitive tendering procedure.</i>
<i>Regulated Below Threshold Contracts Notice</i>	<i>This notice must be published where a contract falls below the threshold (unless an exemption applies). See section 87 for when Below Threshold Contracts Notice applies https://www.gov.uk/government/publications/procurement-act-2023-guidance-documents-define-phase/guidance-below-threshold-contracts-html See regulation 36</i>	<i>Yes, if both: Contract value is at least £30,000 (including VAT); and Contracting authority is inviting tenders for the contract (unless tenders are requested only from pre-selected or particular suppliers)</i>
<i>Modification Notice</i>	<i>This notice must be published following the substantial modification of a tender. See section 31</i>	<i>Yes</i>
<i>Dynamic Market Notice</i>	<i>This notice must be published before establishing a dynamic market. See section 39</i>	<i>Yes</i>
<i>Transparency Notice</i>	<i>This notice must be published before awarding a contract under section 41 or 43 See section 44</i>	<i>Yes with a few exceptions</i>
<i>Contract Award Notice</i>	<i>This notice must be published for all contracts awarded but before entry into the contract. See section 50</i>	<i>Yes, with a few exceptions</i>
<i>KPIs</i>	<i>See section 52</i>	<i>Yes, if contract exceeds £5million, but not required for frameworks, private utilities, concession contracts or light touch contracts.</i>

Name of Notice	Further information	Required?
<i>Contract Details Notice</i>	<i>This notice must be published after the contract has been entered into See section 53 Under the regulations, the required content varies depending on the type of contract.</i>	<i>Yes, including for certain regulated- below-threshold contracts</i>
<i>Copy of contract</i>	<i>See section 53(3)</i>	<i>Yes, if the contract is more than £5 million.</i>
<i>Procurement Termination Notice</i>	<i>This notice must be published as soon as reasonably practicable if a contracting authority decides not to award the contract after publishing a tender or transparency notice. See section 55</i>	<i>Yes</i>
<i>Exclusion Notice</i>	<i>This notice must be published if a contracting authority decides to disregard a tender or exclude, replace or remove a supplier. See section 59</i>	<i>Yes</i>
<i>Contract Change Notice</i>	<i>This notice must be published to alert the contracting parties of any intended changes to the contract. See sections 75 & 76, 77 See regulation 40</i>	<i>Yes, but not for light touch contracts – and with a copy of the contract if the value (before or after the modification) exceeds £5 million</i>
<i>Contract Termination Notice</i>	<i>This notice must be published to notify intent to terminate the contract. See section 80 for when a Contract Termination Notice applies See regulation 41</i>	<i>Yes</i>
<i>Payments compliance notice</i>	<i>See section 69, regulation 38. A requirement to publish prescribed information about payments made or due to suppliers under public contracts in the preceding six month period.</i>	<i>Yes</i>
<i>Information about significant payments</i>	<i>See section 70. A quarterly requirement to publish specified information about payments made over £30,000 under a public contract.</i>	<i>Yes, but not for concession contracts</i>

Name of Notice	Further information	Required?
<i>Contract performance information</i>	<i>See 71, regulation 39. Relating to KPIs and performance information</i>	<i>Yes, but not for light touch contracts</i>

TABLE 2 – SUMMARY OF PROCUREMENT CODE AND ACT CHANGES

Summary of the Act and Code changes, Impact/Risk.

<ul style="list-style-type: none"> • Consolidation – the Act consolidates the current procurement regimes under one Act. 	<ul style="list-style-type: none"> • Procurement Team do not consider this will impact teams except for Wisbech Port where separate guidance will be required as falls under Utility Requirements.
<ul style="list-style-type: none"> • Terminology – a move away from familiar EU Directive language and terms. 	<ul style="list-style-type: none"> • New guidance will familiarise officers to new terminology and a move away from familiar EU Directive language and terms.
<ul style="list-style-type: none"> • Procurement Objectives – authorities must have regard to the importance of (a) delivering value for money; (b) maximising public benefit; (c) sharing information for the purpose of allowing suppliers and others to understand the authority’s procurement policies and decisions; and (d) acting, and being seen to act, with integrity. Authorities must also treat suppliers the same unless a difference between the suppliers justifies different treatment. 	<ul style="list-style-type: none"> • This will mean a full update of “selling to the council” guides, how we procure to suppliers. A common procurement portal across Cambridgeshire will also make procurements more accessible and transactionally similar. The procurement officer post will support this implementation.
<ul style="list-style-type: none"> • Less prescriptive procedures – there will be (i) Open, (ii) Competitive Flexible Procedure, and (iii) Limited Tendering (i.e. direct award). 	<ul style="list-style-type: none"> • Less prescriptive procedures does not mean less procurement administration. It merely allows the Council to have more control over how it packages Invitation to tenders and applies competitive procedures. Direct awards still come with strict limitations.
<ul style="list-style-type: none"> • Framework Agreements – introduction of the concept of an “open framework”. Open frameworks can be for a period of eight years but, amongst other things, must provide for the frameworks to be “opened” at least once during the first three years and then at least once during each five-year period. 	<ul style="list-style-type: none"> • New Framework rules will in theory make managing them easier and more flexible. As we use “off the shelf Framework Agreements (for example) through ESPO/CCS there should be little impact or risk.
<ul style="list-style-type: none"> • Direct Award – introduction of the ground to protect life where a Minister of the Crown considers it necessary and as such introduces regulations that a direct award is permitted. 	<ul style="list-style-type: none"> • Helpful but unlikely to be relevant to FDC due to nature of business services.

<ul style="list-style-type: none"> • Debarment – introduction of a debarment list. If a supplier is listed on the debarment list, they are considered an “excluded supplier”, and must be excluded. 	<ul style="list-style-type: none"> • Additional administration for the Procurement Team but impact and risk are deemed to be low due to the value of our procurements. Therefore, limited reporting and simply a checking procedure to be implemented.
<ul style="list-style-type: none"> • MAT – authorities are to award a contract to the “most advantageous tender” (a move away from the EU’s “most economically advantageous tender”/MEAT). 	<ul style="list-style-type: none"> • This means price is not necessarily a determining factor so we can link this to evaluation stages using the new competitive flexible procedure.
<ul style="list-style-type: none"> • Whole-lifecycle – more focus on the contract lifecycle as a whole compared to the current regime. e.g. for certain contracts the need to set KPIs and annually publish an assessment of performance against such KPIs. 	<ul style="list-style-type: none"> • This will impact the Procurement Team on larger contracts such as Grounds Maintenance where it is likely there will be additional reporting of KPIs and performance direct to the central digital platform. Larger = £5M + over contract term.
<ul style="list-style-type: none"> • Modifications – introduction of new modification “gateways”/“safe-harbours” including (i) materialisation of a known risk, and (ii) specific defence contract safe-harbours e.g. to enable authorities to take advantage of developments in technology. 	<ul style="list-style-type: none"> • This gives slightly more flexibility to modify contracts procured under the Act but the differences are not material.
<ul style="list-style-type: none"> • Transparency – additional transparency requirements e.g. publishing “contract change notices” prior to modifying contracts, and “contract termination notices”. 	<ul style="list-style-type: none"> • This is the largest impact of the legislation with as many as 14 reporting notices depending on a variety of procedures and spend thresholds. This will be sent direct to the government central digital platform. Greater time for procurement planning and being evermore compliant will be extremely important. In effect most supplies and services procurements worth at least £30K (including VAT) will be centrally published through to an award notification.
<ul style="list-style-type: none"> • Standstill – the new regime will have an eight-working days standstill period and the automatic suspension will only be available if a claim is brought (and the contracting authority is notified) within those eight working days. 	<ul style="list-style-type: none"> • No additional Impact to FDC.

<ul style="list-style-type: none"> Conflicts of Interest 	<ul style="list-style-type: none"> Greater emphasis by the Procurement Team in regard to conflicts of interest reporting and identifying procurement fraud. Procurements for supply/services contracts worth at least £30K (including VAT) will require officers to self-certify when conducting procurements and scoring of bids. Procurement Team to work with internal audit on fraud initiatives.
<ul style="list-style-type: none"> Procurement Review Unit (PRU) 	<ul style="list-style-type: none"> This is a central government unit whose role includes overseeing compliance with the Act and operating a supplier debarment list (i.e. suppliers who may or must be barred from bidding). It does not replace the ability to challenge a procurement through the courts.
<ul style="list-style-type: none"> Additional Payment Reporting 	<ul style="list-style-type: none"> There will be a quarterly requirement to publish details of individual payments of at least £30K (including VAT where these are made under “above threshold” contracts.
<ul style="list-style-type: none"> Code Structure 	<ul style="list-style-type: none"> The code has been structured to reflect a more logical “start to finish and beyond” of a procurement.
<ul style="list-style-type: none"> Detailed Explanations 	<ul style="list-style-type: none"> There are now more detailed explanations about how to carry out procurements.
<ul style="list-style-type: none"> When to contact procurement 	<ul style="list-style-type: none"> Added scenarios and circumstances where the procurement team should be consulted.
<ul style="list-style-type: none"> Cambridgeshire Wide Procurement 	<ul style="list-style-type: none"> Consideration and flexibility on adding other Cambridgeshire Councils onto contracts.
<ul style="list-style-type: none"> Transparency Reporting 	<ul style="list-style-type: none"> More detailed information on transparency reporting requirements.

<ul style="list-style-type: none">• Light Touch, Concessions and Utilities	<ul style="list-style-type: none">• More detailed information on these types of contracts.
<ul style="list-style-type: none">• Direct Awards	<ul style="list-style-type: none">• More detailed information on when contracts can be awarded directly.
<ul style="list-style-type: none">• Governance	<ul style="list-style-type: none">• Inclusion in the code of governance procedures.

TABLE 3 – THRESHOLDS AND PROCEDURES

Category	Estimated total value of procurement		Requirement	Exemptions
	Supplies & Services	Works		
A	Below £6,000, including VAT	Below £12,000 (including VAT)	An official order with at least one estimate (ideally more), including one from a local supplier if possible. See section 5.1. of code	Not applicable.
B	Between £6,000 and below £30,000 (in each case, including VAT)	Between £12,000 and below £120,000 (in each case including VAT)	At least three competitive quotations, including one quotation from a local supplier if possible. See section 5.2. of code	See section 10. of code
C	Between £30,000 and below £214, 904 (in each case including VAT)	Between £120,000 and below £214904 (in each case including VAT)	Competitive tenders but must not use a separate suitability stage to reduce the number of bidders invited to tender. See section 5.3. of code	See section 10. of code
C1		Between £214,904 and below £5,372,609 (in each case including VAT)	Competitive tenders using either the Open Procedure or the Competitive Flexible Procedure. See section 5.4. of code	See section 10. of code

D	At least £214,904 (including VAT)	At least £5,372,609 (including VAT)	Competitive tenders using either the Open Procedure or the Competitive Flexible Procedure and the provisions in the Act for above threshold contracts must be complied with. See section 5.5. of code	See section 10. of code
E	Social and other "light touch" services		See section 5.8. of code	See section 10. of code
F	Concession contracts		See section 5.9. of code	See section 10. of code
G	Utilities contracts		See section 5.10. of code	

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Agenda Item No:	13	
Committee:	Full Council	
Date:	30 September 2024	
Report Title:	Constitutional Amendments: Planning Scheme of delegation	

Cover sheet:

1 Purpose / Summary

1.1 The purpose of this report is to consider revisions to the Planning scheme of delegation within the Council's Constitution.

2 Key issues

2.1 The Council's Constitution includes within it a scheme of delegation. This identifies what duties / tasks can be carried out by officers instead of Planning Committee and sets out any conditions associated with these authorisations.

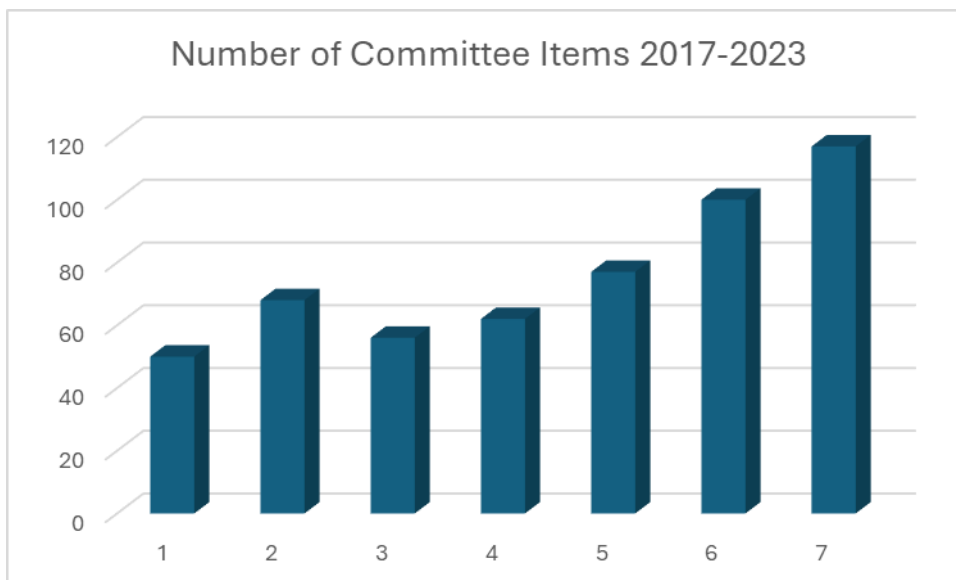
3 Recommendations

- 3.1 Revise the Planning scheme of delegation within the Council's Constitution as set out at Appendix A to:
- The 6 or more unresolved opinions will need to from different properties and received within the consultation period. This will be for paragraph 88 (i) and (ii) of the Constitution.
 - Removal of the requirement for the Head of Planning to consult the Chairman of the Planning Committee on 'Householder' planning applications when they are to be refused.
 - The time provided for the Chairman of the Planning Committee to respond to consultations from the Head of Planning to be extended to the end of the working day rather than 48 hours (i.e. feedback will need to be sent from the Chairman of the Planning Committee at the end of the working day after the passage of 48 hours since the list is sent to them).

Wards Affected	All	
Forward Plan Reference	N/A	
Portfolio Holder(s)	Councillor Dee Laws, Cabinet Member for Planning and Flooding	
Report Originator(s)	Matthew Leigh, Head of Planning	
Contact Officer(s)	Matthew Leigh - Head of Planning mleigh@fenland.gov.uk Carol Pilson - Corporate Director and Monitoring Officer	
Background Paper(s)	Constitution	

1 Background / introduction

- 1.1 The Council is a Local Planning Authority with responsibility for determining a range of planning applications. The majority of planning decisions are made using delegated powers. The more significant, contentious or controversial applications are referred to the relevant Committee/s for determination.
- 1.2 Every council has its own scheme of delegation to identify the circumstances where planning consent decisions are taken by Planning Committee rather than delegated to officers. The decision on whether matters are referred to the Planning Committee is influenced by a number of factors including the level of interest from local residents, whether the application is contentious and accords with the Council's own policies and probity issues where the council could be perceived as being biased if the application is delegated to officers.
- 1.3 Each planning application type has a statutory timeframe for which an application should be determined within (generally 8 or 13 weeks) and the Government places great importance on timely decision making. The PPG states:
" Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing."
- 1.4 Delegation of planning applications to Officers can save significant amounts of time and increase productivity within the Planning Service. However, it is important to balance the saving against the need for Elected Members to deal with the key and most complex planning applications.
- 1.5 As can be seen from the table below there has been a progressive increase in the number of items determined by the planning committee since 2017.



- 1.6 Government Guidance is that a minimum of 90% of planning applications should be determined at officer level under delegated powers and generally, across the country, around 95% of reports are dealt with under delegated powers.
- 1.7 Alongside the increase in applications being presented to the Planning Committee there has been a decrease in the percentage of applications determined at officer level.
- 1.8 When an application is referred to Committee it puts in place a process which is resource intensive. It is important that decisions are made at the appropriate level using the

Committee or delegated. Largely this is within the gift of the Council to decide, hence the Constitution of the Council including a Scheme of Delegation.

- 1.9 Both the Portfolio Holder for Planning and the Planning Committee Chairman have met with the Head of Planning and the potential to amend the scheme of delegation to ensure that the Planning Committee are provided enough time to prepare and deal with the more complex and contentious applications that are more appropriate for the Planning Committee to consider.

2 Considerations

2.1 Determination of Planning Applications & Planning Policy & Guidance

- 2.2 Planning law dictates that planning applications should be determined in accordance with planning policy (national as well as local) unless material considerations are sufficiently strong to outweigh policy in relation to the application being considered. This requirement is purposely in place so that there can be consistent decision making. This gives developers and the public confidence in the decision-making process.
- 2.3 There is no requirement for the Planning Committee to follow the recommendation of the Planning Officer as they are able to attribute reasonable weight, as they see fit, to the various material considerations. However, they are still bound by the same Policies, Government Guidance and Case Law as the planning officers.
- 2.4 Local Plans must be prepared by Councils and must be kept up to date (these two things being a legal requirement) and represent a considerable financial investment by the Council. The Local Plan sets out the growth ambition of the Council and the associated policies to be used in order to decide planning applications in a way that will deliver growth in the desired way. It follows, that in accordance with adopted policies (national or local) some forms of development will not be acceptable.

2.5 Fenland District Council

- 2.6 As Members will be aware Fenland District Council has previously been at risk of being placed in 'Special Measures' due to poor performance in relation to the time taken to determine the smaller scale planning applications. Whilst performance regarding this has significantly improved this is heavily reliant on the agreement of Applicants to enter in to an 'Extension of Time' (EOT) to extend the period for determination of the planning application.
- 2.7 Due to the relatively limited period provided by the legislation for Councils to determine smaller scale planning applications (8 weeks) it is very difficult for Planning Authorities to determine these applications within the statutory period if they are presented to the Planning Committee. This is due to the limited opportunity to present the items due to Committees being monthly, the lead in time for a Planning Committee (including a legal requirement to publish the Committee agenda a week prior to the Committee) the need to be able to draft a detailed and accurate report that has a robust recommendation without all of the consultation responses (there is a legal requirement to consult for a minimum of 21 days) and the capacity of senior officers to review the report alongside competing deadlines and priorities.
- 2.8 Furthermore, the Government have indicated that there will be a more detailed investigation into a Local Planning Authority's performance including time taken to determine planning applications within the Statutory Deadline irrespective of if an EOT has been agreed or not.

2.9 Proposed Amendments

- 2.10 It is suggested that the existing Scheme of Delegation is amended slightly in an attempt to facilitate a more timely decision making process. The proposed changes are attached as 'track changes' to the existing scheme as Appendix One.

2.11 A summary of the key changes is:

- The 6 or more unresolved opinions will need to come from different properties and received within the consultation period. This will be for paragraph 88 (i) and (ii) of the Constitution.
- Removal of the requirement for the Head of Planning to consult the Chairman of the Planning Committee on 'Householder' planning applications when they are to be refused.
- The time provided for the Chairman of the Planning Committee to respond to consultations from the Head of Planning to be extended to the end of the working day rather than 48 hours (i.e. feedback will need to be sent from the Chairman of the Planning Committee at the end of the working day after the passage of 48 hours since the list is sent to them).

2.12 6 or more unresolved objections

2.13 At this time an application that receives 6 or more unresolved opinions from any address (within the ward or adjoining ward) and at any stage of the lifetime of the planning application is required to go before the Planning Committee. This means that if six people write in the day before the 8 week deadline the application cannot be determined and it is required to go to the next available Planning Committee.

2.14 The proposed changes would require for the 6 or more unresolved opinions to come from different addresses. This is because whilst multiple people at a neighbouring site, for example, may have a very strong opinion this would be one sole planning matter and should be considered as so. The 'number' of pieces of correspondence should not be a material consideration in the determination of a planning application, this has been found to be the case by the Courts. 6 different addresses raising an opinion with a scheme may evidence that the development has more of a strategic importance than would first appear and reasonably indicates that a scheme should be considered by the Planning Committee. However, this is not the case when the opinions all come from the same property or premises.

2.15 Furthermore, it is considered reasonable to require the opinions to come in within the consultation period rather than at any time through the life of the application. This will enable a more timely decision making process and provide clarity for Officers on whether a planning application will need to go before the planning committee to assist in managing workloads and associated pressures.

Consultation with the Chairman of the Planning Committee

2.16 This part of the Scheme of Delegation is relatively new addition and it is therefore, appropriate to review how successful this has been.

2.17 It was acknowledged within the Committee report that the process would create an additional administrative process that would create more work for the Planning Officer and would reduce the timeframe for the LPA to consider the planning application. This places additional stress on the officers of the Council whilst making it more likely that an application will not be determined within the 8 week deadline. This pressure is to be decreased by the suggested amendment below.

2.18 From the 1 August 2022 to the 1st of August 2024 Fenland District Council determined 422 householder planning applications. A review of the last 2 years planning committees would indicate that only one planning application has been presented to the Planning Committee due to the Head of Planning's consultation with the Chairman of the Planning Committee on a refusal. It is therefore, considered that the additional workload for the Service is not proportionate to the quantum of applications that are presented to the Planning Committee. It is therefore, recommended that Householder planning applications should be removed from this part of the scheme of delegation.

2.19 The time provided for the Chairman of the Planning Committee

- 2.20 At this time the Chairman of the Planning Committee has 48 hours to respond when a planning application is to be refused. This can be a very restrictive deadline when the individual has competing priorities, particularly if there have been a high number of recommendations for refusal in a small period.
- 2.21 It is therefore, considered appropriate to extend the period to 17:00 of the second working day (i.e. feedback will need to be sent from the Chairman of the Planning Committee at the end of the working day after the passage of 48 hours since the list is sent to them).

3 Effect on corporate objectives

- 3.1 The grant of planning permissions through the Planning Committee and delegated decisionmaking process supports the following stated objectives:
- a) Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland
 - b) Promote and enable housing growth, economic growth and regeneration across Fenland

4 Community impact

- 4.1 Planning applications must be decided in accordance with planning policy unless material planning considerations outweigh the policy position. This ensures that fair and consistent decision-making takes place which is the backbone of the planning system and gives the public faith in its operation.
- 4.2 A more timely decision making process will improve the experience of the community when engaging with the Planning process.

5 Conclusions

- 5.1 It is correct for a Council to review the adopted Scheme of Delegation to ensure that it remains up to date and that the correct applications are going before the Planning Committee whilst balancing the need for timely decisions.
- 5.2 The proposed amendments would have the following benefits:
- It will speed up decision making process across a range of planning applications;
 - Members on Planning Committee can focus on developments that potentially have a more significant impact upon the District;
 - Will reduce the pressure placed on the Chairman of the Planning Committee to review recommendations for refusal by reducing the number but also providing an extended period.
 - Reduce the work pressure for the Planning Officers and Senior management within the Service;
 - Provide a financial benefit for both the Council and for Developers.
 - It would be clearer for the public where decisions are made regarding the type of application and also allow the public to know whether an application is to be determined at Officer or Committee level earlier in the process.
- 5.3 It is considered the suggested changes would result in a demonstrable improvement to the performance of the LPA, ensure that the Planning Committee deals with the most appropriate planning applications and also reduces the pressure on the Council's staff.

APPENDIX 1

Development Control

87. Having ensured that all statutory requirements and Council policies have been complied with and after considering all representations received;²⁷ 23(i)

(i) Determine all 'other', 'minor' and 'planning permission in principal (and associated technical consents)²⁸ applications submitted under any of the Acts or Statutory Instruments set out in Appendix A to this Scheme unless:-

- Called-in by Member (the development must be within their ward area or adjacent ward area and the Member request has been granted by the Head of Planning in consultation with the Chairman of Planning or substitute²⁹).
- 6 or more unresolved written opinions from 6 properties individuals, groups or organisations³⁰ are received, within the consultation period, from within the ward area or adjacent ward area which differ from the officer recommendation.
- Town/Parish views are in conflict with officer recommendation and the application is for more than 2 dwellings.
- The Head of Planning considers that the application merits committee consideration on the grounds of wider planning interests.³¹

For

- 'other' and 'minor' applications which have either FDC or Member involvement OR
- With the exception of 'householder' applications, 'other' and 'minor' applications where the officer recommendation is for refusal

the following procedure will apply;

²⁷ Amendment approved 18th September 2014

²⁸ Amendment approved 14th December 2020

²⁹ Amendment approved 5th August 2020

³⁰ Amendment approved 14th December 2020

³¹ Amendment approved 5th August 2020

The Head of Planning will consult the Chairman of Planning Committee and decide if:

The application should be determined by the Planning Committee OR the application should be determined under delegated powers by the Head of Planning.

If in the opinion of the Head of Planning in consultation with the Chairman of Planning Committee the recommendation is accepted, the case officer's decision will be countersigned by the Head of Planning.

If in the opinion of the Head of Planning in consultation with the Chairman of Planning Committee there are wider planning issues to consider the matter will be placed on the Planning Committee agenda.³²

- (ii) Determine all 'major' applications submitted under any of the Acts or Statutory Instruments set out in Appendix A to this Scheme unless:-
- FDC or Member involvement
 - Called-in by a Member (the development must be within their ward area or adjacent ward area and the Member request has been granted by the Head of Planning in consultation with the Chairman of Planning)³³
 - 6 or more written views from 6 individuals, groups, or organisations³⁴ are received (from the ward or adjacent ward)³⁵ which conflict with the officer recommendation
 - Town/Parish views are in conflict with officer recommendation
 - Statutory Consultee views are in conflict with officer recommendation
 - The Head of Planning considers that the application merits committee consideration on the grounds of wider planning interests.³⁶
 - The application is recommended for refusal in which case the following procedure will apply;

The Head of Planning will consult the Chairman of Planning Committee and decide if:

The application should be determined by the Planning Committee OR the application should be determined under delegated powers by the Head of Planning.

If in the opinion of the Head of Planning in consultation with the Chairman of Planning Committee the recommendation is

³² Amendment approved 5th August 2020

³³ Amendment approved 5th August 2020

³⁴ Amendment approved 14th December 2020

³⁵ Amendment approved 14th December 2020

³⁶ Amendment approved 5th August 2020

accepted, the case officer's decision will be countersigned by the Head of Planning.

If in the opinion of the Head of Planning in consultation with the Chairman of Planning Committee there are wider planning issues to consider the matter will be placed on the Planning Committee agenda.³⁷

- (iii) determine all applications pursuant to conditions attached to permissions,
- (iv) determine all requests for minor amendments to permissions,
- (v) determine all applications for certificates of lawfulness,
- (vi) respond to all consultations from Cambridgeshire County Council regarding applications submitted to them as the relevant Planning Authority,
- (vii) determine all applications for works to trees and those submitted under the Hedgerow Regulations 1997,
- (viii) determine all prior notification applications and all subsequent detailed submissions applications, but in the case of telecommunication applications where the officer is minded to recommend refusal the Head of Planning will consult the Chairman of Planning Committee and decide if:
The application should be determined by the Planning Committee OR
the application should be determined under delegated powers by the Head of Planning.³⁸
- (ix) determine all requests for screening or scoping opinions under the relevant legislation,
- (x) determine all applications for Ancient Monument Consent,
- (xi) determine all applications for Hazardous Substances Consent,
- (xii) determine all queries relating to 'permitted development' i.e. is permission/approval/consent/notification required,
- (xiii) make and confirm Tree Preservation Orders unless any relevant objections are received.
- (xiv) Respond to applications for Goods Operators' Licences as appropriate,

³⁷ Amendment approved 6th August 2020

³⁸ Amendment approved 6th August 2020

- (xv) Respond to consultation regarding the erection or modification of overhead power lines and ancillary equipment,
- (xvi) Determine applications for Certificates of Appropriate Alternative Development,
- (xvii) To enter into legal agreements under Section 106 of the Town & Country Planning Act 1990.
- (xviii) To decline to determine applications under Section 70 A, B & C of the Town & Country Planning Act 1990.³⁹

Definitions for section:-

Major applications (Department for Communities and Local Government codes 1-5),

- 10 or more dwellings or site area of more than 0.5ha,
- All other land uses - involving floor space of more than 1,000 sq m or a site area of more than 1ha,

Minor applications (Department for Communities and Local Government codes 6-10),

- 1-9 dwellings
- All other land uses involving floor space of less than 1,000sqm or sites of less than 1ha,

Other applications (Department for Communities and Local Government codes 11-17)

- Changes of use (except where fall into major category)
- Householder developments (within the curtilage of a residential property except for changes of use and creation of additional dwellings),
- Advertisements,
Listed Building consent to alter/extend
- Listed Building consent to demolish
- Conservation Area consents

FDC/Member involvement:-

- Landowner,
Applicant
Agent
Staff member working in Development Service or in a closely associated Service

³⁹ Amendment approved 6th August 2020

OVERALL PROVISOS TO SECTION 88

any Fenland District Council member can require any delegated application in Category (ii) above to be referred to the Planning Committee for consideration by notification in writing to the Head of Development at planning@fenland.gov.uk⁴⁰ within three weeks of registration date (such notification must provide planning reasons for requesting reference to Committee and these planning reasons must subsequently be incorporated in the report to Committee). The scrutiny of the weekly list of applications circulated to members will facilitate this safeguard.

Head of Planning consultation with the Chairman on officer delegated refusals and call in process:

- ~~There is a 48-hour period (equivalent to 2 working days)~~ allowed for a consultation response to be received is by 17:00 hours 2 working days after the Chairman being originally consulted.
- A nil or late response will automatically mean that a delegated decision will be made on the application.
- Where there is a conflict of interest for the Chairman or substitute, a delegated decision on the application will be made.
- The consultation reply must be in writing and give a planning justification for any request for Planning Committee consideration.
- The Chairman must advise the Head of Planning and Development Manager of times when the substitute is acting.⁴¹

88. Planning Enforcement:

To:

- (i) issue Planning Contravention Notices;
- (ii) issue Requisitions for Information;
- (iii) authorise and issue Breach of Condition Notice proceedings;
- (iv) authorise and issue Waste Land Notices;
- (v) authorise and initiate Proceedings against Fly Posters;
- (vi) authorise and initiate Proceedings against Unauthorised Signs.
- (vii) issue Temporary Stop Notices
- (ix) issue Enforcement Notices

⁴⁰ Amendment approved 5th August 2020

⁴¹ Amendment approved 5th August 2020

(x) in cases of urgency in consultation with the Chairman of the Planning Committee (unless such consultation would have a detrimental effect on this power) to:

- a. issue a Stop Notice
- b. authorise an application for an injunction
- c. authorise the commencement of any legal proceedings such actions to be notified to the next scheduled meeting of the Planning Committee
- d. authorise prosecution following non-compliance with an enforcement notice of any type⁴²

(xi) issue notices requiring the Proper Maintenance of Land⁴³

89a. Brownfield Register

To prepare and publish sites in Part 1 of a Brownfield Land Register, as defined by The Town and Country Planning (Brownfield Land Register) Regulations 2017.⁴⁴

89b. To operate the Council's neighbourhood planning function (except for the 'making' (adoption) of such Orders and Plans) including, but not necessarily limited by, the following:

- The designation of neighbourhood areas and neighbourhood forums
- Providing comments on behalf of the Council to consultations on draft plans or orders
- Making decisions on behalf of the Council on whether a plan meets the basic conditions and should proceed to referendum, following the receipt of a report from the independent examiner and publishing this decision.⁴⁵

Food Safety Services, Health Services and Environmental Services

89. Generally to take action, to operate all legislative and administrative procedures including, but not limited to authorising any action, signing any documents, the service, issue or publication of any notice, order or other document in accordance with any of the Acts or Statutory Instrument set out in Appendix A to this Scheme, (including the power to appoint or revoke the appointment of authorised officers) if and in so far as each is relevant to the Council's environment functions.

90. Generally to take action and operate all legislative and administrative procedures in relating to the licensing and regulation of premises and activities. To issue licences and certificates or effect registration under powers conferred by any of the Acts or Statutory Instruments listed in

⁴² Amendment approved 6th August 2020

⁴³ Amendment approved 29th July 2010

⁴⁴ Amendment approved 14th December 2017

⁴⁵ Amendment approved 14th December 2017