



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Agenda Item 4

Minutes of a meeting of the Finance & Assets Committee held at 4:30pm on Tuesday 4 October 2022 in the Council Chamber at The Grange, Nutholt Lane, Ely, CB7 4EE

PRESENT

Councillor Ian Bovingdon (Vice-Chairman in the Chair)
Councillor David Ambrose-Smith (Substitute for Councillor David Brown)
Councillor Sue Austen
Councillor Anna Bailey
Councillor Lorna Dupré
Councillor Simon Harries
Councillor Julia Huffer
Councillor Bill Hunt
Councillor John Trapp
Councillor Christine Whelan (Substitute for Councillor Alison Whelan)

OFFICERS

Emma Grima – Director Commercial
Sally Bonnett – Director Community
Spencer Clark – Open Spaces & Facilities Manager
Tracy Couper – Democratic Services Manager
Nicole Pema – HR Manager
Ian Smith – Director Finance
Martin Smith – Business Development Manager
Angela Tyrrell – Senior Legal Assistant
David Vincent – Health & Safety Officer
Adeel Younis - Legal Assistant

IN ATTENDANCE

John Hill – Managing Director ECTC
Nigel Ankers – ECTC Finance Manager
Councillor Stubbs (for items 36 to 38)

31. PUBLIC QUESTION TIME

No questions were submitted by members of the public.

32. APOLOGIES AND SUBSTITUTIONS

The Democratic Services Manager reported a change to the Substitute Members for the Committee, with Councillor Christine Whelan replacing Councillor Matthew Downey.

Apologies for absence were received from Councillor David Brown and Councillor David Ambrose-Smith was acting as Substitute Member; Councillor Alison Whelan with Councillor Christine Whelan acting as Substitute Member; and Councillor Mark Goldsack.

33. DECLARATIONS OF INTEREST

Councillor Bailey declared an interest in Agenda Item 19 on ECTC Management Accounts as a Trustee of East Cambs Community Land Trust.

34. MINUTES

It was resolved:

That the Minutes of the Finance and Assets Committee meeting held on 23 June 2022 be confirmed as a correct record and be signed by the Chairman.

35. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that, in order to aid discussions, he had invited John Hill and Nigel Ankers from East Cambs Trading Company to attend the meeting to speak on the item relating to ECTC Annual Accounts and had agreed change the order of the Agenda to move this to the next item of business.

36. ECTC ANNUAL ACCOUNTS 2021/22

The Committee considered a report (X69 previously circulated) containing the ECTC Annual Accounts for 2021/22. The ECTC Finance Manager highlighted the key aspects of the Accounts and confirmed that there were no matters to be brought to the Directors' attention.

Councillor Austen arrived at the meeting at 4.35pm

A Member question relating to this item had been submitted prior to the meeting and this, along with answer provided by officers, was set out in Appendix 1 to these minutes.

Further questions/comments were raised in relation to the Accounts and responses given as follows:

A Member stated that the question provided in advance had not been fully addressed and commented that she had been looking for a broader explanation of the factors impacting upon the trading company. The Member also queried why there was no explanatory note for the valuation (losses)/gains on fair value of debt instruments on page 6 of the accounts and about the 'right of use assets' referred to on page 7 of the accounts.

In response to a question by a Member as to why Corporation Tax was not payable, the ECTC Finance Manager explained that this was due to losses in the previous years.

A Member congratulated the Trading Company for a good set of accounts and productivity in a challenging period.

It was resolved:

That the ECTC Accounts for 2021-22 attached at Appendix 1 to the submitted report be noted.

37. COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING REQUEST HADDENHAM

The Committee considered a report (X63, previously circulated) containing a request for a CIL Funding allocation of up to £200,000 towards the New Recreation Ground, Haddenham project.

Members of the Committee commended the Parish Council on their hard work to secure funding from a variety of sources and ensure the delivery of this project for the local community.

In response to a question by a Member, the Director Community confirmed that all of the necessary Planning consents would need to be secured prior to the release of the funding allocation.

It was resolved (unanimously):

That a CIL Funding allocation of up to £200,000 be made to the New Recreation Ground, Haddenham project.

38. ELY HIGH STREET RENEWAL – CAPITAL GRANT FUND SCHEME

The Committee considered a report (X64, previously circulated) detailing Capital Grant Fund scheme eligibility criteria and an application form for Ely High Street Renewal.

Councillors Bailey and D Ambrose-Smith proposed and seconded approval of the recommendations in the submitted report, as revised by an amendment tabled at the meeting, as follows:

‘Approve the Scheme eligibility criteria and application form at Appendix 1.

Agree that the fund will be opened on Monday 10th October 2022 and close on Friday 11th November 2022. In the event that the fund is fully utilised subscribed before the close date, the Council ~~reserves the right to close the fund to pending or new applications~~ will award funding to those applications which most closely meet the criteria.’

A Member commended the scheme and requested Ward Councillors to encourage the submission of applications.

A Member question relating to this item had been submitted prior to the meeting and this, along with answer provided by officers, was set out in Appendix 1 to these minutes. In relation to further follow-up by Members on the question, the Business Development Manager agreed to provide a map of the area covered by the scheme, to clarify references to 'like-minded', 'location', and to ensure that it was clear that retrospective applications could not be submitted.

It was resolved (unanimously):

1. That the scheme eligibility criteria and application form, as set out at Appendix 1 to the submitted report, be approved.
2. That the fund be opened on Monday 10th October 2022 and close on Friday 11th November and, in the event that the fund is fully subscribed before the close date, the Council will award funding to those applications which most closely meet the criteria.

39. LOCAL COUNCIL TAX REDUCTION SCHEME (LCTRS) REVIEW 2023/24

The Committee considered a report (X65, previously circulated) containing the outcome of the annual review of the LCTRS and recommendations for the suggested scheme for 2023/24.

Councillors Huffer and Bovingdon proposed and seconded approval of the recommendation in the report to retain the 8.5% reduction scheme, i.e. the maximum reduction for a working age claimant remains at 91.5% for the 2023/24 financial year.

Councillors Dupré and C. Whelan then proposed the following amendment:

Delete 'retain the 8.5% reduction scheme' and insert 'adopt a 0% reduction scheme'.

Delete 'remains at 91.5%' and insert 'increases to 100%'.

As proposer of the amendment, Councillor Dupré explained that this was option 2 the report, and she did not accept that, in the current economic climate which had seen the devastation of people's incomes, 'everyone must pay something'. The current price rises and increase in the cost of living affected the poorest the worst.

Another Member commented that the recommendation in the report had been carefully considered due to the unprecedented situation at present. This Council still had the lowest Council Tax in the County, whilst other authorities locally had increased it to the maximum allowable in recent years, and continued to deliver excellent services. The 91.5% discount was a high sum and ensured that people still recognised the need to pay Council Tax as a principal. A change to 100% relief would be difficult to reverse in future years and mechanisms already existed to assist those struggling to pay this very small amount.

A Member stated that the Council demonstrated its care for the welfare of its residents by the Council Tax freeze for 9 years and the fact that it did not charge for car parking or public conveniences. The sum of £12 per year that the 8.5% equated to in relation to the East Cambridgeshire share of Council Tax, should be considered in the context of other charges that could affect local residents such as the proposed 'congestion charge' of £5 per day per car, for residents of this District working in Cambridge.

Other Members commented on the regressive nature of Council Tax and expressed a preference for the term 'resident' rather than 'customer'. They commented that this total relief should be seen as an acknowledgement of the drastic situation faced by residents in the current climate. Councillor Whelan, as seconder of the amendment, agreed with these views and reiterated that this would represent a small cost to the Council to help those in the greatest need.

Upon being put to the vote the amendment was lost by 4 votes in favour to 6 against.

Speaking on the Motion, the Chairman stated that 91.5% still was a very high discount and was better than that offered by many Councils. It was suggested that those in greatest need should be signposted to assistance and relief and such assistance should be clearly highlighted on the Council's webpages.

Upon being put to the vote the motion was carried by 6 votes in favour to 4 against.

It was resolved TO RECOMMEND TO COUNCIL:

That the Council retain the 8.5% reduction scheme, i.e. the maximum reduction for a working age claimant remains at 91.5% for the 2023/24 financial year.

40. MEDIUM TERM FINANCIAL STRATEGY (MTFS) UPDATE

The Committee received a report (X66, previously circulated) giving an update on the MTFS since approval of the Budget in February 2022.

A Member question relating to this item had been submitted prior to the meeting and this, along with answer provided by officers, was set out in Appendix 1 to these minutes.

In response to a further question by a Member, the Director Finance reported that the MTFS modelling was continually updated in the light of the ongoing financial situation. Members commended the Director Finance and his Team in maintaining a balanced Budget.

It was resolved:

That the report be noted.

It was resolved TO RECOMMEND TO COUNCIL:

That Council approve the increased premiums chargeable on long-term empty properties detailed in paragraph 5.4 of the submitted report.

41. FINANCE REPORT

The Committee received a report (X67, previously circulated) detailing the final outturn financial position of this Committee and the Council as a whole for 2022/23. Members attention was drawn to a correction to the numbers of the paragraphs referred to in the first recommendation in the report.

It was resolved (unanimously):

1. That approval be given to the additions to the 2022/23 Budget in relation to slippages from 2021/22 to the value of £827,964, as detailed in paragraphs 3.7 & 3.8 and Appendix 3 of the submitted report.
2. That it be noted that:
 - This Committee has a projected overspend of £263,400 when compared to its approved revenue budget of £5,607,728.
 - Overall the Council has a projected year-end overspend of £106,400 when compared to its approved revenue budget of £15,044,174.
 - The overall position for the Council on Capital is a projected outturn of £8,839,680, which is an underspend of £1,995,321 compared to the revised budget.

42. COMPULSORY PURCHASE ORDER OF LAND AT LODE ROAD, BOTTISHAM

The Committee received a report (X68, previously circulated) seeking approval for the Council to exercise its compulsory purchase order (“CPO”) powers on behalf of Bottisham Parish Council (“the Parish Council”) to acquire land to construct a new cemetery at Lode Road, Bottisham.

It was resolved TO RECOMMEND TO COUNCIL (unanimously):

1. **That Council authorise the use of the District Council’s compulsory purchase making powers pursuant to section 125 Local Government Act 1972 to acquire land on behalf of the Parish Council to allow for a new cemetery to be constructed.**
2. **To delegate authority to the Director Legal to:**
 - (a) **take all necessary steps to secure the making, confirmation and implementation of the CPO, including the publication and service**

of all relevant notices and to support the presentation of the Parish Council's case at any local public inquiry;

- (b) serve a requisition for information (in accordance with section 16 Local Government Act 1972) on the reputed owner and other parties that may have an interest in the land as part of the preparatory steps associated with the making and promotion of a CPO;**
- (c) approve terms for the acquisition of legal interests by agreement, either on behalf of the Council or in conjunction with the Parish Council, including for the purposes of resolving any objections to the CPO;**
- (d) take all necessary steps to resolve any compulsory purchase compensation claims, including, if necessary, by making (or responding to) a reference to the Upper Tribunals (Lands Chamber);**
- (e) enter into a suitable agreement with the Parish Council regarding reimbursement of all costs incurred by the District Council regardless of whether or not the CPO proceeds to completion;**
- (f) transfer the relevant land to the Parish Council if the CPO proceeds to completion via a back-back sale, subject to reimbursement of purchase costs and all other relevant expenses and the inclusion of a restrictive covenant in the transfer to prohibit development or uses other than as a burial ground.**

43. COVID-19 LESSONS LEARNED

The Committee received a report (X70, previously circulated) reporting on the strategic response to the COVID-19 pandemic.

The Chairman thanked all staff, stakeholder organisations and community groups for the positive response to assist and support local residents in unprecedented times.

Members commented that the pandemic was not yet over, that hospital admissions were increasing again and similar issues could arise this winter. In response to a question regarding how quickly the Council could respond to another wave of Covid, the Director Commercial reported that the Council could re-mobilise rapidly, having learned from experience, and that the 'Living with Covid' assessments were ongoing.

It was resolved:

That the report be noted.

44. HEALTH AND SAFETY ANNUAL REPORT 2021/22

The Committee received a report (X71, previously circulated) containing the Health and Safety Annual Report for 2021/22. The Health and Safety Manager summarised the content of the Annual Report.

Members commended the excellent work undertaken.

It was resolved:

That the Health and Safety Annual Report for 2021/22 set out at Appendix 1 to the submitted report be noted.

45. GENDER PAY REPORTING 2021/22

The Committee received a report (X72, previously circulated) containing data on Gender Pay at the Council. The HR Manager reported that the Council continued to build on its actions to reduce the gender pay gap. Members stated that it was good to see that the pay gap was reducing within the Council.

It was resolved:

That the report be noted.

46. ASSETS UPDATE

The Committee received a report (X73, previously circulated) containing an update on Council-owned assets.

The Open Spaces & Facilities Manager reported that the security fencing at the Depot had been completed and CCTV installation was due to commence. The tenders for drainage improvements were being evaluated.

The new tenant had moved into 70 Market Street, Ely and 72-74 Market Street had been vacated by the Mayor of the Combined Authority and was due to be marketed to find a new tenant.

Applications for Changing Places toilets had been submitted for 3 sites in Ely, Littleport and Soham. In response to questions by Members, it was reported that a request had been made for the Changing Places toilet at The Hive Leisure Centre to appear on the national website and all of the locations in the District appeared on the Council website. A report on the accessible toilets review would be made to the November meeting of this Committee.

A Member queried the spending on Public Conveniences in Appendix 1 relating to Littleport and the Open Spaces & Facilities Manager reported that specialist cleaning and graffiti removal had been required.

It was resolved:

That the update on Council-owned assets and Expenditure Tracking Sheet at Appendix 1 to the submitted report be noted.

47. BUS, CYCLE, WALK WORKING PARTY

It was resolved:

That the Notes of the East Cambridgeshire Bus, Cycle, Walk Working Party meeting held on 24 May 2022 be noted.

48. FORWARD AGENDA PLAN

The Committee received the revised Forward Agenda Plan.

It was resolved:

That the Forward Agenda Plan be noted.

49. EXCLUSION OF THE PUBLIC INCLUDING REPRESENTATIVES OF THE PRESS

It was resolved:

That the press and public be excluded during the consideration of the remaining items because 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 during the item there would be disclosure to them of exempt information of Categories 1, 2 & 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended).

50. ECTC MANAGEMENT ACCOUNTS

The Committee considered a report, previously circulated, containing the ECTC Management Accounts for the 3 months to June 2022. The ECTC Finance Manager introduced the report and gave an overview of its contents.

A number of items requiring corrections were identified at the meeting and it was agreed that a revised schedule would be circulated to Members of the Committee.

It was resolved:

That the contents of the report be noted.

51. ECTC BOARD MEETING MINUTES

It was resolved:

That the Minutes of the ECTC Board meeting held on 9 June 2022 be noted.

52. WRITE-OFF OF UNRECOVERABLE DEBT

The Committee considered a report, previously circulated, detailing the write-off of 4 unrecoverable debts.

In response to questions by Members, the Director Finance advised of the level of transactions processed by ARP for the Council compared to the level of write-offs and stated that ARP was working to reduce the number of historic debts. He also explained the nature of the Individual Voluntary Arrangement for one debt.

It was resolved:

1. That the recommendation in paragraph 2.1 of the submitted report be approved.
2. That the content of paragraph 2.2 of the submitted report be noted.

The meeting concluded at 6:16pm.

Chairman:.....

Date:

Questions from Liberal Democrat Group

Item	Subject	Questions	Responses
7	High Street Grants Ely	<ul style="list-style-type: none"> • How do the criteria demonstrate the ability of the applications to meet the overarching purpose of the fund, to secure economic growth and double GVA? • What does 'like-minded' mean in Criterion 1? • What does 'location' mean in the last line of the criteria? 	<p>Like minded means those with the same desired outcomes as those mentioned in the criteria. It was meant as a catch all to capture groups that don't necessarily fit in the 'definition'. Location means premises or grounds within the premises. It is to stop multiple applications at the same 'location' - of course this could be overcome with the location making a cohesive multi-faceted application. It does not mean, for example, only one application from a business on the High Street.</p> <p>Improvement to the street scene/condition of an area enhances the experience of an area which can lead to increased footfall and spend in Ely.</p>
9	MTFS Update	<ul style="list-style-type: none"> • What work has been done to revisit the assumptions used in the MTFS for inflation, interest rates etc in light of the recent economic turmoil? • What assumptions have been made about the cost of the waste collection and street sweeping contract in 2023/24 and beyond? 	<p>The MTFS is a fluid document, and will be updated as more information comes to light on inflation etc. up to the point it is presented to Council in February. The figures, as presented, are therefore only a snap-shot at the point the report was drafted. The figures as presented, assume a 5% increase in costs in waste and street cleansing between years. This figure will be further reviewed in the coming months.</p>
12	ECTC Annual Accounts	<ul style="list-style-type: none"> • Have the Directors considered how they will address the requirement to report on post balance sheet events including the recent withdrawal of mortgage 'products' and other material changes in the UK economy? 	<p>All of the properties at Haddenham have been reserved and only 12 at Ely remain so the impact of any slowdown has reduced. Profits are not realised until the properties are completed from a sales perspective and so any changes would affect the current year figures.</p>