



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of a meeting of the Finance & Assets Committee facilitated via the Zoom Video Conferencing System at The Grange, Nutholt Lane, Ely on Thursday, 23rd July 2020, at 4.30pm.

PRESENT

Cllr David Brown (Chairman)
Cllr David Ambrose Smith
Cllr Ian Bovingdon
Cllr Charlotte Cane
Cllr Simon Harries
Cllr Bill Hunt
Cllr Alan Sharp
Cllr John Trapp
Cllr Alison Whelan

OFFICERS

Emma Grima – Director Commercial
Sally Bonnett – Infrastructure & Strategy Manager
Jo Brooks – Director Operations
Maggie Camp – Legal Services Manager
Spencer Clark – Open Spaces & Facilities Manager
Janis Murfet – Democratic Services Officer (Committees)
Nicole Pema – HR Manager
Anne Wareham – Senior Accountant

IN ATTENDANCE

Rachel Ashley-Caunt – Head of Internal Audit
Emily Mulvaney – Community Housing Programme Manager,
Cambridgeshire & Peterborough Combined
Authority.

24. **PUBLIC QUESTION TIME**

There were no public questions.

25. **APOLOGIES AND SUBSTITUTIONS**

No apologies for absence were offered and no substitutions were made.

26. **DECLARATIONS OF INTEREST**

Councillor A Whelan declared a prejudicial interest in Agenda Item No 19, being a Member of the City of Ely Council. She said that as this was the final item on the agenda, she would leave the meeting altogether.

Councillor Cane declared a pecuniary interest in Agenda Item No 8 (ECDC Environment & Climate Change Strategy & Action Plan – Consideration of Resources Required), as the Wildlife Trust BCN was a partner in the Local Nature Partnership. She asked that she be moved to the ‘waiting room’ during consideration of the item.

27. **MINUTES**

A Member said that although comments were not attributed to named individuals in the Minutes, they made reference to the gender of the speaker, which made it relatively easy to identify them. It was requested and duly agreed that future Minutes should be written in a gender-free manner

A Member raised a number of points:

- The Minutes of the previous meeting stated that Members could expect a full report on Council and ECTC’s finances at the Full Council meeting in July 2020. They recalled that a report, including five appendices, had gone to Council in July 2019, along with the Annual Treasury Management Review. However, all that had been received at Full Council on 16th July 2020 was a report on the financial impact of Covid-19 on the Council’s finances and it did not contain any appendices. In what sense was it a full report? The Director Commercial replied that the Senior Accountant was present today, but possibly it was a more appropriate question for the Finance Manager to answer. The Member responded that this was not a sufficient answer; Members had been told that the report did not appear on the Finance & Assets Committee agenda, as it would be going to Full Council. The Director Commercial said that today’s agenda included an outturn report and the Finance Report Quarter 1. The Member reiterated that this was not what the Chairman had undertaken;
- Further to Minute No 19 (Assets Update), page 19, 4th paragraph, they had asked for a full report on the Mepal Outdoor Centre to come to the September meeting, and requested that the Minute be amended to reflect this;
- Further to Minute 19, 4th paragraph on page 20, they had asked if there were sufficient staff to manage the workloads. The Chairman had undertaken to check, and the Member asked what had been found. The

Chairman replied that staff were doing a fantastic job and managers had the matter in hand. Whereupon,

It was resolved:

That subject to an amendment to reflect the request for a full report on the Mepal Outdoor Centre to come to Committee in September 2020, the Minutes of the meeting held on 18th June 2020 be confirmed as a correct record and signed by the Chairman.

28. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- Members may have expected to see two SPD items for adoption at this Committee. At the point of adoption, the legislation required the SPDs to be available for inspection in the Council's reception. As this could not be adhered to, the SPDs would need to come later. They were currently on the forward Plan for the September meeting;
- There was due to be a noting item – the Minutes of the Bus Review Working Party. The Working Party had not yet met to confirm the Minutes and therefore the item would come to Committee at the first meeting after which the Working Party had approved the Minutes;
- Members could raise items for future meetings at Item 16 – Forward Agenda Plan.

29. **INTERNAL AUDIT ANNUAL REPORT AND OPINION**

The Committee received a report (reference V37, previously circulated) containing the Annual Report on the work of Internal Audit during the financial year 2019/20.

Rachel Ashley-Caunt, Head of Internal Audit, highlighted the key sections of the report saying that overall, Satisfactory Assurance could be given over the adequacy and effectiveness of the Council's control environment for 2019/20. This was consistent with the opinions given in recent years.

Controls relating to the key financial systems which were reviewed during the year were concluded to be generally operating effectively. A key area highlighted in the Creditors system audit related to a need to strengthen preventative controls against bank mandate fraud, and an action plan had been agreed to address this.

As at January 2020 there were no risks on the strategic risk register scored as 'red'; however, an extensive review of the risk register in 2020 would reflect the changing risk environment following the Covid-19 pandemic.

For the audits completed in 2019/20, 92% of the opinions given in relation to the control environment and compliance had been of Satisfactory Assurance or above. The proportion of audits resulting in opinions of Substantial Assurance had been higher than in previous years.

Table 3 summarised the overall audit opinions and moderate risks, and Appendix A provided an executive summary of the completed audit assignments finalised since February.

It was noted that there were two areas of Limited Assurance – creditors, and contract extensions. The Head of Internal Audit said that in respect of creditors, she would like to see a robust evidence checking process; recommendations had been made and new procedures had been agreed and adopted with immediate effect. She was keen to follow up on this sooner rather than later.

With regard to contract extensions, action had already been taken. The Contracts Register required more work and would be implemented in October 2020 and she would report back on this.

Table 5 gave a breakdown of overdue recommendations as at 31st March 2020, but Members were asked to note that the action relating to homelessness had been completed on 8th June 2020. It had not yet been possible to close the actions for absence management or payroll, as Job Evaluation and the impact of the Covid-19 pandemic had delayed consultation with the Union. However, the payroll report would be ready for the next Committee meeting.

A Member asked about a governance issue that had come about recently and had been reported in the local Press. They were referring to the letter from Government to Mayor James Palmer which appeared to criticise the Joint Chief Executive arrangements, and they wished to know if it had been taken into account. The Chairman reiterated that the Committee was looking at the report for 2019/20; this matter had come up since the report was prepared. It would be fair to ask Internal Audit to look at it, but it was not part of this agenda item. The Member disagreed, saying that the report and opinion had not yet been approved and as it could have an effect on the audit, it should be taken into account. The Head of Internal Audit confirmed that she had not been asked to look at this matter, but she could take it away for discussion and seek assurances. She suggested that it might be better considered in relation to the next agenda item.

Another Member said they had a number of issues to raise, the first being homelessness. It was their understanding that it was about people having the required documentation to allow them the right of recourse to public funds. The Member was concerned that those colloquially known as the 'Windrush Generation' would be hard hit, especially if people were unable to find the

necessary documents (such as their parent's passports), which might date back to the 1960's. This could also potentially affect EU citizens who would retain rights after Brexit. The Head of Internal Audit replied that they had not had to look at this, and their concern was legal compliance; the test was not necessarily applicable, regardless of legal duty. The Director Commercial interjected to assure Members that the Council would do everything it could to help those presenting without documentation.

At this point, it was proposed by Councillor Cane and seconded by Councillor A Whelan that the recommendation to the report be amended to read:

'Replace 2.1 That the Committee notes the Internal Audit report and opinion for 2019/20 and asks for the opinion to be reconsidered in the light of events since the report was submitted – namely the letter from MHCLG to CPCA expressing concern about Governance Arrangements, specifically the concerns around the appointment of the joint CEs, one of whom is also this Council's CE and Councillors approving expenditure and loans which may be in breach of financial regulations;

And add

2.2 that the Committee requests that the Chief Internal Auditor conducts an enquiry into whether the concerns expressed by the MHCLG to CPCA around the appointment of the CE of this authority as a shared joint CE of the CPCA impacts on their opinion that there is nothing to be brought to members attention regarding governance and report his findings to the next meeting of this Committee;

2.3 that the Committee requests that the Chief Internal Auditor conducts an enquiry into whether agreeing to pay £91,000 additional management fee to ECSS was in breach of financial regulations and regulations on State Aid and if there was a breach whether any action should be taken against those Councillors who voted for the action in breach of those regulations. The conclusion of those reviews to be reported to the next meeting of this Committee;

2.4 that the Committee requests that the Chief Internal Auditor conducts an enquiry into whether agreeing to make further loans to a company which expects to default on existing loans without reviewing the company's revised Covid Business Plan was in breach of financial regulations and regulations on State Aid and if there was a breach whether any action should be taken against those Councillors who voted for the action in breach of those regulations. The conclusion of those reviews to be reported to the next meeting of this Committee; and

2.5 the Internal Auditor reports back to September's meeting on the protections in place to ensure applicants for homelessness assistance are not wrongly denied recourse to public funds.'

The Chairman reminded the Committee that they were looking at the 2019/20 report and actions. He did not believe the amendment related much to the agenda item, but he would not stifle debate. He asked them to bear this in mind.

A Member commented on the submitted report, saying it was interesting to see 'satisfactory' mentioned a lot on page 11. The term was fairly average in terms of where the Authority was, and it was looking to move towards 'good'. They also asked for assurance from officers that the word 'hoped' was changed for 'will happen'. The Member then asked for an explanation regarding the several unallocated payments, and why they went back to 2015.

In connection with the first point, the Director Commercial replied that it related to work by the Anglian Revenues Partnership and she will work with Paul Corney, Head of the ARP, to get it up to 'will achieve'. With regard to the second, the Head of Internal Audit said she was seeking regular updates on the implementation of actions, so would work hand in hand with the ARP on this. The Chairman added that it would be important for all Members of Council to be kept updated of what was being done to address concerns raised by Internal Audit.

Touching on creditors, a Member said that allowing contracts to be extended was incredibly dangerous; there was the transparency issue but also because it left the Council in a vulnerable position regarding contractual terms and prices, and it was not a good way to manage public money. They believed that this should have brought the assurance down quite significantly. They were worried that the checking of changes to bank details did not already have a more robust procedure in place, as there had been a number of scams in place for several years. This put the Council at huge risk and there should have already been something in place. The Director Commercial replied that she had always worked closely with managers on contract extensions and processes were being put in place. With regard to bank details, the Finance team always carried out the correct checks. This issue was about the process of documentation as there had not been a uniform approach and the team had designed a form that would address this. The Member replied that it was not about extensions to contracts, it was about contracts being allowed to run on. The Head of Internal Audit said that October 2020 related to the full review of the Contracts Register. Actions, to be taken with immediate effect, had been agreed in respect of creditors and bank details and included the implementation of a new checklist.

The Member next turned to the overdue HR recommendation, which dated back to the 2016/17 audit. It was not acceptable to say that it pre-dated the Covid pandemic, as it suggested that we were behind anyway, and should not have been allowed to get to that point. The Director Commercial said that the HR policies were overdue because they were linked to Job Evaluation, which had now been completed. It was a matter of process and she would undertake a briefing for Members. The Head of Internal Audit assured Members that they did receive updated details. The HR recommendation for

2016/17 was classed as low risk and she focused on those of a higher risk. However, if Members were so minded, she could report on the low risks.

The Member said they had moved the amendment to the recommendation because although it came to light after 2019/20, it related to the processes being reported on. John Hill was Chief Executive at East Cambs at the same time as being Joint Chief Executive at the Combined Authority and there was clear evidence from central government that this might impact on the Authority; Members needed to understand the impact of this on governance.

At Council, Members were asked to approve an additional management fee of £91,000 to East Cambs Street Scene (ECSS). They had asked for the contractual basis for the payment but had not received an answer. Procedures in 2019/20 were not working properly; the Finance Manager was supposed to report back immediately but had not done so. Payment for work should only be made under contract where liability was established, and it had not been, therefore the responsibility was for ECSS to cover the costs.

The loan to the East Cambs Trading Company (ECTC) was not specified in the report and the Committee had still not been provided with the ECTC Business Plan so Members could not assess whether it was robust. The Member continued, contending that financial regulations had been breached. The loan was 43% of the Council's investments so they could not understand how it could be considered a 'low' risk. They believed that financial controls were not working properly and could not see how the report could be approved when weaknesses had been highlighted. The auditors should be asked to check again to see if financial regulations had been breached and whether any action should be taken against Members.

The Chairman repeated his point that the report was about Internal Audit's work for 2019/20. At the last meeting he had asked the Head of Internal Audit to build in contingency. He could see where Members were coming from, but it did not negate the report.

A further Member commented that they found it disappointing that the Liberal Democrat Members were criticising ECTC, a company that had been set up to provide affordable homes and ECSS had provided a superb service during lockdown.

A number of Members responded by making a number of points. They said their concern was the basic integrity of the financial accounting of the Council. No one was saying anything about delivering services or going the extra mile, they had been looking at issues and were concerned that matters that had been going on for some time needed to be examined. At no point were ECTC or ECSS being criticised, just that procedures appeared to have been repeatedly breached. Internal Audit had already raised certain issues that should be taken into consideration as they related to that year, even

though they came to light after publication of the report. The discovery of subsequent information meant that revisions to the report were needed.

A Member said that all the comments had been duly noted, and the report should be passed on the basis of the work carried out by the auditors. However, Members wanted to see information coming back to them much earlier.

There being no further comments or questions, the Committee moved to the vote on the amendment to the recommendations. The Motion was declared lost, there being 4 votes for, and 5 votes against.

The proposer of the Motion wished to ask specific Members about their considerations and thought processes that made them feel comfortable to vote against the amendment. The Chairman reminded them that the vote had been taken; they were well aware of how things worked and could use the complaints procedure should they wish to raise a complaint.

The Committee then returned to the substantive Motion which, when put to the vote, was declared carried, there being 5 votes for and 4 votes against.

It was resolved:

That the Internal Audit Report and Opinion for 2019/20 be approved.

30. **DRAFT ANNUAL GOVERNANCE STATEMENT**

The Committee considered a report (reference V38, previously circulated) containing the draft Annual Governance Statement (AGS) for 2019/20.

It was noted that that the Statement was prepared in accordance with guidance from the Chartered Institute of Public Finance (CIPFA) and the Society of local Authority Chief Executives (SOLACE).

Rachel Ashley-Caunt, Head of Audit said that the Statement formed part of the final accounts and was divided into two sections. The first covered the scope of responsibility, the purpose of the Governance Framework, and its key elements; the second section reviewed effectiveness and set out additional details relating to the impact of the Covid-19 pandemic on significant governance issues and actions.

A Member thought the Statement to be quite poor and should not be accepted. There were clear signs that internal controls were not operating well and there was also clear concern regarding governance arrangements, given the letter from MHCLG. The AGS stated that the Shareholder Committee function would be transferred to the Finance & Assets Committee. This was not wholly correct as the Operational Services Committee had taken over the

shareholder function for ECSS. There was also no mention of managing the interests of the Director Operations, who was the Lead Officer for the Operational Services Committee as well as being a Director of ECSS.

The Member continued, saying that the last ECTC accounts received were for the period April – November 2019 and much had happened since then, including offering a new loan. It was unclear how governance was operating and there needed to be clarity in the Governance Statement about how the Companies fitted into the Council as a whole. They questioned why the ARP was not included in the Statement. The AGS implied that the Council had set up the Community Group whereas this had come up from the grass roots. While the Council had offered some co-ordination and support, it should not be claiming responsibility for setting up the Community Group. The Statement suggested that Covid Business Grant were being paid promptly, yet the Committee had already agreed that this was not the case. In all, this section was badly worded and should not be accepted.

It was proposed by Councillor Cane and seconded by Councillor A Whelan that the recommendation, as set out at paragraph 2.1 of the report, be deleted and replaced with the following:

'The Committee does not consider that the AGS is consistent with their own perspective on internal control within the Council, plus the governance issues and actions. Therefore they request that the AGS is not signed before this Committee has reviewed it again following the Chief Internal Auditors reviews:

(a) as to whether or not there is anything he wishes to draw to the attention of Council about Governance arrangements in the light of the concerns expressed by the MHCLG to CPCA around the appointment of the CE of this authority as a shared joint CE of the CPCA;

(b) as to whether Council's financial regulations and State Aid regulations have been breached by the expenditure and loan decisions taken at Council on 16 July 2020; and if such breaches occurred

as to whether any action should be taken against those Councillors who voted for the expenditure and the loans in breach of the financial regulations.'

At the invitation of the Chairman, the Director Commercial made the following responses to points raised:

- The letter from MHCLG had been received by the Combined Authority, not this Council and ECDC's governance had not come under any question;
- The Member was absolutely right about the Shareholder Committee and it should be reflected in the AGS. With the consent of the Chairman and Committee she would ensure this was corrected;
- Advice regarding directors had previously been provided to all Members and was circulated in confidence;

- The ECTC Management Accounts were scheduled to come to Committee in September;
- Both she and the Director Operations, as Directors of the respective Companies, were happy to take questions. They did not believe that an interest was created when Members asked questions or that a conflict of interest would arise;
- There had been a two week delay in getting information on the business grants, but once received, payments were made as fast as possible.

Referring to the final sub-sentence of the proposed amendment, the Chairman believed that this was not a role for Internal Audit but was appropriate for the complaints or standards procedure. He sought advice from the Legal Services Manager who concurred; it was a Code of Conduct matter and a complaint should be made to her as the Council's Monitoring Officer. If a breach was found, it would be investigated.

Another Member said that if the document was wrong, the Committee should not accept it, but send it back and ask for it to be corrected. It was not a criticism of officers to insist that documents were correct, and Members would not be so petty as to not accept tiny errors as long as assurances were given that they would be corrected. However, if the AGS had material shortcomings, it would not be safe or professional to accept it.

The Chairman asked Councillors Cane and Whelan if they would be prepared to take out the final sub-sentence of the amendment. Councillor Cane replied that she found this really awkward as the Chairman was one of those Councillors and she did not understand how he could engage in this conversation. She did not think it wrong for Internal Audit to look at how internal controls had been functioning. Councillors were senior people within the Council and she believed that some had overridden the controls and procedures that the Council had in place. It was perfectly proper for the Auditors to examine this. The Chairman said he was not arguing with her about that, simply that he believed it should be the Monitoring Officer who should investigate.

At this point, the meeting was adjourned between 5.56pm and 6.08pm to allow officers to take advice.

The Legal Services Manager advised the Committee that having spoken to the Democratic Services Manager and consulted the Council's Constitution, a written complaint should be made to the Section 151 Officer if it was believed there had been a breach of the financial regulations. Internal Audit would then work with him to investigate the complaint.

Councillor Cane agreed to withdraw the last sub-sentence so that the Motion ended with '*... and if such breaches occurred*' in Section B. Councillor Whelan seconded the amendment.

One Member expressed their discomfort at 'making policy on the hoof' without having proper time to consider it. A response was given that the AGS was wrong, the Director Commercial had agreed it was wrong, and therefore the document needed to go back to the drawing board.

The Director Commercial asked if it would help matters if she was to be given delegated authority, in consultation with the Chairman, to amend the AGS to include reference to ECSS. A Member said it would not help because there were several issues around Trading Company governance that had not been properly dealt with in the report. The Auditors had already flagged up concerns regarding financial procedures not being followed. The Government had written to the Combined Authority regarding its concerns around governance and it was not known if there would be implications for ECDC. All these issues needed to be understood before the AGS could be signed off. It was a really important document but it was not fit for purpose and should be brought back to Committee. Members as well as the public needed to be assured that things were being done properly, and at the moment, there was evidence to show that they were not.

The Chairman agreed that the Statement did need further work after which it should come back to Committee. Members had heard all the discussions, and he therefore proposed that consideration of the document be deferred to allow for the concerns to be addressed, and that the AGS be brought back to Committee in September.

One Member remarked that they would be confident with the document coming back in September, and with the Director Commercial making amendments in consultation with the Chairman. However, they were not totally confident with the other Member's assurances that they had not had sight of the letter from MHCLG. Maybe they had not seen a hard copy of the original, but they had surely seen its contents as they had been referring to it throughout the meeting.

A further Member said they were not against deferral and the omission of ECSS did need to be corrected. However, it was their understanding that the AGS needed to be signed off by the Auditors before the accounts and wondered if this delay would impact on the timescale for the laying of the accounts.

As a point of personal explanation, Councillor Cane wished to have it recorded that she had seen reports about the confidential letter in the Press and the Mayor's response, but reiterated that she had not seen the document.

Councillor Cane said she would second the Chairman's Motion for deferral, with the AGS to come back before Members in September, and when put to the vote,

It was resolved:

That consideration of the Draft Annual Governance Statement for the financial year 2019/20, be deferred until the September meeting of Committee, to allow for issues raised in the meeting to be addressed.

Cllr Charlotte Cane left the meeting.¹

31. **ECDC ENVIRONMENT & CLIMATE CHANGE STRATEGY & ACTION PLAN – CONSIDERATION OF RESOURCES REQUIRED**

The Committee considered a report (reference V39, previously circulated) from which Members were asked to consider how the actions outlined in the Council's first Environment Plan be suitably resourced.

Jo Brooks, Director Operations, offered apologies on behalf of Richard Kay, Strategic Planning Manager, as he was unable to attend the meeting. She then reminded Members of the background to the report, saying that the Plan had been adopted by the Operational Services Committee on 8th June 20210. Whilst that Committee had responsibility for overseeing progress on delivery, it recognised that resources were necessary in order to make it a success and deliver the 20 actions/commitments, hence Finance & Assets Committee being asked to consider this point.

Appended to the report was a summary table which set out the top 20 actions/commitments for 2020/21, along with progress on each, a timeline and the resources needed. It was noted that in many instances the resources required were already committed or could be achieved through redirecting existing resources.

Paragraphs 3.8 to 3.11 of the report outlined broad themes that would require some additional resources. It was noted that an investment of approximately £100,000 would be required to achieve the first 20 commitments. However, there was no existing budget to cover the costs and it would have to come from the Surplus Savings Reserve. Having spoken to the Service Leads who would be responsible for helping to deliver the Action Plan, it was confirmed that existing budgets did not cover this amount and this was supported by the Finance Manager.

The funding required for 2020/21 was relatively clear but what was less clear was the precise funding requirements for subsequent years. It was certain that funding would be required in future years for projects as set out by the Operational Services Committee in the review of its Environment Plan. It was therefore proposed that the £100,000 request be an annual one; it would be monitored regularly for its effectiveness and any underspend would go back into the surplus savings reserve.

Members congratulated the Director Operational Services and her team for getting together the Strategy and Action Plan in such a short time and in such detail. It was a great pleasure to support the initiative, which would do

¹ Added as agreed when the Minutes were submitted to the subsequent meeting on 24th September 2020.

something positive for the District. With reference to the programme of tree planting in Action No. 11, the point was made that in years to come, money should be put aside for ongoing maintenance.

It was resolved unanimously:

That the Committee:

- 1) Notes and welcomes the recent adoption of the Council's first Environment and Climate Change Strategy and Action Plan (June 2020);
- 2) Supports all efforts to embed a strong 'think climate, think environment' culture in all the Council's activities and decision making; and
- 3) Approves the creation of a new annual budget to deliver on the Actions set out in the Plan, to the sum of £100,000 per annum.(reviewable each year, as part of the normal budget setting process), with such spend in 2020/21 to be broadly in line with the proposed spend set out in this Report. The finance to support the strategy will come from an annual in-year draw from the Surplus Savings Reserve.

*There followed a comfort break between 6.25pm and 6.40pm.
Cllr Charlotte Cane returned to the meeting.²*

32. **EQUALITY, DIVERSITY & INCLUSION POLICY 2020 – 2023**

Following the referral of the Black Lives Matter Motion to this Committee by full Council on 16th July 2020 and the inclusion of the draft Equality, Diversity & Inclusion Policy 2020-23 on this Agenda, the Chairman had agreed to allow consideration of the Motion as an urgent item of business in accordance with Section 100B 4(b) of the Local Government Act 1972 to allow any changes arising from the Motion to be incorporated into the draft Policy prior to consultation.

A. **Black Lives Matter Motion:**

The following Motion, referred to this Committee by Council on 16th July 2020, was proposed by Councillor Matthew Downey and seconded by Councillor Charlotte Cane:

Council notes:

1. In the UK 26% of instances of police using firearms are against Black people, despite Black people making up only 3.3% (1) of the population. 51% of young men in custody in the UK are from Black, Asian or minority ethnic backgrounds, despite these groups making up only 14% (2) of the UK population. The 2017 Lammy Report concluded that "BAME individuals still face bias, including overt discrimination, in parts of the justice system". Most

² Added as agreed when the Minutes were submitted to the subsequent meeting on 24th September 2020.

recently, we've seen that BAME people are 54% (3) more likely than white people to be fined under the new coronavirus lockdown laws.

2. Here in East Cambs, Black people face being stopped by police just because they are Black. An example of this happening in Ely was recently posted on social media. Data from Stop Watch shows that in 2018/2019, police officers in Cambridgeshire subjected Black people to stop and search at a rate of 6 (4) times more than white people.
3. The police killing of George Floyd in June 2020, has led to protests against the killing of Black people by police everywhere from Floyd's home of Minneapolis, to the UK, Japan, and New Zealand. The world knows George Floyd's name, and his death has fuelled a movement to end police violence against Black people.

(1) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764894/police-use-of-force-apr2017-mar2018-hosb3018.pdf

(2) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf

(3) <https://www.itv.com/news/2020-06-17/bame-people-50-more-likely-to-receivecoronavirus-lockdown-fines-mps-told/>

(4) <https://www.stop-watch.org/your-area/area/cambridgeshire>

East Cambridgeshire District Council extends our solidarity to the Black Lives Matters movement and believes that:

A. Racism in all forms, both structural and in individuals, continues to be a serious and often unseen problem throughout the UK, including in East Cambridgeshire. The needs and challenges of Black people may differ from those of Asian people and also those of other minority ethnic groups and the Council will ensure that this is reflected in our approach to equality, diversity and inclusion.

B. Although progress has been made in combating racism in all its forms, more work is needed to eradicate it entirely.

This Council, representing people in East Cambridgeshire, welcomes its duty to actively lead that work locally.

Council resolves to meet the challenge head-on with immediate action to:

I. Review and recommend concrete actions on ensuring that we maintain an actively anti-racist outlook within the area of BAME access to housing and to homelessness & welfare support.

II. Commit to taking an active part in Black History Month.

III. Write to the Minister for Schools asking the government to provide resources to schools to support them in providing further historical context for events normally only seen through the lens of white British history.

IV. Produce a report on the impact of the Covid-19 pandemic on BAME communities in East Cambridgeshire by the end of 2020, to be reviewed by

the Finance and Assets Committee, and shared with BAME community representatives.

V. Ask the Police & Crime Commissioner to put in place measures to ensure that arrest and custody measures are proportionate.

VI Write to the two MPs in our district to ask that rather than spending money on another race inequality review, the Government implements recommendations of previous reviews - specifically including but not restricted to, the Lammy and Windrush recommendations.

On a long term basis Council believes there is a need to further address racism, and therefore resolves to, over time:

VII Ask officers to regularly review our progress on the measures above, report progress to Finance & Assets Committee and recommend to Council any additional steps required to achieve these goals.

VIII Review and examine the internal structures of East Cambs District Council to ensure Black Asian and Minority Ethnic people are not disadvantaged. Understand specifically how many minority ethnic people the council employ, where are they working, what barriers, if any exist to their career progression and recommend any changes required to our staff policies and procedures to ensure that they are inclusive.

IX Act on any concerns raised about street names which derive from individuals or organisations that have racist links.

X Ask the Police & Crime Commissioner to report on what measures have been put in place to reduce the disproportionality of BAME people affected by the use of stop and search powers seen locally and nationally and how often are these measures are reviewed; and to provide a regular report as to initiatives and progress.

XI Ask the Combined Authority to produce a toolkit for businesses to help broaden their understanding of race inequality in the workplace, including but not limited to materials, signposts to relevant local groups and training that can be provided for staff, and links to relevant networks.

Speaking as the proposer of the Motion, Councillor Downey said he had brought it to Council because he believed it was important to note that Black Lives mattered, and he believed that something should be done about it. Given the notice of the amendment being presented, he wished to alter his Motion under Procedure Rule 12.6 to take out the words '*... extends our solidarity to the Black Lives Matters movement and ...*', introduce a new Point A '*Black Lives Matter*' and then re-letter the subsequent points. He had the consent of his seconder to do this.

Councillor Downey continued, saying he was very disappointed that the Motion was referred to Committee as he believed its contents went well beyond the Terms of Reference of the Finance & Assets Committee; he saw it as very unfortunate that scrutiny and debate were needed. He noted that George Floyd choked for 8 minutes and 48 seconds before he died, and his

last words were 'I can't breathe'. This needed to be taken very seriously and afforded as much time and debate as possible. It was astounding that there was so much horrific racism in Cambridgeshire and the UK and it was so often overlooked.

A couple of months ago, there had been video footage shown on television of a young man in a car being stopped by a police officer, and told that he was being stopped because he was black. Councillor Downey had been helping the young man with a complaint against the Police. The man had told him he filmed the incident because he had been stopped before and knew it would happen again. It was outrageous that this was happening and people were being put in a horrible position because of racism and white privilege in this country. He presented the Motion because he wanted to fight racism and white privilege.

The following amendment, circulated to Members of the Committee prior to the meeting, was then proposed by Councillor David Brown and seconded by Councillor Ian Bovingdon:

Council notes:

1. In the UK 26% of instances of police using firearms are against Black people, despite Black people making up only 3.3% (1) of the population. 51% of young men in custody in the UK are from Black, Asian or minority ethnic backgrounds, despite these groups making up only 14% (2) of the UK population. The 2017 Lammy Report concluded that "BAME individuals still face bias, including overt discrimination, in parts of the justice system". Most recently, we've seen that BAME people are 54% (3) more likely than white people to be fined under the new coronavirus lockdown laws.
2. Here in East Cambs, Black people face being stopped by police just because they are Black. An example of this happening in Ely was recently posted on social media. Data from Stop Watch shows that in 2018/2019, police officers in Cambridgeshire subjected Black people to stop and search at a rate of 6 (4) times more than white people.
3. The police killing of George Floyd in June 2020, has led to protests against the killing of Black people by police everywhere from Floyd's home of Minneapolis, to the UK, Japan, and New Zealand. The world knows George Floyd's name, and his death has fuelled a movement to end police violence against Black people.

(1)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/764894/police-use-of-force-apr2017-mar2018-hosb3018.pdf

(2)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/643001/lammy-review-final-report.pdf

(3) <https://www.itv.com/news/2020-06-17/bame-people-50-more-likely-to-receivecoronavirus-lockdown-fines-mps-told/>

(4) <https://www.stop-watch.org/your-area/area/cambridgeshire>

East Cambridgeshire District Council believes that:

A. Racism in all forms, both structural and in individuals, continues to be a serious and often unseen problem throughout the UK, including in East Cambridgeshire. The needs and challenges of Black people may differ from those of Asian people and also those of other minority ethnic groups and the Council will ensure that this is reflected in our approach to equality, diversity and inclusion.

B. Although progress has been made in combating racism in all its forms, more work is needed to eradicate it entirely.
This Council, representing people in East Cambridgeshire, welcomes its duty to actively lead that work locally.

Council resolves to meet the challenge head-on with immediate action to:

- I. Review and recommend concrete actions on ensuring that we maintain an actively anti-racist outlook within the area of BAME access to housing and to homelessness & welfare support.
- II. Commit to taking an active part in Black History Month.
- III. Write to the Minister for Schools asking the government to provide resources to schools to support them in providing further historical context for events normally only seen through the lens of white British history.
- IV. Ask the Covid-19 Working Group to produce and publish a report on the impact of the Covid-19 pandemic on BAME communities in East Cambridgeshire by the end of 2020, to be reviewed by the Finance and Assets Committee, and shared with BAME community representatives.
- V. Ask the police to report on what measures have been put in place to reduce the disproportionality of BAME people affected by the use of stop and search powers and how often these measures are reviewed, and to provide a regular report on their website as to initiatives and progress.

On a long term basis Council believes there is a need to further address racism, and therefore resolves to, over time:

- VI. Ask officers to regularly review our progress on the measures above, report progress to Finance & Assets Committee and recommend to Council any additional steps required to achieve these goals.
- VII. Review and examine the internal structures of East Cambs District Council to ensure Black Asian and Minority Ethnic people are not disadvantaged. Understand specifically how many minority ethnic people the council employ, where are they working, what barriers, if any exist to their career progression and recommend any changes required to our staff policies and procedures to ensure that they are inclusive.
- VIII. Ask the Combined Authority to produce a toolkit for businesses to help broaden their understanding of race inequality in the workplace, including but not limited to materials, signposts to relevant local groups and training that can be provided for staff, and links to relevant networks.

On a point of procedure, a Member wished to speak on the motion but was unsure when to do so. The Democratic Services Manager advised that as an amendment had been proposed and seconded, this took over from the original motion. The Proposer had the right to speak to propose their amendment and the Member could speak afterwards if they wished.

Councillor Brown commenced by offering his genuine thanks to Councillor Downey for bringing the Motion and continued, saying ECDC acknowledged with concern the published data on increases in hate crimes and crimes toward people with protected characteristics under the Equalities Act 2010. Council condemned all forms of discrimination against all protected characteristics and committed to ensuring that every resident of the District was treated with respect, dignity and in an equal manner. He hoped the debate on this amendment would take place with those words being taken into account.

In presenting the amendment, he would explain the thinking of the Conservative Group in the genuine hope that unanimous agreement could be reached on a way forward to address what was an important topic. If agreed, he suggested the text of the amended Motion be added into the Policy, with a note saying it had been agreed at Finance & Assets Committee on 23rd July 2020. He then made the following points:

- Take out ‘... extends our solidarity to the Black Lives Matters movement and believes that ...’ One of the stated aims of the BLM movement was to defund the Police, and he had seen no evidence to suggest that the residents of East Cambridgeshire wanted the Council to do that;
- ‘Review and recommend concrete actions ...’ - information had been provided by the Housing Service which they would like to see built into the Policy for consultation. Statistics showed the wide range of ethnic groups that had received help; every customer received the same service irrespective of their status, colour, religion or ethnicity. However, it was accepted that there was a need to review and recommend concrete actions to ensure this continued;
- Covid-19 Working Group – a cross Party Working Group had been set up to address issues relating to the pandemic, therefore it was believed that it was the correct Group to oversee such a report. He was sure that Councillor Bovingdon would confirm his willingness to take this on at the earliest opportunity;
- The Police, rather than the Police & Crime Commissioner, should be asked to report on what measures had been put in place to reduce the disproportionality of BAME people affected by the use of stop and search powers, how often the measures were reviewed and to provide regular reports as to initiatives and progress. Consistent messages should be sent to the Police and this wording had been agreed unanimously by the County Council on 21st July 2020;

- Take out the paragraph 'Write to the two MPs in our District ... the Lammy and Windrush recommendations', as the Government had already said it would be carrying out a review. Individuals should be encouraged to write, but the Council should await the outcome of the review;
- Take out the paragraph relating to street names. To date, the Council had received no complaints or concerns regarding street names in the District that might cause offence in terms of racist links. A manual check of over 1,700 street names would be a huge labour intensive undertaking, even if historical evidence was available. If any complaints were received, they would be addressed. A cross Party Motion at the County Council had also taken out this paragraph;
- Take out the next paragraph 'Ask the Police & Crime Commissioner ... and progress' as this should be addressed by the Police.

Speaking on the original Motion, a Member said Black Lives Matter was a very important thing and very cathartic, and their reason for wanting to speak was highly personal. They had a haunting feeling that once they and the people who had had their kind of experience were dead and gone, there would be no one left alive in the world who had experienced the British Empire directly. They had been born in an Army camp in West Africa and by their 8th birthday were living in their fifth country, three of which were African colonies. By the age of 6 they had more or less figured out about colonialism and understood its relationship to racism; that relationship was power. They knew they had a certain status as a child but there was a racial hierarchy and black children down the road had a different status, they were 'pickaninnys'.

Racial discourse was not an accident, it was deliberately formed to keep people in a subservient position. It was not hard to figure this out when one had lived in a colonial situation but what bothered them was that most of these attitudes had been re-imported into this country and had never really been confronted. The reason the BLM movement was so extremely exercised about our history, about the Empire and its effects was that no one in this country had ever really looked at it. We were overwhelmed by our experience of the last war and our self-image as doughty fighters for liberty. The only reason we were in that position was because we had 750 million citizens, of which 710 million did not live on this island but were our subjects. This was the reason we had ethnic diversity because we had 750 million citizens with a right to live here.

Attitudes taken from the experience of Empire had never been confronted. The diversity we now had was a gift, and probably undeserved. It was a strength and provided creativity. As white people in this very white District we had to face our past, but not be wretched about it for ever. This was the point when we must say 'Black Lives Matter'. Quoting Churchill after Alamein they said 'This is not the end, not even the beginning of the end; maybe the end of the beginning'. We were all the same and all our cultures

gave us a wonderful gift we could build on. The Member concluded by asking that the phrase 'Black Lives Matter' be included in the amendment.

Councillor Cane, as the seconder of the original Motion said she could not fully support the amendment for a number of reasons. She understood and accepted the discomfort about extending solidarity with the BLM movement and therefore the reference to Black Lives Matter had been removed. However, she was unhappy with the changes relating to the Police as the amendment removed a core part of the Motion. She was disappointed that the Council would be unwilling to write to MPs, as it had done so before and it was generally considered appropriate. There was a lot of concern about the number of reviews and recommendations that had been accepted in the past that had not been implemented. It was to be hoped that the Committee could together agree a Motion and she was happy to meet part way, but the amendment weakened what she wanted of the Police and so she could not support it as a whole.

After further discussion Councillor Brown agreed that he would be prepared to add the following to paragraph V of the amended Motion:

'Ask the Police to put in place measures to ensure that arrest and custody measures are proportionate ... as to initiatives and progress.'

Having been asked if he was happy with that, Councillor Downey replied that it improved the paragraph. He was still broadly unhappy with the rest of the amendment, but was willing to consider it. The BLM movement was not a party with politics. Councillor Brown had said that every customer of the Council was treated the same, but acknowledged that there was white privilege in this country. Black people slipped through the cracks and the young man that had previously been mentioned was stopped in a predominantly white area because he was black, but he was not searched. He had not complained at the time, but with matters coming to prominence, he then thought that he should do so. Councillor Downey continued, saying that just because there were no complaints, it did not mean that what we were doing was good enough. There were 375 Government recommendations that had come from other reports including the Windrush and Lammy reports that had not been implemented. There were things that could be done without having long discussions and they could be done now. This was why he had brought the Motion and he was prepared to come to a compromise and agree.

Another Member thanked the Councillor who had spoken of his childhood experiences, declaring it to be an excellent speech. It was people with his background who understood the importance of not discriminating against people. He himself was against all forms of discrimination and his personal hero was Nelson Mandela who had suffered greatly in his time. Mr Mandela made sure that people learned from their history and mistakes and he dealt with everyone with fairness and love. However, the Member questioned whether it was right to clench fists and advocate civil disobedience

and see a reduction in the Police. He wished we would take more of a leaf from Nelson Mandela's book.

Councillor Cane responded that the BLM movement had brought racism into sharp focus and the fact that black people throughout the country and in Cambridgeshire too were experiencing racism. Just very recently it had been reported that three Police Officers in Peterborough were being investigated in connection with racist comments made on WhatsApp and many of us had seen the video footage of the black man who had been stopped in Ely by the Police because of his colour. She was horrified that this was happening because there were laws against racial discrimination, racist language and hate crimes. She had campaigned hard for an end to apartheid in South Africa; there were public enquiries resulting in recommendations and yet a survey last week showed that two thirds of black people believed there had been no reduction in racism. In the Windrush generation, people who had lived here since the 1950s or 1960s had been told they were not British because their parents had not registered them and they could not put together sufficient documentation, such as their parent's passports. Some who had worked and paid taxes here for years had been denied healthcare, lost their jobs, their homes or were even deported.

These were not white people from Canada, Australia or New Zealand. They were black people from the West Indies and their ancestors had originally been taken there as slaves. Many white people had exploited black people for generations and a stop had to be put to this now. Black people had lived in this country since at least 43AD and DNA evidence suggested that it went back even further to 10,000 years ago, to Britons with dark skins. Black soldiers fought for our freedom in both World wars and a black nurse, Mary Seacole, helped British troops in the Crimea. This tradition had continued with many black people now working in the NHS and the community.

A Member said he had often been critical of the Member who spoke of Nelson Mandela, but he thanked him for his words and took them as meant, finding them to be very heartening. He did however have an issue with one aspect of the kind of attitudes that all of us as white people brought to this debate, and that was a certain kind of naivety. Mandela was sent to jail and nearly hanged because he was suspected of a violent uprising. Violence continued almost non-stop almost all the time he was in jail.

The apartheid regime famously sent its officials to the USA in the 1930s to learn about the 'Jim Crow' laws so they could enact them without virtually a single amendment as the apartheid legislation in South Africa. The laws had not gone completely in the USA and there must have been 50 years of low level uprising from the African-American community against them. The point he was making was that we liked our minority groups to be polite and when black troops were billeted here during the Second World War, they were considered delightful because they were so polite. They got used to being so polite because they tended to end up on the end of a noose if they were not polite to white people.

The reason such a fuss was being made about Black Lives Matter was because of the cathartic effect it would bring. If people could say that they no longer wanted to be part of a privileged group, then real change was likely to happen. The phrase 'Black Lives Matter' was not trivial, the Liberal Democrats had no problem in saying this, and it would be better for all to agree to include clause A in the amendment.

Following a request for clarification regarding the original Motion as altered and the amendment, the Democratic Services Manager explained that Councillor Downey had altered his Motion with the consent of his seconder at this meeting. Councillor Brown had circulated his amendment prior to this meeting, which had been proposed and seconded, therefore it was for Councillor Brown to decide if he wished to incorporate Councillor Downey's alteration. If Councillor Brown's amendment was carried, this would become the substantive Motion. However, if Councillor Brown's amendment failed, then the Committee would go back to Councillor Downey's altered Motion.

Councillors Downey and Cane disputed this, the latter saying she was not entirely sure the amendment could entirely replace the original Motion as it was entirely re-writing it. The Democratic Services Manager stated the amendment added and left out words, as required. In response to Councillor Downey's request for clarification whether the new Clause A, 'Black Lives Matters', was being included, the Chairman reiterated that what he had emailed to Members that morning was what he was proposing as the amendment.

When put to the vote the amendment, as proposed by Councillor Brown and seconded by Councillor Bovingdon, was declared carried, there being 5 votes for and 4 votes against.

The amendment then became the substantive Motion which, when put to the vote, was carried unanimously. However, the Liberal Democrat Members of the Committee wished it to be recorded that they had voted for it under protest.

B. Equality, Diversity & Inclusion Policy 2020-23

The Committee received a report (reference V40, previously circulated) from which Members were asked to consider the Council's draft Equality, Diversity & Inclusion Policy 2020-23 for consultation.

In summarising the key points, the HR Manager said the Policy included three new objectives to help the Council become more inclusive. Underpinning each of the objective was a set of actions and priorities that the Council would aim to follow to guide its work. Subject to the Committee's approval, further consultation would take place commencing on 1st August 2020 for a period of eight weeks. Following the consultation period, officers

would assess the responses, incorporate them where appropriate and bring the document back to Finance & Assets Committee for formal adoption.

A number of Members expressed their discontent with the draft Policy, and made the following points:

- Section 2.2 was faulty because the purpose set out in the clauses was not the purpose of an equalities document at all. This document was unprofessional and the work of other Councils should have been looked at for examples of good practice. Certain Members had provided information, feedback and a template, but this had not been included and they had received no feedback. The purpose was wrong which meant the whole document fell and should therefore be started again;
- It was noted that the document was for consultation, and they liked to think that it would be ready to be sent out. However, the core was incomplete and because everything flowing from it was wrong, it was incomplete;
- There were examples of poor drafting. Paragraph 3.3.1 spoke of 'support for men and women affected by domestic violence ...' They were victims and it should not be necessary to specify whether they were male or female, as some did not identify with a specific gender;
- The breakdown of staff in paragraph 3.4.1 gave no proportions in terms of ethnicity;
- The draft Policy gave no proposals for how the consultation was to be carried out and there was no clarity about how we could achieve a good consultation response. The document was weak;
- Equality was about seeking to ensure that all people could achieve the same outcome and an equality policy needed to recognise that. Sometimes it was necessary to treat people differently in order to achieve a good outcome. The Policy failed to acknowledge that equality was not treating everyone equally. It failed to include the very things that had already been mentioned. It was not a policy of inclusion;
- Section 2 contained only two purposes for this Policy: hate crime and anti-Semitism, to the exclusion of all others. Everyone knew that anti-Semitism was wrong and anyone who had suffered hate crime knew how bad it could be. This consultation would be talking to people who did not know what it was like to be discriminated against. It was not just about criminality;
- The document contained nothing about recruitment in 3.4.2;
- The other protected characteristics should be included. The Policy also ignored religious discrimination, and ageism. It was non-inclusive in so many ways and failed to define the protected characteristics. The legal duty was destroyed in paragraph 2.2;
- The document should be sent back for re-drafting because the purpose was incomplete.

A Member felt there were positive actions to be taken that should be included in the Policy so that people felt they were welcome and included. The document needed more work and they wanted it to be withdrawn and brought back to Committee in September.

Another Member apologised for the way they had previously spoken, saying they were conscious of having been exceedingly rude. However, it was essential that the Committee could demonstrate that it had a clear grasp of the concept of inclusion because asking the wrong questions would bring the wrong answers.

It was duly proposed and seconded that consideration of the Policy be deferred to the September meeting of Committee. In the meantime, comments should be submitted to the HR Manager, and it was suggested that a small group of Members should meet with her to work on the re-draft of the Policy. When put to the vote,

It was resolved unanimously:

That consideration of the Draft Equality, Diversity & Inclusion Policy 2020-2023 be deferred until the September meeting of Committee, to allow for issues raised in the meeting to be addressed.

33. **LITTLE THETFORD COMMUNITY LAND TRUST (CLT) GRANT APPLICATION**

The Committee considered a report (reference V41, previously circulated) from which Members were asked to consider a grant application from Little Thetford Community Land Trust.

It was noted that Emily Mulvaney, Community Housing Programme Manager at the Combined Authority, had been working with the proposed CLT and with the consent of the Chairman, was available to answer questions.

The Director Commercial said that the Little Thetford CLT was trying to get incorporated and the Council had in place a programme which would provide a grant of up to £5,000 to enable communities to set up and operate a formal Trust. Their application form set out their aims and they had complied with all the criteria requirements to enable a grant.

A Member said Little Thetford was a very small community, and had seriously thought about joining in with Stretham and Wilburton CLT some years ago to form a CLT, but did not have enough Councillors to form a core to carry through the work. The village was now turning into a dormitory as people were leaving because they could not afford to stay. People really wanted to get a CLT underway, but the parish was very small and needed some help.

Councillor Harries requested that his comments be attributed to him. He had intended making himself unpopular by saying something sceptical about CLTs, but wished to explain why. In his professional life he worked on sensitive projects related to critical infrastructure and defence, and one of the first things he had been taught was to identify weaknesses and eliminate them. When, last year, he had looked at the housing system in the District, he thought the way CLTs were being used was a weakness. They were regimented but not regulated and had no mandated mechanism for proper oversight or timing for the evaluation of that support. CLTs could propose development that had the ability to extend the planning envelope and create wealth. Having heard from the previous speaker and Ms Mulvaney, he now felt it would be morally wrong for him to vote against the recommendation. However, he wished to have it recorded that he had serious concerns about the management of Community Land Trusts.

Another Member said they had concerns, but supported this application because they had seen good CLTs at Swaffham Prior and Swaffham Bulbeck, and was sure Little Thetford would be a good one.

A further Member expressed their support, especially in respect of the affordable housing.

It was resolved unanimously:

That the £5,000 grant application, to benefit Little Thetford Community Land Trust, be approved.

There followed a comfort break between 8.32pm and 8.47pm

34. **2019/20 TREASURY OPERATIONS ANNUAL PERFORMANCE REVIEW**

The Committee considered a report (reference V41, previously circulated) which summarised the Council's Treasury operations during 2018/19.

In the absence of the Finance Manager, the Senior Accountant presented the report, stating that cash investments totalled £10,877 million as at 31st March 2020, an increase of £4,686 million on the previous year.

The outstanding value of the Council's loan to ECTC was £4.22 million at the 31st March 2020.

Interest received during the financial year was £332,949, which was £34,949 above the budget of £298,000. This figure was made up of £97,360 from investment in money markets and other short, fixed term investments and £235,589 from the loan to ECTC.

Referring to the final sentence on page 4 of the Review document, a Member said that it should read 'The loan to East Cambridgeshire Trading Company **is** due to be repaid on or before 31st March 2021.' They believed there should be a further note added to say that at the time this report was written, the Company was due to pay the loan back, but had since informed the Council it would be unable to make the repayment on the due date.

The Member asked if the report would be changed to reflect that, and was advised it would be taken into account. Whereupon,

It was resolved:

To note the contents of this report on the Council's treasury operations during 2019/20, including the prudential and treasury indicators as set out in Appendix 1 to the submitted report; and

It was further resolved:

To recommend to Full Council approval of the report.

35. **FINANCE REPORT: QUARTER1, 2020/21**

The Committee received a report (reference V43, previously circulated) which provided Members with budget monitoring information for services under the Finance & Assets Committee and then, as part of its corporate remit, for the Council as a whole.

The Committee had a projected yearend overspend of £553,000; this was in respect of Covid-19. Various increases in expenditure and reductions in income were matched to some extent from Government grant provided to support councils during the pandemic. The report taken to the meeting of full Council on 16th July 2020 contained the full details.

There was one yearend variation forecast at this time, relating to the purchase of wheeled bins. It was originally anticipated that the purchase and distribution of the bins would be actioned via East Cambs Street Scene. However, as they needed to remain as an asset to the Council, it was now felt appropriate that the cost be charged to the Council's capital budget.

It was resolved:

- 1) To approve the slippages from 2019/20 being added to the 2020/21 budget as detailed on the slippage column on appendix 3.
- 2) To note:
 - This Committee has a projected yearend overspend of £553,000 when compared to its approved revenue budget of £4,655,272.

- That overall the Council has a projected yearend overspend of £496,000 when compared to its approved revenue budget of £13,278,311.
- That the overall position for the Council on Capital is a projected outturn of £5,199,116, which is an overspend of £10,000 when compared to its revised budget of £5,189,116.

36. **FINANCIAL OUTTURN REPORT 2019/20**

The Committee received a report (reference V44, previously circulated), which provided Members with budget monitoring information for services under the Finance & Assets Committee and then, as part of its corporate remit, for the Council as a whole.

It was noted that this was the final report for the 2019/20 financial year and detailed actual expenditure incurred and income earned as at 31st March 2020.

The Senior Accountant summarised paragraph 3.6 of the report, which set out the forecast yearend variances.

A Member noted that there had been an underspend by £60,093 on Other Government Grants as the Government had provided Councils with un-ringfenced grant to support them through the Brexit process. They wished to know why this had not been spent on providing advice and support to the many local businesses. Less than half felt they were ready for Brexit and had already used up their credit facilities to get through the Covid pandemic. Many were concerned that they would not be able to do the sort of stockpiling that they had when it was last thought we were leaving the EU. The Member had also been keeping an eye on the rules around live animal export because this District had a major racehorse and bloodstock industry. All that people knew was that they would have to consult their vets, and the vets were still awaiting advice. They could not expect to be able to use the current rules on 1st January 2021. The Council needed to be working with those businesses to ensure they were prepared.

The Director Commercial said the Combined Authority was providing much support to businesses. However, she would look at the expenditure of the underspent £60k to see how it could be best put to use, and then report back.

It was resolved:

- To note that this Committee has a yearend underspend of £807,631 when compared to its approved revenue budget of £5,181,667;
- To note that overall the Council has a yearend underspend of £1,690,450 when compared to its approved revenue budget of £13,445,801;

- To note that the overall position for the Council on Capital is an outturn of £2,363,745, which is an underspend of £8,772,060 when compared to its revised budget.

37. **BUS SERVICES AND CYCLING AND WALKING ROUTES CONSULTATION UPDATE**

The Committee received a report (reference V45, previously circulated) which provided Members with an update on the Bus Services and Cycling and Walking Routes consultation.

The Infrastructure & Strategy Manager informed Members that there had been a good response rate, despite the COVID 19 lockdown restrictions on some of the consultation activity.

All the paper questionnaire responses had been added to Survey Monkey. Email comments received were being incorporated and suggestions submitted via the Climate Change Ideas Forum.

The results were being analysed, starting with the cycling and walking feedback in response to the Government's Emergency Active Travel funding to enable suggestions made to be considered for funding.

A Member commended Officers on how the consultation had been carried out and for extending it. They wondered when the results would be available because there was money at the moment ready to be bid for.

It was noted that as soon as the results were received, a meeting of the Working Party would be arranged to go through them in detail and get in place the actions, depending on what the consultation revealed.

It was resolved:

That the report be noted.

38. **ASSETS UPDATE**

The Committee received a report (reference V46, previously circulated) which provided Members with an update on Council owned assets.

The Director Commercial advised Members that the Maltings Cottage would be discussed later on in the agenda.

70 Market Street, Ely, was now on the market and officers would go through the process of trying to secure a tenant. The decision to award the lease would come back to Committee.

With regard to Council owned public open space, the playgrounds had been re-opened (as required by Government) and a full risk assessment had been completed to cover the changed position. A copy of the Council's risk assessment had been provided to all Parish Councils to assist them with managing playgrounds for which they had responsibility.

The transfer of the public conveniences at Burwell and Fordham had been completed and the freeholds transferred to the respective Parish Councils. Both Parish Councils would operate the public conveniences once refurbishment work had been carried out.

The public conveniences at Ship Lane, and Palace Green, Ely had been closed during the pandemic, but both locations had now been re-opened. At the request of the Police, the opening times for the public conveniences at Ship Lane had been extended until 9.00pm to assist with on the pressures on Jubilee Gardens. This decision would be reviewed at the end of summer 2020.

A Member expressed disappointment at the energy rating 'E' for 70 Market Street, Ely, as this was the very minimum legal requirement for letting a property. Given that the Council had passed a Climate Emergency Motion, were they really happy to offer the property for rent? They asked if something could be done to upgrade the property before it was let. The Director Commercial said she did not know what would be required to raise that rating and would have to investigate. The Open Spaces & Facilities Manager added that a new boiler had been fitted a couple of years ago, but this did not affect the energy rating. The Director Commercial said they would look into it and come back to Members.

It was resolved:

That the update on Council owned assets be noted.

39. **FORWARD AGENDA PLAN**

The Committee received the Forward Agenda Plan.

A Member made the following points:

- They were disappointed that the full Committee cycle for the East Cambs Trading Company was still not included in the Forward Plan. They would expect to see the ECTC accounts on the agenda for September's meeting. Reference had been made to a post-Covid Business Plan, which had not yet been seen. They would expect this to come to September's meeting of Committee. Both were major items, so the Directors of the Company should be asked to attend;
- The 2021/22 Business Plan should be presented to Committee in February 2021. All the Directors should be present to answer questions, especially as this would be the last chance for Members to review the Plan and assure themselves about the Company's financial strength and

the robustness of the Plan before lending the amount of money that the Company would have said that they wanted to borrow.

The Director Commercial stated that she was awaiting confirmation from Price Bailey as to when the ECTC accounts would be ready to be presented to the Board; they would have to go to the Board first to ensure they made the right cycle.

The Member reiterated the point that they just wanted to see the revised Business Plan, as the Committee was meant to review it to check its robustness before lending the Company any money. It would be important to have it included in the Forward Plan and invite the Directors to attend so they would be available for the meetings.

The Director Commercial replied that the revised Business Plan would come to Committee when the ECTC Board approved it, which would be after all of the lenders confirm their position, so the figures could then be ratified. Members of the Finance & Assets Committee had already seen the revised figures that were in the Board papers and they would go into the formal revised Business Plan once the lenders had come back to the Company.

The Member sought assurance that the post-Covid Business Plan would come to the September meeting of Committee and that the Directors would be present. The Chairman said that it would be brought before Members as soon as was possible. Whereupon,

It was resolved:

That the Forward Agenda Plan and the comments made thereon, be noted.

40. **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).

41. **APPOINTMENTS, TRANSFERS & RESIGNATIONS**

The Committee received a report detailing:

- (i) details of staff appointments, transfers and resignations for the period 1st February to 31st July 2020; and
- (ii) a summary of the Exit Questionnaire responses..

It was noted that during the period 1st February to 31st July 2020, there were 5 appointments, 9 leavers and 2 employees transferred to different posts across the Council. 2 posts had been deleted.

Of the 18 members of staff who left the Council's employment, 7 resigned voluntarily, 1 took age retirement and 1 reached the end of their fixed term contract. This equated to 4.9% of the total workforce. Turnover for the same period last year was 2.6% (5 members of staff).

3 of the 9 leavers completed the exit questionnaire and a summary of their responses was set out in Appendix 2 to the report.

A Member asked about the numbers of staff in a particular team and whether an individual who had left, was to be replaced. The HR Manager advised the Committee of the team's current complement and said that it was intended to fill the vacant post.

A further Member noted that a vacant post in another department was not to be replaced and queried, now that the Council had a Covid-19 Working Party, whether it should be filled. They were advised that it had always been a fixed term post, but it was to be reviewed to see if it was fit for purpose.

It was resolved:

That the content of the information report be noted.

Councillor Alison Whelan left the meeting at 9.25pm.

42. **ASSET MATTER IN THE PARISH OF ELY**

The Committee considered an exempt report from which Members were asked to consider the outcome and next steps in relation to an asset matter, as set out in the submitted report.

The Director Commercial summarised the key points of her report and advised Members of the proposed course of action.

It was resolved:

To approve the proposed course of action, as set out in the submitted report.

The meeting closed at 9.30pm.

