CABINET - MONDAY, 24 FEBRUARY 2025 NOTICE OF DECISIONS PUBLISHED ON 27 FEBRUARY 2025

Item

Agenda Item 5 - Business Plan 2025/26

Purpose

For Cabinet to consider and recommend to Council the approval of the Final Business Plan 2025-2026.

Decision

AGREED to consider and recommend to Council the approval of the Business Plan 2025-2026.

Reason for Decision

Cabinet is being asked to approve the Business Plan 2025-6 because it will provide a structure of proposed aspirations and outcomes which will guide delivery of the council's core priorities. It will also aim to ensure that the Council runs effectively, transparently, and sustainably.

Alternative Options Considered

No alternative options were considered as the Council has made an ongoing commitment to produce an annual Business Plan.

Interests

None

Background Documents

Budget and Medium-Term Financial Strategy

Draft Business Plan 2025-26

Item

Agenda Item 6 - Budget & Mid Term Financial Strategy 2025/26

Purpose

To consider and approve:

- the revised General Fund Budget and Capital Programme for 2024/25, and to consider and recommend to Council:
- the General Fund Budget Estimates 2025/26 and the Medium-Term Financial Strategy 2025/26 to 2029/30
- the Council Tax levels for 2025/26
- the Capital Programme 2025/26-2027/28, and
- the Treasury Management Strategy Statement, Capital Strategy and Annual Treasury

Investment Strategy for 2025/26.

Decision

AGREED that:

(i) the revised estimates for 2024/25 as set out in Section 8 and Appendix A showing an estimated shortfall of £350k (to be funded from the Budget Equalisation Reserve if required), be approved.

and to recommend to Council that:

- (ii) the General Fund revenue budget for 2025/26 as set out in Section 9 and Appendix A be approved.
- (iii) the Medium-Term Financial Strategy as outlined in this report and Appendix B be adopted.
- (iv) the Capital Programme and funding statement as set out in Appendix D be approved.
- (v) the adoption of the additional Business Rates Relief measures as detailed in Section 7 using Discretionary Relief Powers be approved.
- (vi) the expenses detailed in Section 12 be approved to be treated as general expenses for 2025/26.
- (vii) the Port Health levy for 2025/26 be set as shown in Section 13.
- (viii) the current working age Council Tax Support Scheme be adopted with effect from 1 April 2025 as set out in Section 15, with appropriate changes to the prescribed pensioner scheme as determined by regulations.
- (ix) the Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement (including amending the MRP calculation to be based on the 'Annuity method' from 2024/25 onwards), Treasury Investment Strategy, Prudential and Treasury Indicators for 2025/26 and Capital Strategy 2025/26 as set out in Section 16 and Appendix E be approved.
- (x) the Band D Council Tax level for Fenland District Council Services for 2025/26 be set at £254.79, no change on the current year.

at £254.79, no change on the current year.
Reason for Decision
Not applicable.
Alternative Options Considered
Not applicable.
Interests
None
Background Documents

Final Finance settlement – Ministry of Housing, Communities and Local Government (MHCLG).

Autumn Statement and Budget 2024 (HM Treasury)

Medium Term Financial Strategy working papers.

Government announcements since February 2024.

Item

Agenda Item 7 - Leisure Facility Strategy - Initial Assessment Phase

Purpose

Cabinet has instructed officers, working with the Portfolio Holder for Leisure, to assess Fenland's leisure centres and develop a planned investment programme to ensure that the facilities are fit for purpose for the future in line with the Council's Inspire programme.

The report highlights costs of potential projects covering all four leisure facilities in Chatteris, Wisbech, March and Whittlesey and offers Cabinet suggested options to move work forwards.

Decision

AGREED:

Conditions Survey Work

- That condition survey work across the leisure facilities remains necessary and should remain funded within the capital programme. 5-year costs are estimated to be £9.155m.
- To instruct the S151 Officer to make continued provision for condition survey work by adding an additional £7m into the capital programme in the next three years, adjusted as necessary to be included within other leisure capital project options detailed below.

Manor Leisure Centre

- To progress the Manor Leisure Centre significant refurbishment project, detailed in the report, to RIBA Stage 3 at a cost of £276,775, with Cabinet authorising the S151 Officer to add this additional sum and any other relevant expenditure into the Council's capital programme in 2025/26 including the rifle range and sports hall options.
- That RIBA Stage 4 be completed concurrently with RIBA 3 at an additional cost of £349,688 and authorise the S151 Officer to add this additional cost and any other relevant expenditure into the Council's capital programme in 2025/26 including any additional RIBA 3/4 costs related to the rifle range and sports hall options.
- To note that upon completion of RIBA Stage 4 a report will be developed offering
 options for Cabinet to recommend to Full Council to either proceed with construction
 works or halt the project. Currently construction costs are estimated at £13.49m for the
 facility (including the rifle range and sports hall options) and could proceed in 2026/27.
 If Council decides not to proceed with construction, then the RIBA 3 and 4 costs will
 revert to revenue.

Chatteris Leisure Centre

To approve refurbishment work of the facility and authorise the S151 Officer to add an additional £50,000 into the Council's capital programme for these works in 2025/26.

To consider carefully the Chatteris Swimming Pool project and if the capital costs are
acceptable, authorise the S151 Officer to add an additional £164,482 into the capital
programme to develop the Chatteris Swimming Pool project to RIBA Stage 0-2. Cabinet
to note this is a capital cost, but should the project not proceed past this point, then this
expenditure would revert back to a revenue cost.

George Campbell Leisure Centre

- To approve to fund short-term projects for the George Campbell Leisure Centre and authorise the S151 Officer to add an additional £390,000 into the Council's capital programme for these works.
- To note, in addition to the short-term projects above, condition survey works will continue at the site at a cost in the region of £2.5m.

Hudson Leisure Centre

- To authorise the S151 Officer to add an additional £450,000 into the capital programme for 2025/26 for the development of three external covered floodlit padel courts at the Hudson Leisure Centre.
- To consider whether to instruct officers to develop estimated costs for each of the noncondition survey, short-term, Hudson projects identified, namely:
 - Adapt the multi-function space that is currently used for spinning into an assisted fitness and older persons health and wellbeing space
 - The current gym has unused spare space at the end of the gym this has potential for conversion into activity rooms for box fit, circuit training and spin
- To instruct officers and the Portfolio Holder for Leisure to bring to Cabinet further refurbishment options for the Hudson Leisure Centre considering:
 - The addition of a kitchen space to generate additional revenue from soft play and soft play parties
 - Remodelling of access to the sports hall and possible soft play improvements to generate increased community use and revenue
 - Further uses for the sports hall that would generate additional revenue, linked with the new café/kitchen
 - External entrance and reception improvements.

And AGREED to note that agreement to pursue any of the projects above is subject to Full Council approval of the Budget on 24th February 2025.

Reason for Decision

The recommendations are developed from the options for each facility in the report. Any recommendations need to be assessed for their affordability, any potential return on investment and the broader financial context that the Council is working within and specifically any other capital projects that Cabinet has ambitions to deliver in the shorter term.

Alternative Options Considered

The report considers alternatives for each facility.

The Council does have the alternative option of closing facilities (subject to contract negotiations with Freedom Leisure) as they are not statutory services. This option is not presented in the report for any of the leisure centres as it is understood that this is not an option that elected Members would consider.

Interests

None

Background Documents

Cabinet Report November 2023

Cabinet Report January 2025

2021 Condition Survey reports

Alliance Leisure documentation

Item

Agenda Item 8 - Fenland Waste Strategy

Purpose

For Cabinet to agree and recommend an updated waste collection system to Council for domestic waste collection in Fenland that provides for the legislative changes resulting from the Environment Act 2021 as they commence from 30 March 2026.

To agree the addition of weekly domestic food in Fenland from 30 March 2026 for residential properties, and food waste collections from domestic communal collection points at flats and similar during the subsequent 6 months.

In line with Simpler Recycling, to agree the continued collection of the legally required recycling materials from domestic premises as a comingled collection and agree the updated TEEP statemen as required by DEFRA.

To approve updated Waste Service Standards that allow for these changes in legislation.

To delegate the urgent procurement of required containers to the appropriate director in consultation with the portfolio holder.

Decision

AGREED to recommend to Full Council:

- 1. the approval of Fenland's updated Waste Service Standards as set out in appendix 1
- 2. the approval of updated TEEP statement as set out in appendix 2 in line with Simpler Recycling and Environment Act 2021 requirements.
- 3. the approval of the suggested amendment to the waste strategy as set out in appendix 4 to allow for the required weekly food waste collections to commence from 30 March 2026, and
- 4. to note that the Cambridgeshire and Peterborough Waste Partnership are working on an update to the current area-based waste strategy approved by Council in 2008. This will be presented for member consideration later in 2025.

Reason for Decision

The Waste Service Standards set out the approach that our customers can expect to the domestic

waste services provided, including our response to service issues such as missed collections or contaminated bins. The implementation of weekly food waste collections has been included in this updated standards document for approval [appendix 1].

The simpler recycling guidance requires the council to collect paper and care separately unless it can be demonstrated through a TEEP statement why this might not be the best solution for the collection authority area. The evidence is that it would cost in the region of £1 million to offer this additional service with no increase in recycling collected and no environmental benefit. The TEEP statement at appendix 2 is required if the Council is to continue to collect recycling through the very effective blue bin service.

The current Waste Strategy is out of date and requires updating to include the statutory weekly food waste collections from domestic premises.

There is a larger piece of work ongoing with Cambridgeshire and Peterborough partner authorities that will result in a new waste strategy being agreed for the area. Ahead of agreement to this new strategy Fenland will need to include the provision of weekly food waste collections from all premises. Waste Strategy changes require the approval of Council upon recommendation from Cabinet.

Alternative Options Considered

Simpler Recycling – to create an additional service separately collecting paper and card was considered, but the additional cost and lack of benefit resulted in the proposed continuation of the existing recycling service.

Weekly Food Waste – co-collecting with garden waste was considered, but didn't offer any efficiencies over a separate collection and complicated the disposal options.

Residual Waste Bin Size - A move to 180 litre residual waste bins in line with the WRAP recommendations was considered, but the portfolio holder was not convinced that the upfront cost to Fenland of providing each property with a new residual waste bin would generate sufficient savings to warrant the change.

Interests

None

Background Documents

Fenland's Waste Service Standards 2018.

New Burdens Doctrine Guidance

Cabinet Report 15 July 2024 - DEFRA Funded Food Waste Vehicle Purchase

Fenland TEEP Assessment

Item

Agenda Item 9 - Homelessness and Rough Sleeping Strategy and Action Plan

Purpose

To consider approval of a Homelessness and Rough Sleeping Strategy and action plan 2024/2029.

Decision

AGREED to approve the Homelessness and Rough Sleeping Strategy and Action Plan for 2024/2029.

Reason for Decision

The strategy action plan (informed by the consultation responses) sets out 9 key areas with specific actions to tackle homelessness and rough sleeping in Fenland over the next 5 years.

The action plan will be reviewed regularly to ensure progress is made and issues remain current. This will be done through the annual service planning cycle linked to the business plan of the council.

Alternative Options Considered

The Council is obliged to produce a Strategy and has followed all the appropriate steps to bring this before Cabinet for consideration. The only other alternatives are to not produce a strategy at all which would be contrary to requirements or to produce a different strategy, however the content of the strategy recommended for approval has been arrived at following detailed preparation.

Interests

None

Background Documents

MHCLG Homelessness Code of Guidance For Local Authorities

Item

Agenda Item 10 - 24 High Street, Wisbech

Purpose

To provide Cabinet with a monthly update regarding:

- Ongoing construction work at 24 High Street, Wisbech
- Work regarding 11-12 High Street, Wisbech will now be covered in other reports from this point forwards.

To highlight additional costs incurred for the construction of 24 High Street, as detailed in the January 2025 Cabinet report and to seek formal approval from Cabinet for this additional funding.

Decision

AGREED to:

- delegate authority to the S151 Officer, working in conjunction with the Portfolio Holder for Finance, to fund the additional £265,000 identified as necessary, at this time, to complete the construction of 24 High Street. This cost is a contractual obligation as part of building work.
- Note that until the building is completed there may be other additional costs, albeit

these are anticipated to be more minor in nature, as the complex part of the building works are completed. It is anticipated that further costs will be addressed by way of a Portfolio or Officer Decision Notice.

Reason for Decision

The Council is in a contract with Etec to build 24 High Street. Throughout any building contract there will arise issues that add cost into a project as well as options that the client (i.e. the Council) may wish to implement as the build progresses.

Whilst 24 High Street is a difficult site on which to deliver the building, progress has continued at a reasonable pace. The initial piling and then slab works were difficult with ground conditions terrible, but the team has moved beyond this phase and the building shell is almost complete.

The recommendations to Cabinet are necessary to increase the budget for the project from the originally agreed sum, due to issues on the build. The recommendations address the financial governance of the project and are necessary given the contractual position of the Council for this build.

Alternative Options Considered

The Council is in a legal contract with Etec Limited to build 24 High Street. No alternative options are available given the contractual position of the Council.

Interests

None

Background Documents

Previous monthly Cabinet reports regarding Wisbech High Street
July 2022 Cabinet and Council reports regarding 24 High Street, Wisbech

Item

Agenda Item 13 - Transfer Station Tender (with confidential appendix)

Purpose

To approve the procurement of a replacement provider for the bulking and transfer of Fenland's domestic and commercial mixed dry recycling.

To delegate this procurement, with portfolio holder oversight, to the relevant director through a local tender process.

Decision

AGREED to:

- Commit to the procurement and appointment of one or more contractors to deliver services for bulking and transfer of Fenland's collected municipal mixed dry recycling materials.
- Delegate to the Corporate Director and Section 151 Officer for the authorisation of the final Invitation to Tender (ITT), and to award the contract, in consultation with the Portfolio Holder, after considering possible sharing of facilities and/or contractors with

- neighbouring Councils which are likely to form part of the same Unitary Authority in Fenland after Local Government Reorganisation.
- Allow authority for the Corporate Director and Section 151 Officer, in consultation with the Portfolio Holder, in tandem with the tender process to explore the provision of this contract through agreement with the County Council at their March Transfer Station, operated by Thalia, where this is financially advantageous and contractually practicable.
- Note that should a suitable contractor and/or facilities not be forthcoming, then it may
 be necessary for the Council to pursue the construction of a suitable solution for our
 own operation, or to discuss possible sharing of facilities with neighbouring Councils
 which are likely to form part of the same Unitary Authority in Fenland after Local
 Government Reorganisation.

Reason for Decision

Fenland currently has a legal duty under the Environmental Protection Act 1990, as amended by the Environment Act 2021, to collect 5 recycling materials [paper, card, glass, plastics and metals] from all properties. Fenland elects to collect these materials combined together in a comingled collection.

Fenland has a contract in place for these comingled materials to be sorted for onward sale and recycling via Biffa's Edmonton facility in North London. As such the Council requires a suitable facility to have these 9,500 tonnes of mixed dry recycling bulked and transferred to larger transport vehicles to fulfil this contract.

The current facilities in Algores Way, Wisbech are likely to soon be decommissioned and therefore we urgently seek approval to determine a suitable alternative.

Given that the County Council have in place a suitable licensed facility via their PFI agreement with Thalia, it seems only sensible to explore whatever options might be practicable for both parties whilst also extending the offer to the market should an inter-authority solution not be feasible.

Alternative Options Considered

To seek permissions and quotes to develop our own bulking facility. This remains an option, although costly and potentially difficult within the anticipated timescale.

Interests

None

Background Documents

Previous tender approval December 2023: <u>Recap Dry Recycling Contract Tender for Bulking, Transportation, Sorting and Sale of Recycling Materials</u>

Extended Producer Responsibilities

Item

Agenda Item 14 - Article 4 Direction - HMO's in Wisbech (with confidential appendix)

Purpose

Cabinet to consider and recommend to Council the making of Immediate and Non-Immediate Article 4 Directions in Wisbech which will give the Local Planning Authority (LPA) the ability to properly consider the implications of all new HMOs that are created, avoid excessive concentrations of HMOs in particular areas and continue to monitor their distribution and effects on the wider area.

Decision

AGREED to recommend to Council that they:

- Approve the making of a direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) having nonimmediate effect for Wisbech Town apart from the excluded areas (the excluded areas being Wisbech Riverside and Wisbech South wards) withdrawing the permitted development right to change use from a dwelling house (Class C3) to a small HMO (Class 4) use as set out in Schedule 1.
- Approve the making of a direction under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) having immediate effect for the area of Wisbech Riverside and Wisbech South wards withdrawing the permitted development right to change use from a dwelling house (Class C3) to a small HMO (Class 4) use as set out in Schedule 2.
- Delegate the implementation of the consultation process and final approval of the Immediate and Non-Immediate Article 4 Directions to the Corporate Director & Monitoring Officer in consultation with the Portfolio Holder for Housing & Licensing and the Portfolio Holder for Planning & Flooding.
- Endorse the production of additional guidance to ensure the planning policy approach for assessing planning applications from Class C3 to C4 is clearly set out.

Reason for Decision

- 1.1 HMOs play an important role in the local housing market in Fenland, offering a flexible form of accommodation that is often cheaper than self-contained housing within the same area, so the Council considers there is a place for HMOs in district to help meet the diverse needs of residents. However, it is important that when HMOs do come forward the Council can strike the right balance between facilitating new homes but also ensuring they are in the right places and designed appropriately.
- 1.2 However, high concentrations of HMOs can cause negative impacts on local communities, for example more frequent noise nuisance, increased pressure on parking due to higher population densities, increased pressure on community and health facilities, and higher levels of population transience leading to a possible longer-term breakdown of community cohesion.
- 1.3 Larger HMOs are likely to have a proportionately greater impacts on surrounding occupants and neighbourhoods as each additional resident will increase the level of activity, for example through more frequent comings and goings, different patterns of behaviour and consequential noise and disturbance. A property occupied by a group of unconnected adults is likely to have a greater impact than a typical family home with a similar number of occupants as lifestyles and movement patterns will be less connected. It is also considered that individual unconnected occupants are more likely to generate additional refuse and parking pressures than a typical family home.
- 1.4 Equally, the cumulative effect of incremental intensification in an area caused by numerous changes of use from family housing to small HMOs can be significant, affecting both

- immediate neighbours and the wider area.
- 1.5 Increasingly there has been concern about the number of both large and small HMOs in the district specifically within central Wisbech. Concerns are centred around the loss of family sized housing, pressure on existing infrastructure, and the potential impact on the character and feel of an area bins, car parking, etc.
- 1.6 The Council has reviewed a range of information relating to housing pressures, anti-social behaviour, local heritage assets and infrastructure pressures and concluded that the overconcentration of HMOs in Wisbech Riverside and Wisbech South is having a detrimental effect on the amenity of the area. The information used to assess the impact of HMOs within Wisbech is set out in Schedule 4.
- 1.7 Planning officers have also expressed concern that tightening the planning powers for these Wards may result in increased pressure within other wards in Wisbech which is why this report recommends introducing two Article 4 Directions one Immediate and one Non-Immediate.
- Introducing an Immediate Article 4 Direction for central Wisbech and a Non-Immediate Article 4 for the remaining wards would help protect the character and amenity of Wisbech, by requiring all proposals for all new HMOs to obtain planning permission. The Article 4 Direction would not apply retrospectively, therefore existing HMOs falling within use class C4 would be unaffected by this proposal.

Alternative Options Considered

Alternative Option 1 - Do-nothing

1.9 As mentioned previously, the Council has reviewed a range of information relating to housing pressures, anti-social behaviour, local heritage assets and infrastructure pressures and concluded that the overconcentration of HMOs in Wisbech Riverside and Wisbech South is having a detrimental effect on the character and amenity of the area. A do-nothing approach would result in further erosion of the historic character and amenity of the area to an unacceptable level. As such, this option is not considered to be an appropriate way forward.

Alternative Option 2 - Non-Immediate Article 4 Direction for Wisbech Town

1.10 As with the do-nothing approach there is a concern that delaying the implementation of the Direction in Wisbech Riverside and Wisbech South for a period of 12 months would result in further erosion of the historic character and amenity of the area to unacceptable level. As such, this option is not considered to be an appropriate way forward.

Alternative Option 3 - Immediate Article 4 Direction for Wisbech Riverside and Wisbech South without the introduction of a Non-Immediate Article 4 Direction in the remaining wards of Wisbech

1.11 The evidence collated thus far indicates that there is a substantial number of HMOs across Wisbech – with the largest concentration found within the wards of Wisbech Riverside and Wisbech South. If the Council only serves an Immediate Article 4 Direction for Wisbech Riverside and Wisbech South without the introduction of a Non-Immediate Article 4 Direction in the remaining wards of Wisbech there is a high risk that the remaining wards within Wisbech specifically the parts directly adjacent to Wisbech Riverside and Wisbech South will see a dramatic increase in permitted development conversions from a dwelling house to a small house in multiple occupation. A Non-Immediate Article 4 Direction gives the Council time to monitor and manage the situation during the notice period and if required implement the Direction at the end of the notice period. If the Council chooses not to endorse a Non-Immediate Direction and there is an issue in the short/medium term, then we could end up needing to issue a further Immediate Direction in the future which would increase the risk of compensation claims. As such, this option is not considered to be an

appropriate way forward.

Variation with regards to starting points

- 1.12 There are options to set the Article 4 Directions at a different starting point, for example houses or flats with four people (e.g. two couples; a couple and two friends; two single parents and children etc) not to require planning permission but require five people or more sharing to require planning permission, i.e. setting the Article 4 Directions at 5 people or more.
- 1.13 This option has not been taken forward at this time as it is considered more effective to include all potential HMOs in the Article 4 Directions to improve the wellbeing of the area as part of the public consultation. There is not clear evidence that setting the Article 4 Directions at a different level of occupancy would address the harm to local amenity or improve the wellbeing of the area.

improve the wellbeing of the area.
Interests
None
Background Documents
None

Item

Agenda Item 15 - Considerations of initial options for the future redevelopment of 11 & 12 High Street, Wisbech (with Confidential Appendices)

Purpose

To allow members to consider and review the options available for the future of the property located at 11 & 12 High Street, Wisbech and to provide officers with instructions on the preferred course of action.

Decision

AGREED:

- To note the contents of the report.
- That officers progress with Option 2 as detailed herein up to and including the grant of planning consent and tender return and the expenditure of £75,000 of capital monies to deliver this work is also approved.

• That upon completion of the tender return the matter be brought back before Cabinet for approval prior to any commitment to the project commencing. Reason for Decision Alternative Options Considered The alternative options for consideration are set out in the confidential report. Interests None Background Documents

None

Additional information regarding these decisions is available from Amy Brown – Tel: 01354 622452

The 7 March 2025 at 1700 hours is the expiry date for call-in by the Overview and Scrutiny Panel of any of the above decisions. These decisions will come into force and may then be implemented on 8 March 2025, with the exception of any that the Overview and Scrutiny Panel calls in.