



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE
Telephone: 01353 665555

MEETING: **FINANCE & ASSETS COMMITTEE**

TIME: 4:30pm

DATE: Thursday, 24th September 2020

VENUE: **PLEASE NOTE:** Due to the introduction of restrictions on gatherings of people by the Government due to the Covid-19 outbreak, this meeting will be conducted remotely facilitated using the Zoom video conferencing system. There will be no access to the meeting at the Council Offices, but there will be Public Question Time at the commencement of the meeting in accordance with the Council's Public Question Time Scheme, as modified for remote meetings. Details of the public viewing arrangements for this meeting are detailed in the Notes box at the end of the Agenda.

ENQUIRIES REGARDING THIS AGENDA: Janis Murfet

DIRECT DIAL: (01353) 665555 EMAIL: Janis.murfet@eastcambs.gov.uk

Membership:

Conservative Members

David Brown (Chairman)
David Ambrose Smith
Ian Bovingdon (Vice Chair)
Bill Hunt
Alan Sharp

Liberal Democrat Members

Alison Whelan (Lead Member)
Charlotte Cane
Simon Harries
John Trapp

Substitutes:

Dan Schumann
Josh Schumann
Jo Webber

Substitutes:

Matt Downey
Gareth Wilson
Christine Whelan

Lead Officer:

Emma Grima, Director Commercial

Quorum: 5 Members

AGENDA

1. **Public Question Time**
The meeting will commence with up to 15 minutes public question time
2. **Apologies and Substitutions** **[oral]**
3. **Declarations of Interest**
To receive declarations of interest from Members for any items on the Agenda in accordance with the Members Code of Conduct. **[oral]**
4. **Minutes**
To confirm as a correct record the Minutes of the meeting of the Committee held on 23rd July 2020
5. **Chairman's Announcements**

AUDIT ITEMS

6. **Draft Annual Governance Statement**
7. **Internal Audit Progress Report**
8. **Corporate Risk Management – Policy & Update**

ITEMS FOR DECISION

9. **East Cambs Trading Company Accounts 2019/20 (for noting)**
10. **ECTC Business Plan 2020/21 (Revised)**
(There is an Exempt Appendix 1a – if Members wish to discuss it, they will have to go into Exempt Session)
11. **Equality, Diversity & Inclusion Policy 2020 - 2023**
12. **Custom & Self-Build Housing Supplementary Planning Document (SPD)**
13. **Natural Environment Supplementary Planning Document (SPD)**
14. **Climate Change Supplementary Planning Document (SPD) - Consultation Draft**
15. **Recommendation from COVID-19 Working Party**

ITEMS FOR NOTING

16. Medium Term Financial Strategy Update

17. Health & Safety Annual Report 2019/20

18. Brexit Grant Update

19. Assets Update

20. COVID-19 Working Party Minutes

To receive the Minutes of the meetings held on:

(a) 9th July; and

(b) 29th July 2020

21. Forward Agenda Plan

22. EXCLUSION OF THE PUBLIC INCLUDING REPRESENTATIVES OF THE PRESS

That the press and public be excluded during the consideration of the remaining item 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 items 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).

23. ECTC Business Plan 2020/21 (Revised) – Exempt Appendix 1a

24. ECTC Management Accounts – 4 Months to July 2020

25. Write Off of Unrecoverable Debt

26. Asset Management Matter in the Parish of Burrough Green

27. Exempt Minutes

To receive the Exempt Minutes of the meeting of the Finance & Assets Committee held on 23rd July 2020

NOTES:

1. Since the introduction of restrictions on gatherings of people by the Government in March 2020, it has not been possible to hold standard face to face public meetings at the Council Offices. This led to a temporary suspension of meetings. The Coronavirus Act 2020 now has been implemented, however, and in Regulations made under Section 78 it gives local authorities the power to hold meetings without it being necessary for any of the participants or audience to be present together in the same room.

The Council has a scheme to allow Public Question Time at the start of the meeting using the Zoom video conferencing system. If you wish to ask a question or make a statement, please contact Janis Murfet, Democratic Services Officer (Committees) janis.murfet@eastcambs.gov.uk by 5pm on Monday, 21st September 2020. If you are not able to access the meeting remotely, or do not wish to speak via a remote link, your question/statement can be read out on your behalf at the Committee meeting.

2. A live stream of the meeting will be available on YouTube at <https://www.eastcambs.gov.uk/meetings/finance-assets-committee-24092020>
3. Reports are attached for each agenda item unless marked “oral”.
4. If required all items on the agenda can be provided in different formats (e.g. large type, Braille or audio tape, or translated into other languages), on request, by calling Main Reception on (01353) 665555 or e-mail: translate@eastcambs.gov.uk
5. If the Committee wishes to exclude the public and press from the meeting a resolution in the following terms will need to be passed:

“That the press and public be excluded during the consideration of the remaining items no. X 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 X Part I Schedule 12A to the Local Government Act 1972 (as Amended).”



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.

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 2021. 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 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.

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 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>

/attachement_data/file/764894/police-use-of-force-apr2017-mar2018-hosb3018.pdf

(2)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachement_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)

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(3) <https://www.itv.com/news/2020-06-17/bame-people-50-more-likely-to-receive-coronavirus-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.

Draft Annual Governance Statement

To: Finance & Assets Committee

Date: 24th September 2020

From: Chief Internal Auditor, LGSS

[V61]

1. ISSUE

- 1.1. This report presents the draft Annual Governance Statement (AGS) for 2019/20 for consideration by the Finance & Assets Committee.

2. RECOMMENDATION

- 2.1. The Committee is asked to consider if the AGS is consistent with their own perspective on internal control within the Council, plus the governance issues and actions.

3. BACKGROUND/OPTIONS

- 3.1. The Audit and Account Regulations 2015 requires the Council to produce an Annual Governance Statement (AGS) to accompany the Statement of Accounts. The AGS summarises the extent to which the Council is complying with its Code of Corporate Governance and details, as appropriate, any significant actions needed to improve the governance arrangements in the year ahead. The final statement will be signed by the Chief Executive and the Leader of the Council.
- 3.2. The AGS is an important statutory requirement which enhances public reporting of governance matters. It should therefore be honest and open, favouring disclosure.
- 3.3. The draft AGS is presented to the Committee in order to ensure that it reasonably reflects the Committee's knowledge and experience of the Council's governance and controls.
- 3.4. The draft AGS has been compiled using sources of evidence, including:
- A review of the extent to which the Council has complied with each element of its Code of Corporate Governance;
 - Self-assurance statements prepared by Service Leads;
 - The Chief Internal Auditor's opinion on the Council's internal control environment, which was formally reported to the Finance & Assets Committee on 23rd July 2020.
- 3.5. The Statement is prepared in accordance with guidance from the Chartered Institute of Public Finance (CIPFA) and the Society of Local Authority Chief Executives (SOLACE). The guidance states that the AGS should include:
- The Council's responsibilities for ensuring a sound system of governance;
 - An assessment of the effectiveness of key elements of the governance framework, and the role of those responsible for the development and maintenance of the governance environment;

- An opinion on the level of assurance that the governance arrangements can provide and whether these continue to be regarded as fit for purpose;
 - The identification of any significant governance issues, and an agreed action plan showing actions taken, or proposed, to deal with significant governance issues;
 - Reference to how issues raised in the previous year's Statement have been resolved;
 - A conclusion demonstrating a commitment to monitoring implementation through the next annual review.
- 3.6. 'Significant governance issues' are those that:
- seriously prejudice or prevent achievement of a principal objective of the authority;
 - have resulted in the need to seek additional funding to allow it to be resolved, or has resulted in significant diversion of resources from another aspect of the business;
 - have led to a material impact on the accounts;
 - the Audit Committee advises should be considered significant for this purpose;
 - the Chief Internal Auditor reports on as significant in the annual opinion on the internal control environment;
 - have attracted significant public interest or have seriously damaged the reputation of the organisation; or,
 - have resulted in formal action being undertaken by the Chief Financial Officer and / or the Monitoring Officer.
- 3.7. At the time of publishing the draft AGS on the Council's website no significant governance issues have been identified.
- 3.8. A copy of the initial draft AGS was presented to the Finance and Assets Committee on 23 July 2020. At this meeting it was highlighted that the references to the 'shareholder committee' role for East Cambridgeshire Street Scene (ECSS) should be more clearly detailed, to clarify that this role had been conducted by the Operational Services Committee. This has been amended and is shown in highlighted text on Appendix 1.
- 3.9. Also at the 23 July 2020 meeting, questions were raised regarding the Council's interaction with ECTC and ECSS, specifically the loan and additional management fee respectively. These issues have since been the subject of external legal advice, which has been shared with councillors, and, based on the advice received, the Council's Management Team consider there are no governance issues arising for inclusion in the AGS.
- 3.10. Members also raised queries relating to a letter sent from Ministry of Housing Communities & Local Government to the Cambridgeshire and Peterborough Combined Authority. This letter was not received by East Cambridgeshire District Council and therefore does not affect the Annual Governance Statement.
4. ARGUMENTS/CONCLUSIONS

4.1. The draft AGS has been prepared, in accordance with professional guidance, and must accompany the Statement of Accounts. The process demonstrates good governance, it has been based on various sources of assurance, and the Committee is asked to consider the AGS. It will also be reviewed by the external auditors, and the final version will be signed by the Chief Executive and the Leader of the Council.

5. FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1. There are no additional financial implications arising from this report. An Equality Impact Assessment is not required.

6. APPENDICES

6.1. Appendix 1 – Draft Annual Governance Statement

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	LGSS, Room 207 The Grange Ely	Duncan Wilkinson, Chief Internal Auditor duncan.wilkinson@milton-keynes.gov.uk Rachel Ashley-Caunt Head of Internal Audit RAshley-Caunt@rutland.gov.uk Trevor Bowd Principal Auditor trevor.bowd@eastcambs.gov.uk

Draft Annual Governance Statement 2019-20

1. Scope of responsibility

- 1.1. East Cambridgeshire District Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. East Cambridgeshire District Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.2. In discharging this overall responsibility, East Cambridgeshire District Council is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.
- 1.3. East Cambridgeshire District Council has approved and adopted a Local Code of Corporate Governance which is consistent with the principles of the CIPFA/SOLACE Framework *Delivering Good Governance in Local Government*. A copy of the Code is included on our website at <https://www.eastcambs.gov.uk/>.
- 1.4. This statement explains how East Cambridgeshire District Council has complied with the principles of the Code and also meets the requirements of regulation 4 (3) of the Accounts and Audit Regulations 2015 which requires all relevant bodies to prepare an Annual Governance Statement.

2. The purpose of the governance framework

- 2.1. The governance framework comprises the systems and processes, culture and values, by which the Council is directed and controlled and its activities through which it accounts to, engages with, and leads its communities. It enables the Council to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.
- 2.2. The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of East Cambridgeshire District Council's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised, and to manage them efficiently, effectively and economically.
- 2.3. The governance framework has been in place at East Cambridgeshire District Council for the year ended 31 March 2020 and up to the date of the approval of this statement.

3. The governance framework

The Council's Code of Governance recognises that effective governance is achieved through the following core principles:

- Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social, and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Developing the entity's capacity, including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting, and audit, to deliver effective accountability

4. Key elements of the Governance Framework

The following is a brief description of the key elements of the systems and processes that comprise the Council's governance arrangements:

1. Developing codes of conduct which define standards of behaviour for members and staff, and policies dealing with whistleblowing and conflicts of interest and that these codes and policies are communicated effectively:

- The Constitution contains a Members Code of Conduct, which is underpinned by the Principles of Public Life. Members are required to complete a declaration of interests which is published to the website for transparency.
- There is a separate Employee Code of Conduct, which is supported by HR policies and procedures. Codes, policies and procedures are shared with new employees as part of the induction process.
- The Council has a Whistleblowing Policy, which is available to employees.

2. Ensuring compliance with relevant laws and regulations, internal policies and procedures, and that expenditure is lawful:

- Corporate policies and strategies, which are regularly reviewed, are available on the Council intranet.
- The Constitution contains responsibilities for functions of the Council, Policy Committees and Regulatory Committees, and other Committees, Joint Committees and Other Partnership Bodies. It also contains Proper Officer Functions and Rules of Procedure. The Monitoring Officer advises whether

decisions are in accordance with the Constitution, and a summary list of responsibilities are included in a Monitoring Officer Protocol.

- The Council ensures compliance with established policies, procedures, laws and regulations through a number of channels. The Chief Executive is responsible and accountable to the Council for all aspects of operational management. The Finance Manager & S151 Officer is responsible for ensuring that appropriate advice is given on financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal control. The Legal Services Manager is responsible for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with.
- Managers within the Council are responsible for putting in place systems of control to ensure compliance with policies, procedures, laws and regulations. This is a key control and as such Service Leads are asked to conduct a self-assessment of the systems of internal control within their services and highlight actions intended to address any areas for improvement.

3. Documenting a commitment to openness and acting in the public interest:

- There is public access to all Committee meetings except where items for discussion are of a confidential nature. The Council continues to be committed to ensuring that members of the public are involved in the decision making process.
- There are specific schemes in place to allow members of the public to speak at both Planning and Licensing Committee meetings, and the Council has also issued general guidance on public question time at other meetings.
- In order to demonstrate its openness the Council also publishes on the website the Constitution, Council and Committee agendas, reports, minutes and decision lists.
- In terms of transparency, the Council publishes on its website the recommended datasets in accordance with the Local Government Transparency Code 2015 issued by the Department for Communities and Local Government in February 2015.

4. Establishing clear channels of communication with all sections of the community and other stakeholders, ensuring accountability and encouraging open consultation:

- Residents are regularly informed about the Council's activities through the Council website, work with the local media, social media and other channels. The Council also sends an End of Year Report to all households in the District.
- The Council has adopted a Constitution which sets out how the Council operates, how decisions are taken and the procedures which should be followed. All meetings are open to the public except where there are confidential matters to discuss.
- The Council has developed a Community Engagement Strategy covering the period 2018 to 2023 to ensure that all residents have the opportunity to engage with the Council and have their say regarding the services and resources that they need.

- The Council undertakes regular consultation exercises, ranging from small focus groups of customers to large scale questionnaires and face-to-face surveys. A Register of Consultees is held which gives individuals, community groups and associations the opportunity to consider new or revised policies, strategies or functions and to express their opinions, concerns and make suggestions. To encourage as wide a participation as possible, an invitation for further individuals to join the register is included in the Consultation section of the Council's website.
- Regular media releases are used as a means of keeping residents of the District informed of current and upcoming issues and Council decisions. The Council endeavours to ensure that all communications with the public are accessible to all by providing a translation service, large print and braille.
- The Council hosts Parish Conferences to engage with the parish councils and communities and provide an important platform between the parishes and other public services. One conference was held during the financial year. Further examples of community engagement include Landlord Forums, Agents Forums, Taxi Driver Forums and the East Cambs Business Boost.

5. Developing and communicating a vision which specifies intended outcomes for citizens and service users and is used as a basis for planning:

- The Council has approved two Corporate Objectives;-
 - To be financially self-sufficient and provide services driven by and built around the needs of our customers; and,
 - To enable and deliver commercial and economic growth to ensure that East Cambridgeshire continues to be a place where people want to live, work, invest and visit.
- A new Corporate Plan for the period 2019-2023 was approved by Council in October 2019. It contains five priorities which set out the main areas where the Council will concentrate work over the period:
 - Sound financial management
 - Improving transport
 - Housing
 - Cleaner, greener East Cambridgeshire
 - Social and community infrastructure
- Within these priorities the Council has made a number of promises which set out the projects by which the priorities will be achieved. The Council believes that having high aspiration levels will secure a strong future for the District and provide a clear vision for the organisation and its customers.
- Details of all the above, together with any committee reports referred to in this statement, can be found on the Council website at www.eastcambs.gov.uk
- The Medium Term Financial Strategy (MTFS) is presented to Council on an annual basis to support the budget papers and the Corporate Plan. The MTFS sets out the level of savings that need to be achieved over the medium term. Savings plans and income generation targets are developed to achieve the budget requirement set out in the MTFS.

6. Translating the vision into courses of action for the authority, its partnerships and collaborations:

- The Corporate Plan is underpinned by Service Delivery Plans, which set out in more detail how the Council's priorities will be delivered. These Plans contain more specific targets, which are allocated to teams, contractors, partners and employees to deliver.
- Service Delivery Plans are reviewed every year in line with any changes to the Corporate Priorities and in accordance with the development of the budget to ensure the necessary resources are in place for their delivery. Performance is formally reported to the relevant Policy Committee every six months.

7. Reviewing the effectiveness of the authority's decision-making framework, including delegation arrangements, decision making in partnerships and robustness of data quality:

- The Council's decision-making framework is set out in the Council's Constitution including an effective scheme of delegation. The Council's Constitution is kept under continuous review in line with best practice.
- The Constitution includes the Shareholder Committee roles of the Finance and Assets Committee and the Operational Services Committee for the East Cambridgeshire Trading Company (ECTC) and East Cambridgeshire Street Scene (ECSS), respectively, and the Anglia Revenues Partnership Joint Committee.

8. Measuring the performance of services and related projects and ensuring that they are delivered in accordance with defined outcomes and that they represent the best use of resources and value for money:

- Performance management in the Council is based on Corporate Plan priorities supported by Service Delivery Plans. The Council had two Policy Committees, during 2019/20 (Operational Services and Finance and Assets) that approve and monitor performance against Service Delivery Plans.
- A summary of the overall performance of the Council is published on the website.
- The Council continues to improve services wherever possible and has used the Lean Six Sigma methodology to undertake such reviews.
- The Council has established a robust financial planning process which includes a Medium Term Financial Strategy, monthly budget monitoring reports to officers and quarterly budget monitoring reports to Policy Committees.

9. Defining and documenting the roles and responsibilities of members and management, with clear protocols for effective communication in respect of the authority and partnership arrangements:

- The Council's Constitution sets out how the Council operates, and contains separate articles and key documents covering Members Code of Conduct, Proper Officer functions, and protocols for the Monitoring Officer.
- As the Head of Paid Service, the Chief Executive leads the officers and chairs the Council's Corporate Management Team. The other two statutory officers, the

Monitoring Officer and S151 Officer report directly to the Chief Executive, and are both members of the Corporate Management Team.

- Regular meetings are held between the Leader of the Council and Chief Executive in order to maintain a shared understanding of roles and objectives.

10. Ensuring that financial management arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2015):

- The Council establishment includes a Chief Finance Officer (CFO), ensuring the financial management arrangements conform with the requirements within the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2015). This responsibility is discharged by the Finance Manager.

11. Ensuring effective arrangements are in place for the discharge of the Monitoring Officer function:

- The Monitoring Officer is a statutory appointment under section 5 of the Local Government and Housing Act 1989. These responsibilities are delivered by the Legal Services Manager. The Monitoring Officer undertakes to discharge their statutory responsibilities with a positive determination and in a manner that enhances the overall reputation of the Council. In doing so they will also safeguard, so far as is possible, members and officers whilst acting in their official capacities, from legal difficulties and/or criminal sanctions.
- It is important that members and officers work together to promote good governance within the Council. The Monitoring Officer plays a key role in this and it is vital therefore, that members and officers work with the Monitoring Officer to enable them to discharge their statutory responsibilities and other duties.
- There are working arrangements and understandings in place between the Monitoring Officer, members and the Corporate Management Team which are designed to ensure the effective discharge of the Council's business and functions. These arrangements are detailed in the Monitoring Officer Protocol, which is a key document in the Council's Constitution.

12. Ensuring effective arrangements are in place for the discharge of the Head of Paid Service function:

- The role of Head of Paid Service is defined in the Local Government and Housing Act 1989. In East Cambridgeshire District Council it is assigned to the Chief Executive as set out in the constitution and all necessary powers are delegated to fulfil the statutory role.
- The Council is also required to provide the Head of Paid Service with staff, accommodation and other resources sufficient to enable the performance of the function. The annual budget proposed to Council, prepared by officers, seeks to align the provision of Council resources with the delivery of the Corporate Plan. In this manner, the Head of Paid Service is ensuring that the Council is fulfilling its duty.

13. Providing induction and identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training.

- There is a member induction and training programme in place. Members are also required to undertake specific training before performing certain duties such as planning and licensing. Additional member seminars are also arranged throughout the year to deal with specific issues as they arise.
- There is an induction programme for all new employees, which consists of a mix of one-to-one meetings covering specific aspects of employment and group meetings that deal with more common areas.
- All officer posts within the Council have a detailed job description and person specification. The development needs of officers are determined through an annual performance appraisal, a key outcome of which is a Personal Development and Training Plan. This Plan provides a link between service and corporate priorities and career development. Requests for professional/vocational training are presented to Management Team for final consideration.

14. Reviewing the effectiveness of the framework for identifying and managing risks and for performance and demonstrating clear accountability:

- The Council has a Risk Management Policy and framework to detail the approach to managing risks. The latest Policy was approved by Full Council in October 2017.
- The Council's Corporate Risk Register is the result of continuous review by a Risk Management Group, the Corporate Management Team and the Finance and Assets Committee, of the key risks that may have an impact on achieving the Council's objectives. Each risk shows the owner and the key controls in place to minimise any impact on the Council and its provision of services to stakeholders. Individual projects and partnerships are also subject to risk assessments.
- The Council has incorporated risk management into the performance management system, which is monitored by management. Service Delivery Plans are approved and reviewed by the relevant Policy Committee. The end of year performance reports are published on the website.
- The Strategic Business Continuity Plan ensures that the Council is able to plan for, and respond to, a disruptive incident in order to continue service delivery and business operations at an acceptable predefined level.

15. Ensuring effective counter fraud and anti-corruption arrangements are developed and maintained in accordance with the Code of Practice on Managing the Risk of Fraud and Corruption (CIPFA, 2014).

- The Council has in place an Anti-Fraud & Corruption Strategy, the latest version being approved by Full Council in October 2019, which specifies the process by which allegations will be investigated and reported. The Council also acknowledges its responsibility to embed effective standards for countering fraud and corruption that supports good governance and demonstrates effective financial stewardship and strong financial management.
- The Council's Whistle-Blowing Policy covers the arrangements for staff to report concerns anonymously. The Council's Complaints Scheme, and how to complain

to the Ombudsman, are documented on the website. The Council has a dedicated resource in place to manage the complaints process.

- For the public there is also a procedure in place to report suspected cases of fraud via a dedicated fraud reporting mailbox reportfraud@eastcamb.gov.uk.
- The Council fully participates in the Cabinet Office's regular National Fraud Initiatives (NFI) and reports the results to Finance and Assets Committee.

16. Ensuring an effective scrutiny function is in place.

- The Council has a Call-In and Referral Up Procedure which is part of the Constitution. This enables Councillors to call in decisions made through the Policy Committees. Council can then consider the matter afresh and make a final decision which could be to uphold, amend or reject the previous decision of the Policy Committee.
- The Council provides Members to other Scrutiny Committees, where required, to review the performance and effectiveness of other public service providers as well as the Council. Examples include the Cambridgeshire Police & Crime Panel, Health & Wellbeing Board, Cambridgeshire and Peterborough Combined Authority, and the Community Safety Partnership.

17. Ensuring that assurance arrangements conform with the governance requirements of the CIPFA Statement on the Role of the Head of Internal Audit (2010) and, where they do not, explain why and how they deliver the same impact:

- Internal Audit is provided by LGSS Internal Audit & Risk Management which is led by a professionally qualified Chief Internal Auditor in accordance with the CIPFA Statement on the Role of the Head of Internal Audit in Public Service Organisations, Public Sector Internal Audit Standards and the Local Government Application Note.

18. Undertaking the core functions of an audit committee, as identified in Audit Committees: Practical Guidance for Local Authorities and Police (CIPFA, 2013):

- The Council has a Finance and Assets Committee that fulfils the role of the Audit Committee, with a terms of reference and supporting procedure rules covering internal and external audit, risk management, annual statement of accounts, corporate governance and internal control arrangements, and anti-fraud and corruption arrangements.

19. Ensuring that the authority provides timely support, information and responses to external auditors and properly considers audit findings and recommendations.

- The Council provides support and information to the externally appointed auditors (Ernst & Young LLP). Audit findings and recommendations are reported through the Finance and Assets Committee.

20. Incorporating good governance arrangements in respect of partnerships and other joint working and ensuring that they are reflected across the authority's overall governance structures.

- The Council demonstrates a strong commitment to working in partnership with other agencies to deliver priority outcomes and ensure that this partnership activity provides value for money and added value.
- The governance arrangements for key partnerships are kept under review. Governance arrangements for significant partnerships, such as the East Cambridgeshire Trading Company, East Cambridgeshire Street Scene and the Anglia Revenues Partnership, are documented in the Constitution.

5. Review of effectiveness

5.1. East Cambridgeshire District Council has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the directors within the Council who have responsibility for the development and maintenance of the governance environment, the LGSS Chief Internal Auditors annual report, and also by comments made by the external auditors and other review agencies and inspectorates.

5.2. The following is a brief description of the roles and processes that have been applied in evaluating the effectiveness of the governance framework:

1. The Council

- In October 2019 the Council approved the Corporate Plan for 2019-2023 which forms the basis of the performance management framework. Council review progress against the plan, ensuring it remains committed to the priorities whilst delivering a balanced budget.
- Council approved financial documents including the Medium Term Financial Strategy, Capital programme, General Fund Revenue Budget, Treasury Management Strategy, and the Council Tax Reduction Scheme. The Medium Term Financial Strategy provides the financial structure for the policy and budget framework, corporate planning, annual service planning and budget setting.
- Section 151 of the Local Government Act 1972 requires that every local authority shall make arrangements for the proper administration of their financial affairs and shall ensure that one of their officers has responsibility for administration of those affairs. This role is discharged by the Council's Finance Manager.
- The Council has considered the appointment of Independent Persons for the Council in accordance with the standards framework to be compliant with the Localism Act 2011. The appointment was made by Full Council in May 2019 and will be for a period of four years, subject to ratification at the Council's Annual Meeting in May each year.
- Council approved key strategies and policies such as the revised Anti-Fraud & Corruption Policy and the Corporate Plan 2019-2023

2. The Finance and Assets Committee

- The Finance and Assets Committee performs the role of the Audit Committee which covers internal and external audit matters, risk management arrangements, corporate governance including internal control arrangements and the annual governance statement, anti-fraud and corruption arrangements, and the statement of accounts.
- The Committee received reports on corporate risks, the work of internal audit, including the annual report, and external audit reports, letters and briefings. It also reviewed and approved the Annual Governance Statement.
- The Committee reviewed and noted quarterly budget monitoring reports, and received performance reports for the first six months of the financial year for Financial Services, Democratic Services, Infrastructure and Strategic Housing, Strategic Planning, Legal Services, Reprographics, Human Resources and Open Spaces and Facilities. The end of year performance reporting and approval of the 2020/21 service delivery plans did not take place at the March 2020 meeting of the Committee as planned due to the cancellation of the meeting due to the coronavirus outbreak.
- The Committee approved financial reports, such as the Treasury Management Strategy, Treasury Management Annual Performance Review, the Annual Investment Strategy, Revenue Budgets, Capital Programme, Council Tax, overall Council Budget reports, and reviewed the minutes of the ARP Joint Committee, as the partnership which delivers revenues and benefits for the Council. The Committee also approved a revised Corporate Health and Safety Policy.
- In undertaking its role as the Shareholder Committee for East Cambs Trading Company, the Committee approved the business plan and received updated management accounts.

3. The Operational Services Committee

- The Committee has overseen the Service Delivery Plans in place for the Council's operational services. The Committee received and noted quarterly budget monitoring reports, and received performance reports for the first six months of the financial year for Planning, Building Control, Environmental Services, Licensing, Housing and Community Safety, Waste Services, Communities and Partnerships, Customer Services, Information Communication Technology, Performance Management and Food and Health & Safety. The end of year performance reporting and approval of the 2020/21 service delivery plans did not take place at the March 2020 meeting of the Committee as planned due to the cancellation of the meeting due to the coronavirus outbreak.
- In undertaking its role as the Shareholder Committee for East Cambs Street Scene (ECSS), the Committee approved the business plan and received performance reports for the delivery of the waste and street cleansing services by ECSS.

4. The Shareholder Committee

- In February 2019 Council approved a revised Committee Structure for implementation from May 2019 to reflect the reduction in the number of Councillors at the District Council Elections in May 2019. Under these changes the functions

of the existing Shareholder Committee for ECTC would be transferred to the Finance and Assets Committee. Revised Terms of Reference for the Finance and Assets Committee and amended Shareholder Agreements for the Council's Trading Companies and the Memorandum of Understanding were approved by Council on 11th April 2019. The Finance and Assets Committee would discharge the functions of the Shareholder Committee, with in addition there being two all-Member Shareholder meetings per annum.

- In September 2019 the Committee approved the ECTC Business Plan for 2019/20 and noted the ECTC Management Accounts for the period April 2019 to July 2019. In November 2019 the Committee received and noted the results of the audit of the ECTC Accounts for the financial year 2018/19, carried out by their appointed auditors, Price Bailey. There were no matters that necessitated reporting as requiring attention. In February 2020 the Committee approved the ECTC Business Plan for 2020/21, and noted the ECTC Management Accounts for the period April 2019 to November 2019. An all-Member Shareholder meeting took place in October 2019.
- As the Lead Officer for the Finance & Assets Committee and a Director of the Trading Company, the Director Commercial stands down as Lead Officer when matters relating to the Trading Company are discussed. This is done so that Members of the Committee are clear in what capacity the Director is presenting/responding.
- The functions of the Shareholder Committee for ECSS have been discharged by the Operational Services Committee, as above.

5. Internal audit

- The Council takes assurance about the effectiveness of the governance environment from the work of Internal Audit, which provides independent and objective assurance across the whole range of the Council's activities. It is the duty of the Chief Internal Auditor to give an opinion on the adequacy and effectiveness of internal control within the Council. This opinion has been used to inform the Annual Governance Statement.
- The Chief Internal Auditor's annual report was presented to the Finance and Assets Committee in July 2020. This report outlined the key findings of the audit work undertaken during 2019/20, including areas of significant weakness in the internal control environment.
- The Chief Internal Auditor's annual opinion is that:
'It is my opinion that **Satisfactory Assurance** can be given over the adequacy and effectiveness of the Council's control environment for 2019/20. This control environment comprises of the system of internal control, governance arrangements and risk management. This remains consistent with the opinions given in recent years.

During 2019/20, the Council's governance arrangements have remained broadly consistent with previous years. There are no significant governance issues that I wish to draw to the attention of the Council for inclusion in its Annual Governance Statement, based on the findings of Internal Audit work in 2019/20.

Financial control

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 – an action plan has been agreed to address this.

Risk management

Established structures and processes for identifying, assessing and managing risk remained consistent during 2019/20. The risk register was reviewed by the Finance and Assets Committee on a six monthly basis, considering the outcomes of quarterly reviews conducted by the Council's risk management group. As at January 2020 there were no risks on the strategic risk register scored as 'red' – it should be noted that an extensive review of the risk register in 2020 will reflect the changing risk environment following the Covid-19 pandemic.

Internal Audit work is targeted upon the Council's key areas of risk and work completed in 2019/20 has assessed assurances in relation to controls in some of these key areas.

Internal control

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

Of these audits, none have resulted in an opinion of 'major' organisational risk, which would impact upon the annual assurance opinion. An opinion of 'limited' assurance has been given in relation to compliance with controls on contract extensions and actions have already progressed to address this.

Of the recommended actions agreed, and due for implementation, 88% had been completed in a timely manner during the year.

Internal Audit has not been made aware of any further governance, risk or internal control issues which would reduce the above opinion. No systems of internal controls can provide absolute assurance against material misstatement or loss, nor can Internal Audit give that assurance'.

6. External audit

- Under the government's local public audit regime the Audit Commission awarded contracts for work previously carried out by the Commission's own audit practice. As a result Ernst & Young (now EY) became the appointed external auditor from 1 September 2012.
- EY's audit results report (ISA260) for the financial year 2018/19 was presented to Finance and Assets Committee on 6 February 2020. The annual audit letter 2018/19 was presented to the Committee on 28 November 2019.
- For the financial year 2018/19 EY issued unqualified audit opinions on the Council's financial statements and value for money conclusion.

6. Significant Governance issues and actions

The review of the effectiveness of the Governance Framework has provided a satisfactory level of assurance. The review process has highlighted no significant issues.

Towards the end of the 2019/20 financial year, like all other public bodies, the Council faced unprecedented circumstances as a result of the response to the Covid-19 pandemic. The Council acted promptly and effectively to respond to the crisis by adopting new ways of working, reorganising the Council to focus on a number of new objectives and making necessary governance and financial decisions consistent with its constitutional obligations. The Council's response has been as follows:

Business Continuity – The Chief Executive leads a Business Continuity COVID-19 Group consisting of all Service Leads, including those from the Council's Trading Companies, and the Corporate Management Team. The primary aim of the Group is to oversee the continuation, adaption and if appropriate cessation of Council services during the crisis, in light of Government Public Health Guidance. It also oversees the implementation of the 'working from home' arrangements and the necessary IT infrastructure to achieve remote and agile working. The Group maintains a decision log of variations to prescribed levels of service, which is reported to all Members by email, and informs the Council's communication response to COVID-19. The Group will also lead the Council's COVID-19 Recovery Plan.

The Council did not make any decisions on behalf of either of the Trading Companies and similarly the Trading Companies did not make any decisions on behalf of the Council. Each organisation followed their own decision-making processes.

Community – The Council set up a Community Group which is led by the Director Commercial. The key aim of this group is to ensure that everyone in the community has access to the support they need. The community response was led and managed by the community with the Council providing support where it was needed. Officers have worked extensively with partner agencies, parish council, community groups and the third sector to ensure that every settlement in the District has access to help and advice.

Business – The Council received an initial £15,808,000 from Government to distribute to approximately 1,360 businesses in the District eligible for a Small Business Grant or a Retail, Hospitality and Leisure Grant. The Council set up a Business Group which is led by the Infrastructure & Strategy Manager to ensure the timely payment of grants. The Group is also working with the Combined Authority and other partners to develop a strategy for business recovery to help the local economy as the lockdown restrictions are eased.

Governance – Due to the restrictions on gatherings of people by the Government, s78 of the Coronavirus Act 2020 provided that regulations could be made relating to the requirements for local authorities in relation to holding meetings. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4th April 2020 and apply to meetings taking place before 7th May 2021. The Council set up a Remote Meetings Group led by the Monitoring Officer to implement the Regulations and the first remote meeting was held on 20th April 2020. The Monitoring Officer and Deputy Monitoring Officer produced a supplementary Council Procedure Rule 30 to cover Remote Meetings.

Strategic Role and Liaison – The Council has statutory duties under the Civil Contingencies Act 2004 as a Category One responder to the crisis. In order to fulfil this obligation, the Council works with partners in statutory and non-statutory forums, represented by key officers.

Budget Impact – The Council is monitoring the financial impact of the pandemic, and whilst it is having some impact on the costs of the Council, it is having a major impact on the income the Council collects. The Council has received a total of £1,059,532 of non-ringfenced grant from the Government to assist through the pandemic and is also expecting to benefit from the Government’s income compensation scheme. With regards to cash flow, Council Tax and Business Rate collection rates have dropped and the ECTC stopped building on two of its sites for a period, which has impacted on its cashflow and in turn the arrangements to repay the loans it has received from the Council, which are due to be fully repaid by March 2021. The Finance and Assets Committee will monitor the ongoing financial impact of the crisis and make recommendations to Council, where appropriate.

Recovery and Evaluation – There has been a shift from the Government and other statutory arrangements, which enables the nation to move to the recovery stage. In anticipation of further Government guidance the Council, and its officers, are already preparing and considering what the next steps may be.

7. Conclusion

Based on the work that has been completed, assurance can be taken that the governance arrangements at East Cambridgeshire District Council are fit for purpose.

8. Statement by Leader of the Council and Chief Executive

The Council has in place strong governance arrangements which we are confident protect its interests and provide necessary assurances to its citizens and stakeholders.

We propose over the coming year to continually address any issues arising that need addressing in order to further enhance its governance arrangements.

Signed:

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Anna Bailey
Leader of the Council

John Hill
Chief Executive

Date:

Date:

Internal Audit Progress Report

To: Finance & Assets Committee

Date: 24th September 2020

From: Chief Internal Auditor, LGSS

[V62]

1. ISSUE

- 1.1. To advise Members of the work of Internal Audit completed during the period April 2020 to August 2020, and the progress against the Internal Audit Plan.

2. RECOMMENDATION

- 2.1. That the Committee notes the progress made by Internal Audit in the delivery of the Audit Plan and the key findings.

3. BACKGROUND/OPTIONS

- 3.1. The role of Internal Audit is to provide the Finance and Assets Committee, and management, with independent assurance on the effectiveness of the internal control environment. Internal audit coverage is planned so that the focus is upon those areas and risks which will most impact upon the Council's ability to achieve its objectives.
- 3.2. The Internal Audit Plan for 2020/21 was approved in June 2020. At the time of reporting, approximately 33% of assignments within the plan are either complete or in progress. This is despite the Internal Audit team agreeing to cease audit testing in any areas impacted by the pandemic response during quarter one, in order to minimise any disruption and support the Council during this difficult period. During this time, the Internal Audit team have also provided additional support in the form of guidance and support on new risks, such as business grant payments, and sharing of intelligence, such as fraud alerts.
- 3.3. Internal Audit have, in addition to planned work, assisted the Council in uploading data on business grants to the Cabinet Office's National Fraud Initiative system – to provide post payment assurances over business grants - and have also assisted in conducting fraud risk assessments.
- 3.4. Since April 2020, three actions arising from audit reports have been implemented by officers.
- 3.5. At the July 2020 meeting of the Finance and Assets Committee, assurance was sought by Committee regarding matters arising in two key areas (changes to supplier details and contract extensions). Internal Audit has sought confirmation from the relevant service areas as to actions taken to address the areas of risk highlighted and can provide the following assurances.
- 3.6. In relation to changes of supplier details, Internal Audit are advised that checks were being conducted but evidence to demonstrate these checks was not consistently available at the time of the audit. There is no evidence that the

Council has been a victim to any bank mandate fraud, but without appropriate paperwork being retained, there was a lack of evidence that controls were operating effectively. Upon completion of the audit testing, it was agreed that the service would introduce evidenced checklists for every change in supplier details and this was implemented with immediate effect.

- 3.7. In relation to contract extensions, work is underway to update the Council's contract register and all managers have been reminded of their responsibilities in ensuring contracts are re-tendered or formally extended in line with contractual arrangements and the contract procedure rules. Further audit testing in 2020/21 will seek to provide further assurance over the effectiveness of actions taken.
- 3.8. Table 3 of Appendix A provides an overview of 'actions overdue more than three months; Payroll, Absence Management and Health and Safety. It is important for Members to note that the policies under the payroll item have not been outstanding since 2016/17.
- 3.9. The audit plan for 2016/17 identified a need to review HR policies. Many of these policies have been reviewed and updated in recent years, including introducing new policies that were not in the audit plan. For information, the policies that have been reviewed and are now going through the final process are: Capability, Dignity at Work, Disciplinary, Family Friendly Guidance, Attendance and Stress, Recruitment, Equality, Diversity and Inclusion, Induction and Probationary Periods (New) and Grievance.
- 3.10. As identified in Table 3, Appendix A, the Council is due to consult with the Joint Consultative Committee (JCC) which was delayed at Unison request due to COVID-19.

4. ARGUMENTS/CONCLUSIONS

- 4.1. The attached report (Appendix 1) informs Members on the progress to date against the Audit Plan.

5. FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 5.1. There are no additional financial implications arising from this report. An Equality Impact Assessment is not required.

6. APPENDICES

Appendix 1 – Internal Audit Update Report – September 2020

Background Documents	Location	Contact Officer
None	LGSS, Room 207 The Grange Ely	Duncan Wilkinson, Chief Internal Auditor duncan.wilkinson@milton-keynes.gov.uk Rachel Ashley-Caunt Head of Internal Audit RAshley-Caunt@rutland.gov.uk



EAST CAMBRIDGESHIRE DISTRICT COUNCIL
INTERNAL AUDIT PROGRESS & PERFORMANCE UPDATE

SEPTEMBER 2020



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

Date: 24th September 2020

Introduction

- 1.1 LGSS provides the Internal Audit service for East Cambridgeshire District Council and has been commissioned to provide 210 days to deliver the 2020/21 Annual Audit Plan.
- 1.2 The Public Sector Internal Audit Standards (the Standards) require the Finance and Assets Committee to satisfy itself that it is receiving appropriate assurance about the controls put in place by management to address identified risks to the council. This report aims to provide the committee with details on progress made in delivering planned work, the key findings of audit assignments completed since the last committee meeting and an overview of the performance of the audit team.

Performance

2.1 Delivery of the 2020/21 Audit Plan

At the time of reporting, fieldwork on six assignments from the 2020/21 Audit Plan is either complete or underway, representing 33% of the planned work.

Progress on individual assignments is shown in Table 1.

2.2 Are clients satisfied with the quality of the Internal Audit assignments?

To date, no survey responses have been received in relation to feedback on completed assignments for the 2020/21 audit plan.

2.3 Based upon recent Internal Audit work, are there any emerging issues that impact upon the Internal Audit opinion of the Council's Control Framework?

Since the last committee meeting, one audit report from the 2019/20 audit plan and one audit report from the 2020/21 audit plan have been finalised. To date, these have not highlighted any issues or weaknesses which would impact upon the overall Internal Audit opinion. The key findings from the reports were as follows:




Payroll (2019/20 Review)

The audit of payroll forms part of the 2019/20 suite of annually performed key financial system reviews and is undertaken in order to inform the Head of Internal Audit's overall opinion on the control environment, which supports the Annual Governance Statement. The critical objective of the payroll system is to ensure that all employees are paid the right amount at the right time and that the correct amounts are paid across to HMRC and pension providers. Staff costs account for a significant proportion of the Council's total annual spend. It is therefore important to ensure that a sound framework of controls is in place to manage this expenditure effectively and minimise the risk of fraud and error.

Responsibility for administering the Council's payroll was transferred to Midland HR (MHR) with effect from 1st April 2018. The Council has retained an in-house Payroll Officer post and the Human Resources Service.

A review of pay related policies identified areas requiring update to reflect latest structures and systems. Testing confirmed that parameters such as payscales, pension rates and HMRC tax and national insurance were accurately recorded on iTrent. Any independent checks completed by the Council on the accuracy of standing data or the accuracy of the payroll is completed by reference to reports provided electronically by MHR and the iTrent system. To provide evidence of the checks undertaken on the accuracy of the payroll by the Payroll Officer it is recommended that a log is developed to evidence this.

Based on the work performed during the audit, overall good assurance can be given that there are effective controls in operation. The assurance opinions given are as follows:




Assurance Opinion		
Control Environment	Good	
Compliance	Good	
Organisational Impact	Minor	

Disabled Facilities Grants

Disabled Facilities Grants (DFGs) paid to a local authority may be used only for the purposes that a capital receipt may be used for in accordance with regulations made under Section 11 of the Local Government Act 2003 and must be spent before 1st April each year. To comply with the terms and conditions of the grant determination and achieve value for money, the Council should be providing adaptations for disabled people under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996 (Disabled Facilities Grants), or any other social care capital projects. For the financial year 2019/20 the Council received a total funding allocation of £608,184 through the Department of Health's Better Care Fund. The Council also provided additional funding of £186,000 to be spent on DFGs.

Based on sample testing, it was confirmed that controls were being exercised to ensure compliance with the grant conditions and to manage the risks around fraud and value for money. There are established processes in place for the assessment of need, approval of work and record keeping. Compliance was found to be good, however there are some areas where controls could be improved to demonstrate the rotation of contractors invited to submit quotations for works. It is noted that officers have sought to comply with contract procedure rules to ensure value for money is secured and it is recommended that further procurement advice be sought on revising procedures to ensure all individual contracts are consistently awarded and recorded in line with corporate requirements.

Based on the work performed during the audit, overall good assurance can be given that there are effective controls in operation. The assurance opinions given are as follows:

Assurance Opinion		
Control Environment	Good	
Compliance	Good	
Organisational Impact	Minor	

2.4 Implementation of audit recommendations by officers

Where an Internal Audit review identifies any areas of weakness or non-compliance with the control environment, recommendations are made and an action plan agreed with management, with timeframes for implementation. In order to provide the Committee with assurances that these actions are being implemented in a timely and effective manner, a more robust follow up process has been implemented for the 2020/21 financial year.

Since the last Committee meeting, three agreed actions have been implemented by officers. An overview is provided in Table 2.

At the time of reporting, there are four actions which are overdue for implementation. Of these, three have been assessed as 'Medium' priority and has been overdue for more than three months. As such, further details are provided in Table 3.

Table 1 - Progress against 2020/21 Internal Audit Plan

Assignment	Planned start	Status	Assurance sought	Assurance Opinion			Comments
				Control Environment	Compliance	Org impact	
Governance & Counter Fraud							
Counter Fraud Procedures	Q2	In progress		Consultancy			
National Fraud Initiative	Q3	In progress	Data upload in Q3	Consultancy			
Risk Management support	Q1 – Q4	In progress		Consultancy			
Annual Governance Statement	Q1	Complete	Not applicable	Consultancy			
Procurement compliance	Q4	<i>Not started</i>					
Key Financial Systems							
Bank Reconciliation	Q3	<i>Not started</i>					
Creditors	Q4	<i>Not started</i>					
Debtors	Q4	<i>Not started</i>					
Payroll	Q4	<i>Not started</i>					
Treasury Management	Q3	<i>Not started</i>					
Budgetary Control	Q3	<i>Not started</i>					

Assignment	Planned start	Status	Assurance sought	Assurance Opinion			Comments
				Control Environment	Compliance	Org impact	
Key policy compliance							
Off contract spend	Q4	Not started					
Risk based audits							
Local Authority Trading Companies	Q3	Not started					
Asset management	Q3	Not started					
Data protection/GDPR	Q3	Planning					
S106 monitoring	Q2	Fieldwork underway					
Disabled facilities grants	Q1	Final report issued	<i>To provide assurance over the management of DFGs in relation to the application and verification process to manage the risk of fraud, and the delivery of value for money from spend.</i>	Good	Good	Minor	See 2.3 above
Building control	Q2	Draft report issued					
Cyber Security	Q4	Not started					

Table 2 - Implementation of Audit Recommendations

	'High' priority recommendations		'Medium' priority recommendations		'Low' priority recommendations		Total	
	Number	% of total	Number	% of total	Number	% of total	Number	% of total
Actions due and implemented since last Committee meeting	1	100%	1	25%	1	50%	3	43%
Actions overdue by less than three months	-	-	-	-	-	-	-	-
Actions overdue by more than three months	-	-	3	75%	1	50%	4	57%
Totals	1	100%	4	100%	2	100%	7	100%

Table 3 – Actions overdue more than three months (medium priority)

Audit plan	Audit title	Agreed action	Priority	Responsible officer	Date for implementation	Officer update / revised date
Information Governance						
2016/17	Payroll	Audit trail for new appointments	Medium	HR Manager	31/03/2020	July 20 - No Change - Action delayed due to COVID19 emergency and request from Unison to temporarily suspend the consultation on the updated policies.
2019/20	Absence Management	Updates to Managing Attendance & Stress at Work Policy and Procedure	Medium	HR Manager	31/10/2019	June 20 - In Progress - Action delayed due to COVID19 emergency and request from Unison to temporarily suspend the JCC consultation process. Also, requested by CMT to prioritise other policy work ahead of this (e.g. the Equality, Diversity and Inclusion Policy).
2019/20	Health and Safety	Annual H&S Report	Medium	HS/EP MANAGER	31/03/2020	September 20 – report to September 2020 Finance & Assets Committee.

Notes

At the completion of each assignment the Auditor will report on the level of assurance that can be taken from the work undertaken and the findings of that work. The table below provides an explanation of the various assurance statements that Members might expect to receive.

Compliance Assurances			
Level		Control environment assurance	Compliance assurance
Substantial	●	There are minimal control weaknesses that present very low risk to the control environment.	The control environment has substantially operated as intended although some minor errors have been detected.
Good	●	There are minor control weaknesses that present low risk to the control environment.	The control environment has largely operated as intended although some errors have been detected.
Satisfactory	●	There are some control weaknesses that present a medium risk to the control environment.	The control environment has mainly operated as intended although errors have been detected.
Limited	●	There are significant control weaknesses that present a high risk to the control environment.	The control environment has not operated as intended. Significant errors have been detected.
No	●	There are fundamental control weaknesses that present an unacceptable level of risk to the control environment.	The control environment has fundamentally broken down and is open to significant error or abuse.

Organisational Impact		
Level		Definition
Major	●	The weaknesses identified during the review have left the Council open to significant risk. If the risk materialises it would have a major impact upon the organisation as a whole.
Moderate	●	The weaknesses identified during the review have left the Council open to medium risk. If the risk materialises it would have a moderate impact upon the organisation as a whole.
Minor	●	The weaknesses identified during the review have left the Council open to low risk. This could have a minor impact on the organisation as a whole.

Limitations and Responsibilities

Limitations inherent to the internal auditor's work

LGSS Internal Audit is undertaking a programme of work agreed by the Council's senior managers and approved by the Finance and Assets Committee subject to the limitations outlined below.

Opinion

Each audit assignment undertaken addresses the control objectives agreed with the relevant, responsible managers.

There might be weaknesses in the system of internal control that Internal Audit are not aware of because they did not form part of the programme of work; were excluded from the scope of individual internal assignments; or were not brought to Internal Audit's attention.

Internal Control

Internal control systems identified during audit assignments, no matter how well designed and operated, are affected by inherent limitations. These include the possibility of poor judgement in decision making; human error; control processes being deliberately circumvented by employees and others; management overriding controls; and unforeseeable circumstances.

Future Periods

The assessment of each audit area is relevant to the time that the audit was completed in. In other words, it is a snapshot of the control environment at that time. This evaluation of effectiveness may not be relevant to future periods due to the risk that:

- The design of controls may become inadequate because of changes in operating environment, law, regulatory requirements or other factors; or
- The degree of compliance with policies and procedures may deteriorate.

Responsibilities of management and internal auditors

It is management's responsibility to develop and maintain sound systems of risk management; internal control and governance; and for the prevention or detection of irregularities and fraud. Internal audit work should not be seen as a substitute for management's responsibilities for the design and operation of these systems.

Internal Audit endeavours to plan its work so that there is a reasonable expectation that significant control weaknesses will be detected. If weaknesses are detected additional work is undertaken to identify any consequent fraud or irregularities. However, Internal Audit procedures alone, even when carried out with due professional care, do not guarantee that fraud will be detected, and its work should not be relied upon to disclose all fraud or other irregularities that might exist.

Corporate Risk Management – Policy and Update

To: Finance & Assets Committee

Date: 24th September 2020

From: Head of Internal Audit, LGSS

[V63]

1. ISSUE

- 1.1. To seek approval of the updated Risk Management policy and provide Members with a copy of the latest Corporate Risk Register and framework.

2. RECOMMENDATION

- 2.1. Members are requested to:

- i. Recommend to Full Council to approve the updated Risk Management Policy as set out in Appendix 3, and
- ii. Note the Corporate Risk Register as set out in Appendix 2.

3. BACKGROUND/OPTIONS

- 3.1. Finance and Assets Committee is responsible for overseeing the Council's Corporate Risk Register and recommending revisions to the Council's Risk Management policy.
- 3.2. Updates on the Corporate Risk Register are provided on a six monthly basis. The Finance & Assets Committee last received an update in February 2020. The updates to the Register are facilitated and collated by Internal Audit but remain the responsibility of senior management.
- 3.3. The Corporate Risk Register (Appendix 2) has been updated to reflect the latest risks for the Council, including those posed by the Covid-19 pandemic.

4. ARGUMENTS/CONCLUSIONS

- 4.1. Appendix 1 of this report provides Members with some background information on Corporate Risk Management. It has been three years since the policy was adopted and therefore a review has been undertaken by senior management, with guidance from Internal Audit to ensure the policy remains fit-for-purpose.
- 4.2. The review concluded that there is no need to change the structure of the policy other than minor amendments to reflect the Corporate Plan and the Governance Structure.
- 4.3. Appendix 2 provides the updated Corporate Risk Register.
- 4.4. Appendix 3 sets out the updated policy arising from the review referred to in Appendix 1

4.5 Appendix 4 is provided to Members as a background document which provides detail on how risks are assessed and managed in the organisation.

5. **FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT**

There are no additional financial implications arising from this report. An Equality Impact Assessment is not required.

6. **APPENDICES**

Appendix 1 – Corporate Risk Management Report – September 2020

Appendix 2 – Corporate Risk Register

Appendix 3 – Risk Management policy

Appendix 4 – Risk Management framework

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	LGSS, Room 207 The Grange Ely	Duncan Wilkinson, Chief Internal Auditor duncan.wilkinson@milton-keynes.gov.uk Rachel Ashley-Caunt Head of Internal Audit RAshley-Caunt@rutland.gov.uk

Appendix 1 – Corporate Risk Management Report – September 2020

Background

1. Risk management is a key element of East Cambridgeshire District Council's Code of Governance. The Council has experience in Risk Management and has prepared Risk Registers which have been reviewed and approved by the senior management, the former Corporate Resources & Finance Committee, and full Council.
2. The Finance and Assets Committee is now responsible for overseeing the Council's Corporate Risk Register and recommend revisions to the Council's Risk Management Strategy.
3. The format of the Corporate Risk Register and revised approach to Risk Management was approved by the Resources and Finance Committee on 20th July 2017. At this meeting the Committee also recommended to Council that the proposed amendments to the Corporate Risk Register and Risk Management Policy were adopted. Full Council approved the amendments on 5th October 2017.
4. Six monthly updates on the Corporate Risk Register have since been presented to the Resources and Finance Committee / Finance and Assets Committee.

Corporate Risk Management policy update

5. The Code of Governance is published on the Council's website. A key element of the Code, which is based on a prescribed best practice format, is to establish and maintain a systematic strategy, framework and process for managing risk.
6. The Council has a Risk Management Policy which sets out the strategic direction for risk management at the Council. Supporting this is a Risk Management Framework which sets out the procedures for risk management.
7. The policy has now been in place since October 2017 and it is recommended that this be reviewed at least every three years to ensure it remains current and fit for purpose. As such, the policy has been reviewed by senior management and is provided for approval by the Finance and Assets Committee. There are no material changes proposed to the updated policy and the key updates relate to reflecting the latest Corporate Plan and structure.
8. The Risk Management Framework is also updated to reflect any changes in structure or approach, in line with the policy. The latest version of the framework is provided for the Committee's information.

Corporate risk register updates

9. The Corporate Risk Register has been updated, and is attached at **Appendix 2**.
10. The register includes scores for **inherent** risks (before any mitigating controls are considered) and **residual** risk (after taking account of key controls, which are listed). Any planned actions to further mitigate risks are also shown.

11. The risk appetite is illustrated in the scoring matrix, which is also used to highlight the significance of the residual risks in a “heat map”, which accompanies the Corporate Risk Register.
12. The Corporate Risk Register is reported to the Committee at least twice per year. Changes to the risk register, and relevant updates, are reported to the Committee for awareness. Current developments are detailed below:

Risk	Description
<p>A6</p> <p>Council unable to manage impact of Coronavirus (Covid-19) on Council services</p>	<p>This risk has been added to the register. This reflects the risk posed to the Council during the pandemic and reflects the controls in place to support ongoing service delivery.</p> <p>There are specific risk assessments/registers in place across the Council and the management of this risk is dependent upon their effective application in practice and reflects the overall corporate impact.</p>
<p>A7</p> <p>Impact of Coronavirus (Covid-19) on the business and communities of East Cambridgeshire</p>	<p>This risk has been added to the register. This reflects the risk posed to the community during the pandemic and reflects the controls in place to support local business and vulnerable groups.</p> <p>Actions have been underway throughout the pandemic to engage with partners, local groups and the community – these are reflected in the controls and ongoing actions.</p>
<p>B2</p> <p>Failure to achieve expected levels of development and planning income</p>	<p>The scoring of the inherent likelihood has been increased from 3 to 4, to reflect the impact of delays in payments due to Covid-19.</p>
<p>C2</p> <p>Loss of data or access to ICT systems due to a breach of information security or weaknesses in the IT infrastructure.</p>	<p>Since the last update, the Council’s ICT Security policy has been approved and is now reflected in the controls.</p> <p>The outstanding actions have also been updated to reflect the latest progress made and the timeframes for completion.</p>

Corporate residual risk heat map

13. An updated risk heat map is included at **Appendix 2** which shows the residual risk level for each of the risks. This gives a quick view of where each risk sits in relation to the Council's risk appetite, i.e. there should be no risks with a residual score greater than 15, unless there are exceptional circumstances.

Conclusion

14. Risk management processes follow good practice, and are proportionate. These are documented in a Risk Management Policy, with a supporting framework.
15. The Risk Management Group continue to review the Risk Register on a quarterly basis to ensure all risks are recognised and up to date.
16. The Council has a Corporate Risk Register and each risk shows the owner and the key controls, both in place or planned, designed to minimise any impact on the Council and its provision of services to stakeholders.
17. The Risk Management Policy requires managers to keep all risks under review, and the Corporate Risk Register has been updated accordingly.

Corporate Risk Register

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
CUSTOMER PERSPECTIVE															
A2	East Cambridgeshire Trading Company and East Cambridgeshire Street Scene Ltd fail to deliver upon business plans and expected levels of performance.	Poor performance by the companies with a lack of challenge and oversight. Failure to embed effective governance arrangements and segregation of duty.	Failing to achieve corporate priorities and Medium Term Financial Strategy. Reputational risk.	D-CS	3	5	15 (A)	Business Plans, Articles of Association and Shareholder Agreements. Established Shareholder Committee arrangements. ECTC- Regular reporting to Finance and Assets Committee (in remit as Shareholder committee) and full Council (if required). ECSS- Regular reporting to Operational Services Committee (in remit as Shareholder committee) and full Council (if required) Independent Chairperson. Independent external audit review of accounts, and opportunity to commission ad-hoc advice if required. S151 officer and Monitoring Officer present as non-voting members at Board meeting.	2	4	8 (A)				
A3	Failure to deliver the housing strategy, and provide affordable housing to residents within the district.	Challenges to future supply due to housing market and Government policy.	Failure to deliver the Council's commitment to 'genuine affordable' housing.	D-O D-CS	3	4	12 (A)	Council Support Programme to Community Land Trusts. Community Led Development SPD.	2	3	6 (A)				
A4	Homelessness in the district.	Increase in homelessness driven by external factors such as Universal Credit and the Homelessness Reduction Act.	Impact on the Council finance and resources.	D-O	4	5	20 (R)	Frontline resources focussed on preventing homelessness. Council retained hostels.	2	2	4 (G)				

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
A5	Council unable to manage impact of Coronavirus (Covid-19) on Council services.	Lack of capacity to cope with the increase in community needs as well as business as usual tasks as a result of the virus. This will be caused by increased needs from the community as well as reduced staffing availability due to staff becoming ill themselves or needing to self isolate or being unable to work due to caring for others. Technology constraints may also limit the amount of work able to be undertaken remotely. Availability of workforce from contractors as well as Council will have a negative impact on continuing the compliance related work.	Work will need to be prioritised resulting in some services either being scaled back or not delivered at all.	CM T	3	3	9 (A)	<p>Regular meetings of multi-agency groups and internal business continuity groups.</p> <p>Reviewing approach and making preparations for increased homeworking.</p> <p>Regular communication with all stakeholders, including contractors.</p> <p>Risk assessment produced to comply with the Government guidance document <i>Offices and Contact Centres – Working Safely During Coronavirus (COVID-19)</i> and the associated Council building risk assessments.</p> <p>Corporate buildings are now 'COVID-19 Secure' in line with Government guidance control measures.</p> <p>Reviewed business continuity plans to ensure priority services are correctly assessed and continue to prioritise based on emerging needs and capacity.</p>	2	3	6 (A)	<p>Continue to ensure staff, members and the community are kept informed as the situation develops.</p> <p>Ongoing monitoring of 'Working Safely in East Cambridgeshire District Council Buildings' risk assessments.</p>	CM T DV	Ongoing Ongoing	G G

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
A6	Impact of Coronavirus (Covid-19) on the business and communities of East Cambridgeshire.	In the three months since the lockdown the economy has shrunk by 20%. Whilst the Furlough scheme has helped protect jobs in the short term there is an expectation that unemployment and dependency on welfare and support will increase over the coming months. This in turn may create greater financial, physical and mental health challenges and put pressure on housing. Whilst the Council has provided support to businesses in East Cambridgeshire through government grant schemes, there is a risk that some businesses do not survive. Further risk of local lockdowns increases uncertainty and dent consumer confidence.	Higher unemployment, greater dependency on welfare, impacts on physical and mental health, impacts on business survival rates, increased homelessness	CM T	4	4	16 (R)	<p>The Council continues to work closely with partner agencies in the Local Resilience Forum (LRF) to ensure response are co-ordinated and as effective as possible.</p> <p>The Council has established recovery structures to fully assess impacts and identify appropriate responses. These have been discussed with Members and with partners.</p> <p>Resources are being diverted to those areas where the Council anticipates greater demand but to an extent the Council, and the sector more generally, will require ongoing government support to mitigate the substantial impacts there will be.</p> <p>Fraud risk assessments completed in relation to business grants.</p>	3	3	9 (A)	<p>Continued involvement, leadership and engagement within the LRF and support to local partners and businesses as required.</p> <p>Recovery plan booklet to be distributed to all councillors, including details of working party, communication with community groups and a dedicated risk register.</p> <p>Review of Corporate Strategy to incorporate key recovery actions.</p>	CM T	Ongoing	G
FINANCE AND RESOURCES															
B1	Inability to balance the Council's budget.	<p>Reductions in public sector funding.</p> <p>Uncertainty and changes in Government funding such as, the Spending Round 2019 (to be implemented April 2020) and the Spending Review 2020, fair funding review and 75% retention of business rates, all planned to be introduced on 1st April 2021.</p> <p>Lack of opportunity to make further savings.</p> <p>Not maximising the opportunities from the Combined Authority deal and other income opportunities.</p>	Failure to achieve budgets savings leading up to 2020/21 and undermining the revised Medium Term Financial Strategy.	FM	3	5	15 (A)	<p>Agree Medium Term Financial Strategy (MTFS) each February as part of budget setting process.</p> <p>The draft MTFS was reported to Full Council in February 2019. Budget Monitoring through Management Team and relevant Committees.</p> <p>Partnership working (principally with the Combined Authority) and ongoing consideration of potential opportunities linked to the key ambitions.</p> <p>Strong leadership from members and officers.</p>	3	4	12 (A)				

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
B2	Failure to achieve expected levels of development and planning income.	The viability and delivery of residential and commercial development. Delay in payments due to COVID-19. Changes in legislation such as the Planning for the Future White Paper.	Council failing to deliver its growth trajectory and not generating projected s106 and CIL income.	D-CS	4	4	16 (R)	Ongoing Service Plan reviews CIL Implementation CLT support programme Business Plan (Property)	3	4	12 (A)	Monitor and respond to the outcomes of the Planning for the Future White Paper	IS M	Ongoing	G
B3	Failure to plan for and accommodate the impact of Brexit.	The UK leaving the EU with impacts on regulations and the economy.	The Council suffers from consequences of leaving the EU with impacts on procurement and employment through changes in EU/UK regulation, income and public services.	CEX	2	3	6 (A)	Engagement in local forums and networks, including the local resilience partnership. Participation in workshops with other public sector partners and forward planning.	2	3	6 (A)				
PROCESSES AND SYSTEMS															
C1	Failure to maintain service delivery and support the community in the event of an unforeseen emergency or loss of resources.	Major civil emergency potentially due to: <ul style="list-style-type: none"> • Loss of access to premises • Severe weather events • Fuel shortages • Communications failure • Pandemics • Loss of power • Terrorist events • Supply chain failure 	Inability to access key staff or resources resulting in reduced ability to deliver services. Increased requests for Council resources and services Health and safety impact on staff and vulnerable residents Damage to Council property and impact on residents Reputation damage	CEX	3	5	15 (A)	Business Continuity Plan (BCP) updated. Business Continuity Training and exercises. Member's handbook. Emergency Management Plan with supporting plans for specific activities e.g. rest centres. Rest Centre plans reviewed by National Resilience Forum. Registration process and template forms aligned to other Councils so they can mutually assist each other as responders. Note – specific risk on Covid-19 pandemic added to risk register.	3	2	6 (A)				

C2	Loss of data or access to ICT systems due to a breach of information security or weaknesses in the IT infrastructure.	<p>ICT systems abuse, intrusion or failure.</p> <p>Under investment in IT infrastructure and lack resource to implement change.</p> <p>Employees not having the right tools for the job to work efficiently.</p>	<p>Business interruption resulting in reduced ability to deliver services.</p> <p>Not prepared for disaster recovery.</p> <p>Non-compliance with legislation, resulting in financial penalties up to £0.5m and reputational risk.</p> <p>Inefficient working.</p>	D-O	3	4	12 (A)	<p>ICT Disaster Recovery Plan.</p> <p>System and Penetration testing regime.</p> <p>ICT Security Policy.</p> <p>Government Connect and Public Sector Network compliance.</p>	3	4	12 (A)	<p>The hardware build for equipment at The Grange, Ely commenced in March 2020. Unfortunately, due to issues of late delivery by the Supplier and then subsequent issues with the goods supplied not being fit-for-purpose (supplier error), further delay occurred whilst waiting for replacement parts.</p> <p>The hardware has now been installed at The Grange, Ely and the hardware that is needed for eSpace North has been configured and is ready for installation. The installation was delayed due to COVID-19 as priority was given to remote working access and ensuring that staff were able to work from home.</p> <p>The installation and setup of the Disaster Recovery system is scheduled to take place during September 2020. The Disaster Recovery Plan will be updated and reviewed following this work and completion of the plan is anticipated in October 2020. The updated plan will reflect the improvements the Council has made</p>	D-0	October 2020	A
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Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
												to the physical infrastructure and will include the enhanced remote access system for working away from the office.			
C3	Non-compliance with legislative and regulatory requirements.	Changes in legislation from Central Government, Europe, or Professional bodies can impact many areas, for example: <ul style="list-style-type: none"> • health and safety, • equalities, • safeguarding, • environmental legislation, • employment law. 	Financial penalties for non-compliance. Reputational risk.	MT	4	3	12 (A)	Monitoring changes to legislation that impacts the Council. Topical examples include H&S sentencing guidelines, and earlier closedown of accounts. Procedural changes and training is delivered as required. Safeguarding policy in place and refreshed in 2017/18. Safeguarding leads nominated and all staff have received safeguarding training. Health and safety risk assessment programme.	2	3	6 (A)				
C4	Failure to achieve compliance with the General Data Protection Regulations (GDPR) and Data Protection Act.	New legislation from Central Government and Europe.	ICO warnings, bans on processing data, fines. Compensation claims and reputational damage.	LSM	3	5	15 (A)	Information Officer post created and filled. All Council staff briefed. Key (public facing) stages completed for GDPR introduction in May 2018, continued compliance in place via action plan. Staff e-learning and Member briefing.	2	4	8 (A)	Continue working towards full compliance via action plan.	LSM	May 2020	G
C5	Payroll and HR system not meeting the needs of the whole organisation.	Midland HR do not meet our service requirements.	Salaries are not paid correctly to employees Pensions and subsequent pension reports are not completed properly for HMRC and LGSS	FM	3	5	15 (A)	Regular communication with Midland HR Effective communication between HR and payroll Service Level Agreement to be adhered to	2	5	10 (A)				

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
C6	Failure of corporate governance and counter fraud and corruption controls.	Attempts at fraud and corruption from internal or external sources are successful due to inadequate corporate governance and counter fraud controls.	Financial losses and reputational damage. Impact on service delivery.	MT	3	3	9 (A)	Counter fraud training for officers as part of induction process. Gifts and hospitality registers. Counter fraud and ethical governance policies and procedures. Anti-money laundering policy added to Constitution. Internal control framework including segregation of duties and authorisations. Reviewed annually for Annual Governance Statement. Participation in National Fraud Initiative. Fraud awareness promotion in February 2019 and November 2019. Fraud reporting tool introduced in November 2019.	2	3	6 (A)				
LEARNING AND GROWTH															
D2	Failure to deliver upon strategic development plans and requirements.	The Council not being able to demonstrate a five-year land supply for housing or an up-to-date Local Plan. However, on 21 st April 2020 the Council did regain its five year land supply, though developers are challenging this. Lack of up to date Local Plan. Lack of delivery of permitted schemes by developers.	Planning applications can only be refused if the adverse impacts significantly and demonstrably outweigh the benefits of the proposal, in accordance with the presumption in favour of the sustainable development. More speculative development Not delivering quantity of housing/employment to meet needs of the district	D-CS	3	4	12 (A)	Development Management to manage speculative applications when submitted. Work with developers to help delivery of sites. Robustly defend appeals in order to maximise chances of success (note: ultimately, it will be a planning inspector, in reaching a decision on an appeal, that will determine whether the inherent risk materialises).	3	4	12 (A)	Members to determine whether to commence work on a new Local Plan	D-CS	October 2020	

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Actions	Owner	Target Date	Action RAG
D8	Difficulties with staff recruitment, absence and retention – leading to lack of resources.	Lack of staff resources in terms of numbers due to high turnover or failed recruitment exercises. Lack of staff resources in terms of knowledge, skills and behaviours due to poor staff retention.	A shortage of staff in roles across the Council and Trading Companies and a loss of knowledge and skills, could lead to service failure, which could result in an increased level of complaints, poor reputation and financial penalties from breaches in legislation or failure to follow rules, procedures and meet deadlines.	MT	4	3	12 (A)	Pay Review exercise linked to revised Job description questionnaires (JDQ) implemented in December 2019, this should ensure that all staff are being paid an appropriate salary for the job they are undertaking. Investment in training and up-skilling existing staff. Absence Management policy. Effective implementation of Service Delivery Plans and performance management Management Development training has been delivered to all Service Leads and team leaders.	4	2	8 (A)				

Corporate Priorities:

- 1 Sound financial management
- 2 Improving transport
- 3 Housing
- 4 Cleaner, greener East Cambridgeshire
- 5 Social and community infrastructure

Key to risk owners (above):

- CEX Chief Executive
D-O Director, Operations
D-CS Director, Commercial Services
FM Finance Manager and S151 Officer
LSM Legal Services Manager and Monitoring Officer
ISM Infrastructure and Strategy Manager
HSM Health & Safety Manager
HRM Human Resources Manager
MT Management Team

Appendix 3 - Corporate Risk Register Heat Map

Summary of Residual Scores for Corporate Risks

Impact	Very High	5		C5			
	High	4		A2, C4	B1, B2, D2, C2		
	Medium	3		A3, A5, B3, C3, C6	A6		
	Low	2		A4	C1	D8	
	Negligible	1					
			1	2	3	4	5
			Very rare	Unlikely	Possible	Likely	Very Likely
			Likelihood				

Red scores – in excess of the Council's risk appetite. Action is needed to redress, with regular monitoring. In exceptional circumstances residual risk in excess of the risk appetite can be approved if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to Corporate Management Team, Resources and Finance Committee and Council.

Amber scores – likely to cause the Council some difficulties (risk score 5 to 15) – six monthly monitoring.

Green scores (risk score 1 to 4) – low risk, monitor as necessary.

Code	Title
A2	East Cambridgeshire Trading Company and East Cambridgeshire Street Scene Ltd fail to deliver upon business plans and expected levels of performance.
A3	Failure to deliver the housing strategy, and provide affordable housing to residents within the district.
A4	Homelessness in the district.
A5	Council unable to manage impact of Coronavirus (Covid-19) on Council services.
A6	Impact of Coronavirus (Covid-19) on the business and communities of East Cambridgeshire.
B1	Inability to balance budget.
B2	Failure to achieve expected levels of development and planning income.
B3	Failure to plan for and accommodate the impact of Brexit.
C1	Failure to maintain service delivery and support the community in the event of an unforeseen emergency or loss of resources.
C2	Loss of data or access to ICT systems due to a breach of information security or weaknesses in the IT infrastructure.
C3	Non-compliance with legislative and regulatory requirements.
C4	Failure to achieve compliance with the General Data Protection Regulations & Data Protection Act.
C5	Payroll and HR system not meeting the needs of the whole organisation.
C6	Failure of corporate governance and counter fraud and corruption controls

D2	Failure to deliver upon strategic development plans and requirements.
D8	Difficulties with staff recruitment, absence and retention – leading to lack of resources.

Risk Management Policy

Document control

Version	Author	Date	Summary of changes
V1.0	Jonathan Tully	14/03/17	First draft following CMT review. Formally approved by Full Council in October 2017.
V1.1	Rachel Ashley-Caunt	24/07/20	References to latest corporate plan and structure

1. Introduction by Chief Executive

East Cambridgeshire District Council seeks to ensure that services, delivered either directly or through others, are of a high quality, provide value for money and meet evidenced need. We are a complex organisation that works with a wide variety of other organisations in different and varying ways. As a result we need to ensure that the way we act, plan and deliver is carefully thought through both on an individual and a corporate basis.

We have a clear set of objectives which demonstrate our commitment to ensuring that the District remains one of the best places to live in the country. These are:

- To be financially self-sufficient and provide services driven by and built around the needs of our customers.
- To enable and deliver commercial and economic growth to ensure that East Cambridgeshire continues to be a place where people want to live, work, invest and visit.

The Council has five Priorities¹ which set out the main areas where we will concentrate our work using a four year Corporate Plan, which is supported through service and team plans.

There are many factors which might prevent the Council achieving its plans, therefore we seek to use a risk management approach in all of our key business processes with the aim of identifying, assessing and managing any key risks we might face. This approach is a fundamental element of the Council's Code of Governance.

The Accounts and Audit Regulations 2015 state:

A relevant authority must ensure that it has a sound system of internal control which

(a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;

(b) ensures that the financial and operational management of the authority is effective; and

(c) includes effective arrangements for the management of risk.

This Risk Management Policy is fully supported by Members, the Chief Executive and the Corporate Management Team (CMT) who are accountable for the effective management of risk within the Council. On a daily basis all officers of the Council have a responsibility to recognise and manage risk in accordance with this policy.

Risk management is about improving our ability to deliver our strategic objectives by managing our threats, enhancing our opportunities and creating an environment that adds value to ongoing operational activities.

I am committed to the effective management of risk at all levels of this Council. This policy, together with the Risk Management Framework, is an important part of ensuring that effective risk management takes place.

John Hill
Chief Executive

¹ <https://www.eastcamb.gov.uk/sites/default/files/agendas/171019%20Corporate%20Plan%202019-2023%20App%201.pdf>

2. What is risk?

The Council's definition of risk is:

“Factors, events or circumstances that may prevent or detract from the achievement of the Council’s corporate priorities and objectives.”

3. Risk Management Objective

Risk management is the process by which risks are identified, evaluated and controlled. It is a key element of the Council's governance framework.

The Council will operate an effective system of risk management which will seek to ensure that risks which might prevent the Council achieving its plans are identified and managed on a timely basis in a proportionate manner. In practice, this means that the Council has taken steps to ensure that risks do not prevent the Council achieving its corporate priorities or objectives.

4. Risk Management Principles

- The risk management process should be consistent across the Council, clear and straightforward and result in timely information that helps informed decision making
- Risk management should operate within a culture of transparency and openness where risk identification is encouraged and risks are escalated where necessary to the level of management best placed to manage them effectively
- Risk management arrangements should be dynamic, flexible and responsive to changes in the risk environment
- The response to risk should be mindful of risk level and the relationship between the cost of risk reduction and the benefit accruing, i.e. the concept of proportionality
- Risk management should be embedded in everyday business processes
- Officers of the Council should be aware of and operate the Council's risk management approach where appropriate
- Members should be aware of the Council's risk management approach and of the need for the decision making process to be informed by robust risk assessment, with Council Members being involved in the identification of risk on an annual basis.

5. Appetite for Risk

As an organisation with limited resources it is inappropriate for the Council to seek to mitigate all of the risk it faces. The Council therefore aims to manage risk in a manner which is proportionate to the risk faced, based on the experience and expertise of its senior managers.

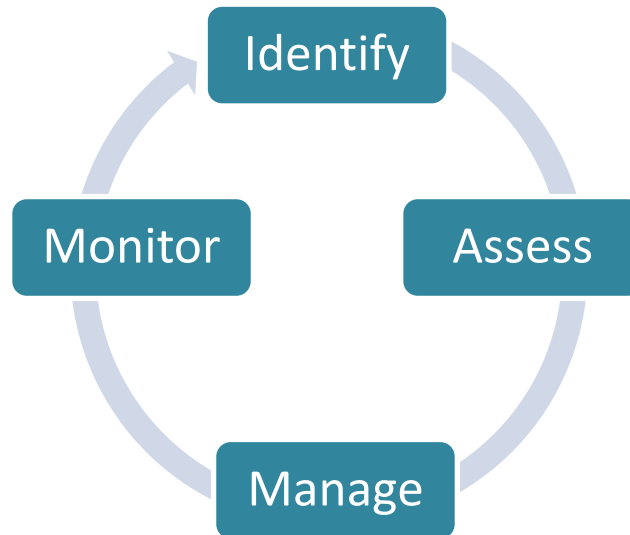
The Council has defined the maximum level of residual risk which it is prepared to accept as a maximum risk score of 15 in line with the scoring matrix attached at **appendix 1** (for corporate priority risks).

6. Benefits of Risk Management

- Alerts members and officers to the key risks which might prevent the achievement of the Council's plans, in order that timely mitigation can be developed to either prevent the risks occurring or to manage them effectively if they do occur.
- Risk management at the point of decision making should ensure that members and officers are fully aware of any key risk issues associated with proposals being considered.
- Leads to greater risk awareness and an improved and cost effective control environment, which should mean fewer incidents and other control failures and better service outcomes.
- Provides assurance to members and officers on the adequacy of arrangements for the conduct of business. It demonstrates openness and accountability to various regulatory bodies and stakeholders more widely.
- Allows the Council to take informed decisions about exploiting opportunities and innovation, ensuring that we get the right balance between rewards and risks.

7. Risk Management Approach

The risk management approach adopted by the Council is based on identifying, assessing, managing and monitoring risks at all levels across the Council:



The detailed stages of the Council’s risk management approach are recorded in the Risk Management Framework, which is regularly reviewed by Corporate Management Team (CMT). The Framework provides managers with detailed guidance on the application of the risk management process.

The Framework can be located on the intranet [[insert link here](#)].

Additionally individual business processes, such as decision making, project management will provide guidance on the management of risk within those processes.

8. Awareness and development

The Council recognises that the effectiveness of its risk management approach will be dependent upon the degree of knowledge of the approach and its application by officers and members.

The Council is committed to ensuring that all members, officers, and partners where appropriate, have sufficient knowledge of the Council’s risk management approach to fulfil their responsibilities for managing risk. This will be delivered through formal training programmes, risk workshops, briefings, and internal communication channels.

9. Conclusion

The Council will face risks to the achievement of its plans. The risk management approach detailed in this policy should ensure that the key risks faced are recognised, and effective measures are taken to manage them in accordance with the defined risk appetite.

Appendix 1

The table illustrates how risks are scored and the Council's risk appetite:

Further guidance is documented in the Risk Management Framework:

Impact	Very High	5	5	10	15	20	25
	High	4	4	8	12	16	20
	Medium	3	3	6	9	12	15
	Low	2	2	4	6	8	10
	Negligible	1	1	2	3	4	5
			1	2	3	4	5
			Very rare	Unlikely	Possible	Likely	Very Likely
Likelihood							

Colour	Score	Detail
Red	16 and above	This is in excess of the Council's risk appetite. Action is needed to redress, with regular monitoring. In exceptional circumstances residual risk in excess of the risk appetite can be approved if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to Corporate Management Team, Finance and Assets Committee and Council.
Amber	5 to 15	Likely to cause the Council some difficulties – six monthly monitoring
Green	1 to 4	Low risk. Monitor as necessary

Risk Management Framework

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1. Introduction

East Cambridgeshire District Council seeks to ensure that services, delivered either directly or through others, are of a high quality and provide value for money and meet evidenced need. We are a complex organisation that works with a wide variety of other organisations in different and varying ways. As a result we need to ensure that the way we act, plan and deliver is carefully thought through both on an individual and a corporate basis.

However there are many factors which might prevent the council achieving its plans, therefore we seek to use a risk management approach in all of our key business processes with the aim of identifying, assessing and managing any key risks which might be faced. This approach is a fundamental element of the council's code of governance and is explained in the following extract from council's annual governance statement:

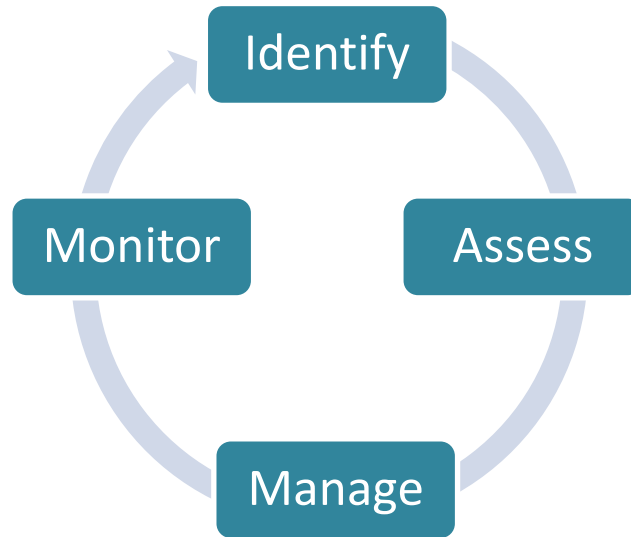
'The system of internal control is a significant part of that [governance] framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives and can therefore only provide reasonable assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the Council's policies, aims and objectives, to evaluate the likelihood and potential impact of those risks being realised, and to manage them efficiently, effectively and economically.'

It is important to recognise that the Council is not seeking to 'factor out' all risk, as this would not be a cost effective use of scarce resources, but instead to manage risk in a proportionate manner relative to the severity of the risk. It is also important to remember that risks must be managed, but not avoided to the extent that innovation and opportunities are stifled.

The definition of risk is:

“Factors, events or circumstances that may prevent or detract from the achievement of the Council’s corporate priorities and service plan objectives”.

The risk management approach is based upon the standard management cycle of:



This document details the Council’s risk management approach and the practices required to make it work.

Risk management is a dynamic tool which should be used from the point at which a risk is first identified until such time as it no longer represents a significant risk to the Council.

2. Benefits of Risk Management

There are many benefits to risk management:

- It alerts members and officers to the key risks which might prevent the achievement of the Council's plans, in order that timely mitigation can be developed to either prevent the risks occurring or to manage them effectively if they do occur.
- Risk management at the point of decision making should ensure that members and officers are fully aware of any key risk issues associated with proposals being considered.
- It leads to greater risk awareness and an improved and cost effective control environment, which should mean fewer incidents and other control failures and better service outcomes.
- It provides assurance to members and officers on the adequacy of arrangements for the conduct of business. It demonstrates openness and accountability to various regulatory bodies and stakeholders more widely.
- It allows the Council to take informed decisions about exploiting opportunities and innovation, ensuring that we get the right balance between rewards and risks.

3. Risk Management Processes

3.1 Risk Recording

It is important that all stages of the risk management process are recorded to allow risks to be managed effectively on a dynamic basis. A standard risk register template is shown at Appendix 3.

3.2 Risk Identification

The identification of risk is the most difficult aspect of risk management, as once a risk is identified the structured process of risk management should mean that the risk is fully evaluated and managed appropriately. Employees are therefore encouraged to devote sufficient time to it such that all key risks are recognised and appropriately managed.

Risk identification should include consideration of any risks associated with missed opportunities, e.g. failure to take advantage of external funding opportunities.

A good way to identify risk is through a risk workshop at Service Leads level, where each team member is able to identify their perspective of risk without influence from other team members. The outputs from this process can then be subject to full team review to give a consensus on the main risks faced by the Council. Other simpler risk identification approaches can also be effective, e.g. open discussion at team meetings.

Significant risks will be recorded in a corporate register.

Further guidance and support on of workshops, can be obtained from and Service Leads who act as risk support roles can be found in

Roles & Responsibilities.

To assist risk identification, [Appendix 1](#): Risk Identification lists the types of risks which might be faced. This list is simply a guide, and other factors could be considered.

Risks should be clearly articulated to ensure there is a clear understanding of the risk.

3.3 Trigger and Result

At the point of risk identification the possible causes of the risk and the likely effects, if the risk were to occur, should be identified to give a good understanding of the dynamics of the risk.

“Trigger” naturally leads to the identification of the mitigating actions necessary to either prevent the risk occurring, or to recover quickly from the risk should it occur;

“Result” assists in understanding the impact of the risk and hence its scoring (see 3.6 below).

3.4 Risk Ownership

The effective management of risk requires that each risk should have a named owner (post title). Ownership should be assigned to an individual post and not team level.

3.5 Escalation of Risk

In the interests of empowerment each risk should be managed at the lowest appropriate level of management. However, if it is considered that a risk identified at one management level cannot be effectively managed at that level, the risk should be escalated up the management chain until it reaches the level at which it can be effectively dealt with.

3.6 Scoring of Risk

In order to assess the impact of risk in a consistent manner a scoring methodology has been adopted which takes account of the two distinct aspects of risk:

- The likelihood of the risk occurring;
- The impact if it does occur.

The scoring methodology is expressed in the corporate 5x5 scoring matrix as attached at [Appendix 4](#):

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Action	Owner	Target Date	Action RAG

Risk Scoring Matrix

The matrix itself is supported by descriptors, over various elements, for the impact element of the risk. The impact score selected will be the highest score for any of the descriptor elements (not all may apply).

The risk will be scored in two stages:

- At inherent risk level, i.e. an initial base level which ignores any controls which might already be in place.
- A residual level which will take account of any controls already in place.

The identification of inherent risk provides the benefits of:

- Providing a listing of all major risks faced regardless of how well they are being managed in practice.
- Recording the key control framework for all major risks, which risk owners are responsible for ensuring are operating effectively in practice.

3.7 Risk Mitigation

Risk mitigation is the term used to show that the impact of a risk has been reduced.

The following examples illustrate how risks can be mitigated:

Transfer	Transfer the risk to someone else – i.e. insurance
Reduce	Introduce checks and balances – i.e. checks built into our everyday business processes which are the main source of risk mitigation
Recovery	These are the plans we have in place to recover business critical systems on a timely basis when business disruption occurs. The council's approach to business continuity management is a key aspect of effective risk management.

When the above mitigating activities have been applied to the inherent risk the Council is left with the level of exposure which it is prepared to accept, or has to accept in the circumstances. This is known as the residual risk.

However, it is not appropriate for the council to attempt to manage all the risks which it faces – sometimes it is more effective to **terminate** the risk. This may mean ceasing the activity likely to trigger the risk or simply doing something in a different way that eliminates the original risk.

3.8 Action Planning

The residual risk score should be evaluated and an assessment made if this level of risk is appropriate, i.e. not too high, not too low.

The Council has defined its maximum risk appetite as not accepting a residual risk score of 16 or more unless actions are planned to reduce the score to below this level on a timely basis. In exceptional circumstances Council can approve a residual risk in excess of the risk appetite, if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to the Corporate Management Team and Finance and Assets Committee.

Otherwise the appropriate level of residual risk should be based on the experience of the manager responsible for managing the risk. Advice can be sought from risk champions (typically service leads) or from the LGSS Chief Internal Auditor.

In determining the mitigation required to manage a risk, think about the proportionality of the cost of the mitigation to the cost impact if the risk occurs. It would make no sense if the cost of the control exceeded the cost of the impact.

If the risk score is deemed to require adjustment, i.e. either reduction or increase, actions should be designed accordingly which must be assigned to a named owner and set an achievable specified target completion date. Target dates should not be set as 'ongoing', as this does not enable the effective management of action delivery.

3.9 Risk Monitoring

A full review of risk should be undertaken on a six-monthly basis at CMT. Directors and service leads should be reviewing their elements of the register on a regular basis and reporting issues to CMT on an exception basis to ascertain:

- If all relevant risks are included;
- If any risks can be closed;
- The progress in implementing agreed actions.
- If residual risk scores should be re-evaluated, e.g. to reflect completed actions.

Action progress will be identified through a RAG rating, with red rated actions requiring written explanation from the action owner.

Managers should have regard to potential risks at all times and should use this risk management approach to help them analyse and manage such risks at the point they are identified. Managers should not wait for the next formal review.

3.10 Risk Reporting

Corporate Management Team, on a half-yearly basis, will review the Council’s risk profile at both corporate and business area / team levels, and will review details of business areas’ team residual risks in excess of the risk appetite (red risks).

The Finance and Assets Committee are responsible for overseeing the Corporate Risk Register and recommending revisions to the Risk Management Policy¹. They will receive a regular report to support them in delivering their responsibilities.

3.11 Annual Assurance

Directors and Service Leads will provide annual assurance in respect of the development, maintenance and operation of effective control systems for the risks under their control. This will provide a key assurance source for the Annual Governance Statement which is prepared by the council as part of the annual Statement of Accounts.

3.12 Risk Management in other business processes

The risk management approach defined in other business processes should be complied with. These include:

Member decision making	It is critical for effective decision making that the decision makers are provided with details of the risks associated with each proposal being considered.
Council and service planning	<p>As with member decision making it is critical that senior managers and ultimately members understand the risks associated with the plans being designed by the council at the point of design.</p> <p>Service plans have a risk section and require the service to identify risks and how they will be managed.</p> <p>Service plans are signed off by directors and service leads along with their portfolio holders.</p>

¹ <https://www.eastcambs.gov.uk/sites/default/files/190916%20Part%203%20-%20Responsibility%20for%20Functions%20-%20B.%20Policy%20Committees%20%282%29.pdf>

	<p>Presentations to members on budget proposals will highlight key risk issues.</p> <p>As with ‘Member decision making’ above, reports requesting approval of annual/medium term plans will detail the key risks associated with the decision being requested.</p>
Project management	<p>Risk (and issue) management is a key element in delivering an effective project management methodology. Guidance is included in the Project Management Toolkit. A 5 by 5 matrix is used and any risks scoring above 15 are escalated to the Project Board.</p>
Contracts, joint ventures and shared services	<p>The Council aims to influence strategy and deliver outcomes for the city through a range of different collaborative relationships, and alternative delivery models, in addition to direct contracts.</p> <p>As a result, effective contract and relationship management is of vital importance. Business relationship and contract management tools are used to minimise risks.</p>
Health and safety	<p>The Council’s health and safety policy is also a key component of the council’s structure of controls contributing to the management and effective control of risks affecting staff, contractors and the general public.</p>
Partnerships	<p>Councils increasingly deliver their services through partnerships with other local authorities, third sector groups and statutory bodies such as the police authority. Assurance will be taken from joint registers where possible – e.g. Anglia Revenue Partnership.</p> <p>Risk management for the council considers corporate risks relating to and/or arising from partnership activity, as well as risks within the partnership itself. The council needs to be able to understand and manage both types of risks by including partnership risk in the organisational risk management process.</p>
Business continuity planning	<p>The Civil Contingencies Act 2004 places a statutory duty on local authorities to establish business continuity management arrangements to ensure that they can continue to deliver business critical services if business disruption occurs.</p>

3.13 Risk Management Awareness

The Council is committed to ensuring that all members, officers and partners where appropriate, have sufficient knowledge of the Council’s risk management approach to fulfil their responsibilities for managing risk.

This will be delivered thorough formal training programmes, risk workshops, briefings, and internal communication channels.

3.14 Risk Management Group

The Council has a Risk Management Group, which convenes periodically to assess corporate risks and consider emerging threats. They review risk registers, the Risk Framework, and recommend updates to the Corporate Management Team.

The group is facilitated by LGSS Internal Audit, and comprises professional officers with specific advisory roles. This helps to efficiently conclude on the overall adequacy and effectiveness of the organisation's framework of governance, risk management and control. The group includes the following people:

- Ian Smith – Finance Manager
- Sally Bonnet – Infrastructure and Strategy Manager
- David Vincent – Health & Safety / Emergency Planning Manager
- Jo Brooks – Director, Operations
- Maggie Camp – Monitoring Officer

Appendices

Roles & Responsibilities

Who	Risk Management Role
Elected Members	Ensure that risks are taken into consideration for Committee and Council decisions.
Finance and Assets Committee	<p>To oversee the Council’s Corporate Risk Register and recommend revisions to the Council’s Risk Management Policy.² This includes:</p> <ul style="list-style-type: none"> Ensuring corporate risks are identified and effectively managed across the council. Reviewing the Corporate Risk Register half-yearly. Receiving updates on significant risk issues Reviewing reports on the Council’s risk management processes in order to provide independent assurance of the adequacy of the risk management framework and the associated control environment
Council	. Notification of residual risks which exceed the Council’s risk appetite.
Chief Executive	Overall responsibility and accountability for leading the delivery of an effective Council-wide risk management approach.
Chief Finance Officer	<p>Championing and taking overall responsibility for seeking to ensure that effective risk management processes operate throughout the Council. Direct the Risk Management Group as required.</p> <p>Provide awareness and training on risk management to Members, employees and partners as appropriate.</p>
Corporate Management Team	<p>Owning and leading the corporate risk management process</p> <p>Reviewing corporate risks half-yearly</p> <p>Ensuring that risk is given due consideration in all management processes</p>

² <https://www.eastcambs.gov.uk/council-and-democracy/councils-constitution>

Who	Risk Management Role
Risk Management Group	<p>Provide support for the delivery of the Risk Management Framework across the Council.</p> <p>Promote and advise upon risk management practices across all services of the Council. Help to develop a consistent and effective approach to risk management, which is adopted within relevant Council management functions.</p> <p>Meet quarterly to review team and corporate risk registers. Suggest updates to Corporate Management Team for approval.</p>
LGSS Internal Audit	<p>Providing guidance, advice & support on the Council's risk management approach</p> <p>Facilitate risk workshops</p> <p>Maintain the Corporate Risk Register, based on input/requests from the Risk Management Group</p> <p>Arranging risk management awareness, support and training for managers, staff and members, as requested</p> <p>Prepare reports for the Corporate Management Team, and the Finance and Assets Committee</p> <p>Provide independent assurance on the risk management process</p>
All Service Leads	<p>Ensuring that risk is given due consideration in all management processes</p> <p>Ensuring that risks identified within their service are managed at an appropriate level, including escalation to a corporate register where appropriate</p> <p>Provide an annual assurance statement as to how risk is being managed, to help produce the annual governance statement</p> <p>Drive the development and embedding of effective risk management across their service</p> <p>Contributing to the development of the Council's risk management processes.</p>
All staff	<p>Understand their accountability for individual risks</p> <p>Reporting systematically and promptly to their manager any perceived new risks or failures of existing control measures</p> <p>Completing any risk management training relevant to the post, including e-learning</p>

4. Risk Identification

The checklist below is an aid to managers in risk identification. However the checklist cannot be exhaustive and you may identify other areas where you foresee there might be risks or opportunities.

Risks are grouped into categories, to help monitor them. The use of the “right” category is not critical, it is simply an aid to assist the identification of a risk. The critical factor is that all key risks are identified and then managed effectively.

The first stage of risk identification is making sure that the objectives of the area being assessed are clearly understood in accordance with the council’s risk definition:

“Factors, events or circumstances that may prevent or detract from the achievement of the council’s corporate priorities and objectives”.

A risk may relate to the non-achievement of all or a number of corporate or service priorities or a single corporate or service priority.

Depending on how a risk is worded, you may wish to reflect the areas detailed below as the trigger of a risk rather than a risk in its own right, e.g. ‘Changes in demography’ may be recorded as a trigger of ‘Customers are not provided with the services they need’.

Risk category	When thinking about possible risks that could affect the different categories you might like to consider the following areas:
Customer Perspective	<p>Customers:</p> <ul style="list-style-type: none"> • Customers are not provided with the services they need
	<p>Citizens:</p> <ul style="list-style-type: none"> • Changes in demographic, residential or socio-economic trends, e.g. an increase in demand for council services from a specific group of citizens • Effects on social wellbeing, e.g. changes in economic conditions • Environmental issues, e.g. the effects of climate change, progressing the council’s strategic objectives e.g. the disposal of waste
	<p>Councillors:</p> <ul style="list-style-type: none"> • Difficult political issues, lack of member support or disapproval • Election changes and new political arrangements

Risk category	When thinking about possible risks that could affect the different categories you might like to consider the following areas:
Finance and Resources	<ul style="list-style-type: none"> • Ineffective financial planning including budget preparation • Weaknesses in workforce planning • Ineffective budget management • Loss or reduction in funding • Missed opportunities for obtaining additional funding • Failure to manage the council's cash assets effectively, i.e. treasury management function • Failure to manage non-cash assets effectively
Processes and Systems	<p>Regulators:</p> <ul style="list-style-type: none"> • Non-compliance with regulatory expectations • Non-compliance with legislative requirements, e.g. health and safety, equalities, data protection, environmental legislation, employment law, etc. • The council does not act within its statutory/legal powers, i.e. it acts ultra vires <p>Partners/Suppliers:</p> <ul style="list-style-type: none"> • Poor partnership agreements/arrangements/relationships • Suppliers/partners do not provide effective, efficient and economic services to the council, e.g. a major contract fails <p>General</p> <ul style="list-style-type: none"> • Weakness in procedures/systems that could lead to breakdown in service • Criminal or corrupt activity • Incorrect/unreliable/untimely information
Learning and Growth	<ul style="list-style-type: none"> • Not having staff with the right skills and experience • Failure of key projects and programmes

Note: Further guidance on risk identification can be obtained from your Service Lead or Director, or LGSS Internal Audit.

5. Template register

Inherent Risk								Residual Risk				Actions			
Risk No.	Risk Description	Cause	Effect	Owner	Likelihood	Impact	Score & RAG	Key Controls	Likelihood	Impact	Score & RAG	Action	Owner	Target Date	Action RAG

6. Risk Scoring Matrix

The following table illustrates how risks are scored:

Impact	Very High	5	5	10	15	20	25
	High	4	4	8	12	16	20
	Medium	3	3	6	9	12	15
	Low	2	2	4	6	8	10
	Negligible	1	1	2	3	4	5
			1	2	3	4	5
			Very rare	Unlikely	Possible	Likely	Very Likely
Likelihood							

Colour	Score	Detail
Red	16 and above	This is in excess of the Council's risk appetite. Action is needed to redress, with regular monitoring. In exceptional circumstances residual risk in excess of the risk appetite can be approved if it is agreed that it is impractical or impossible to reduce the risk level below 16. Such risks should be escalated through the management reporting line to Corporate Management Team, Finance and Assets Committee and Council.
Amber	5 to 15	Likely to cause the Council some difficulties – six monthly monitoring
Green	1 to 4	Low risk. Monitor as necessary

7. Impact guidance

The following table provides examples for the scoring of the impact of a risk:

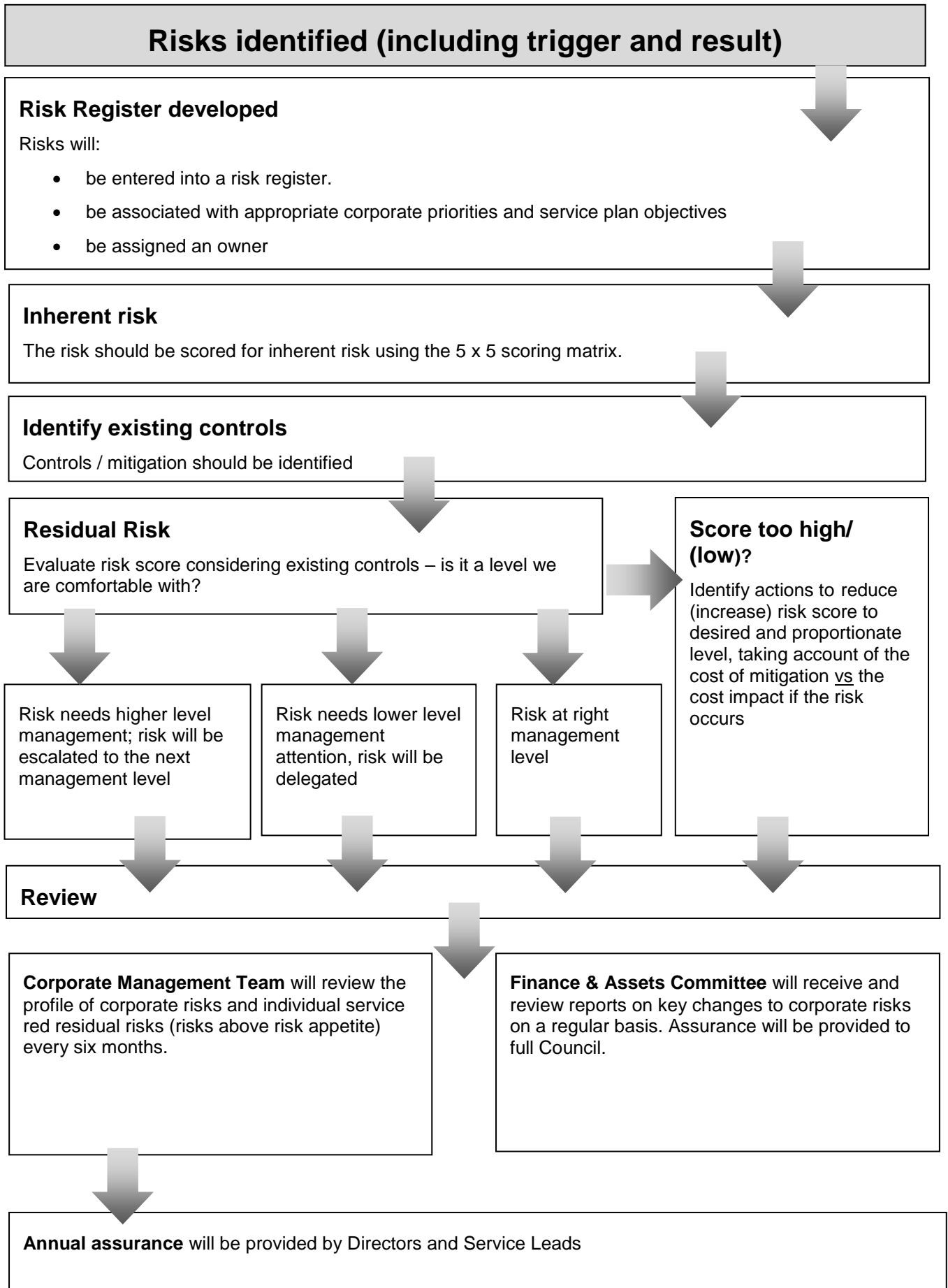
	Negligible 1	Low 2	Medium 3	High 4	Very High 5
Legal and Regulatory	Minor civil litigation or regulatory criticism	Minor regulatory enforcement	Major civil litigation and/ or local public enquiry	Major civil litigation setting precedent and/ or national public enquiry	Section 151 or government intervention or criminal charges
Financial	<£25k	<£50k	<£100k	<£500k	>£500k
Service provision	Insignificant disruption to service delivery	Minor disruption to service delivery	Moderate direct effect on service delivery	Major disruption to service delivery	Critical long term disruption to service delivery
People and Safeguarding	Slight injury or illness	Low level of minor injuries	Significant level of minor injuries of employees and/or instances of mistreatment or abuse of individuals for whom the council has a responsibility	Serious injury of an employee and/or serious mistreatment or abuse of an individual for whom the council has a responsibility	Death of an employee or individual for whom the council has a responsibility or serious mistreatment or abuse resulting in criminal charges
Reputation	No reputational impact	Minimal negative local media reporting	Significant negative front page reports/ editorial comment in the local media	Sustained negative coverage in local media or negative reporting in the national media	Significant and sustained local opposition to the council's policies and/or sustained negative media reporting in national media
Project	Minimal effect on budget or overrun	Project overruns or over budget	Project overruns or over budget affecting service delivery	Project significantly overruns or over budget	Project failure
Sustainability and Environment	Minimal or no impact on the environment or sustainability targets	Minor impact on the environment or sustainability targets	Moderate impact on the environment or sustainability targets	Serious impact on the environment or sustainability targets	Very serious impact on the environment or sustainability targets

8. Likelihood guidance

Likelihood scoring is left to the discretion of managers as it is very subjective, but should be based on their experience of the risk. As a guide, the following may be useful:

Likelihood	Score	Guidance
Very rare	1	Highly unlikely, but it may occur in exceptional circumstances. It could happen, but probably never will
Unlikely	2	Not expected, but there's a slight possibility it may occur at some time
Possible	3	The event might occur at some time as there is a history of occasional occurrence at the council
Likely	4	There is a strong possibility the event will occur as there is a history of frequent occurrence at the council
Very likely	5	The event is expected to occur in most circumstances as there is a history of regular occurrence at the council

9. Diagram of the Risk Management Process



TITLE: EAST CAMBS TRADING COMPANY ACCOUNTS 2019/20

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Director Commercial

[V64]

1.0 ISSUE

1.1 To receive the East Cambs Trading Company accounts 2019/20.

2.0 RECOMMENDATION

2.1 Members are requested to note the East Cambs Trading Company accounts 2019/20 as set out in Appendix 1.

3.0 BACKGROUND/OPTIONS

3.1 East Cambs Trading Company (ECTC) auditors, Price Bailey, have issued an unqualified opinion on the statements, and confirmed that they give a true and fair view of the state of the ECTC's affairs as at 31 March 2020. They also confirm they have been prepared in accordance with the relevant laws and regulations.

3.2 The auditors have pointed out that these are unprecedented times for everybody, and there is still large uncertainty over the economy as a whole and at this stage nobody can predict the full effects with any certainty. Price Bailey have therefore included a paragraph titled 'Material uncertainty relating to going concern', to point this out to shareholders. This is not uncommon for a whole range of companies reporting in this period whose trade is affected by the pandemic.

3.3 The last sentence does stress that the audit opinion is not modified in respect of this matter; that it is still valid to produce the accounts on a going concern basis. This is because the forecasts produced by ECTC show that given the additional time to complete the projects in the plans will enable the business to become profitable and repay the loans when they fall due.

3.4 The ECTC 2019/20 Accounts were approved by ECTC Board on 3 September 2020. These are now provided to the Finance & Assets Committee, as shareholder committee, as stated in the Shareholder Agreement.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

4.1 There are no financial implication arising from this report.

4.2 EIA not required.

5.0 APPENDICES

5.1 Appendix 1- East Cambs Trading Company accounts 2019/20.

Background Documents

None

Location

Room 105,
The Grange,
Ely

Contact Officer

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EAST CAMBS TRADING COMPANY LIMITED

**DIRECTORS' REPORT AND
FINANCIAL STATEMENTS**

FOR THE YEAR ENDED 31 MARCH 2020

EAST CAMBS TRADING COMPANY LIMITED

COMPANY INFORMATION

Directors	P J Remington J Hill E L Grima C G J Roberts (resigned 2 May 2019) A M Bailey (resigned 7 October 2019) D Ambrose-Smith (appointed 30 May 2019, resigned 7 October 2019)
Company number	10061867
Registered office	The Grange Nutholt Lane Ely Cambridgeshire CB7 4EE
Auditors	Price Bailey LLP Chartered Accountants & Statutory Auditors Tennyson House Cambridge Business Park Cambridge CB4 0WZ

EAST CAMBS TRADING COMPANY LIMITED

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EAST CAMBS TRADING COMPANY LIMITED

DIRECTORS' REPORT FOR THE YEAR ENDED 31 MARCH 2020

The Directors present their report and the audited financial statements of the company for the year ended 31 March 2020

Directors

The Directors who served during the year were:

P J Remington

J Hill

E L Grima

C G J Roberts (resigned May 2nd 2019)

A M Bailey (resigned October 7th 2019)

D Ambrose-Smith (appointed May 30th 2019, resigned October 7th 2019)

Statement of directors' responsibilities

The Directors are responsible for preparing the Annual Report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with International Financial Reporting Standards as adopted by the European Union. Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the profit or loss for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The Directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The Directors are responsible for the maintenance and integrity of the corporate and financial information included on the company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he ought to have taken as a director in order to make himself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

EAST CAMBS TRADING COMPANY LIMITED

DIRECTORS' REPORT (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

Small companies note

In preparing this report, the directors have taken advantage of the small companies exemptions provided by section 415A of the Companies Act 2006.

Auditors

The auditors, Price Bailey LLP, will be proposed for re-appointment at the forthcoming Annual General Meeting.

This report was approved by the board on 03/09/20 and signed on its behalf.



J Hill
Director

EAST CAMBS TRADING COMPANY LIMITED

INDEPENDENT AUDITORS' REPORT TO THE SHAREHOLDERS OF EAST CAMBS TRADING COMPANY LIMITED

Opinion

We have audited the financial statements of East Cambs Trading Company Limited (the 'company') for the year ended 31 March 2020 which comprise The Statement of Comprehensive Income, Statement of Financial Position, Statement of Changes in Equity, Cash Flow Statement and notes to the financial statements, including a summary of significant accounting policies. The financial reporting framework that has been applied in their preparation is applicable law and International Financial Reporting Standards (IFRSs) as adopted by the European Union.

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 March 2020 and of the loss for the year then ended;
- have been properly prepared in accordance with IFRSs as adopted by the European Union;
- have been prepared in accordance with the requirements of the Companies Act 2006.

Basis for opinion

We conducted our audit in accordance with International Standards on Auditing (UK) (ISAs (UK)) and applicable law. Our responsibilities under those standards are further described in the Auditors' responsibilities for the audit of the financial statements section of our report. We are independent of the company in accordance with the ethical requirements that are relevant to our audit of the financial statements in the UK, including the FRC's Ethical Standard, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Material uncertainty relating to going concern

We draw attention to note 1.2 in the financial statements, which describes the directors' assessment of the current and future effects of the COVID-19 pandemic on the company. As stated in note 1.2, since the pandemic started the company's trading has been affected due to the restrictions imposed by the UK Government resulting in a delay in cash flows. Mitigating action has been taken with loans being re-negotiated to ease cash flow concerns. However the effects of COVID-19 are subject to unprecedented levels of uncertainty of outcomes, with the full range of possible effects unknown. Our opinion is not modified in respect of this matter.

Other information

The Directors are responsible for the other information. The other information comprises the information included in the Annual Report, other than the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon.

EAST CAMBS TRADING COMPANY LIMITED

INDEPENDENT AUDITORS' REPORT (CONTINUED) TO THE SHAREHOLDERS OF EAST CAMBS TRADING COMPANY LIMITED

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Opinions on other matters prescribed by the Companies Act 2006

In our opinion, based on the work undertaken in the course of the audit:

- the information given in the Director's Report for the financial year for which the financial statements are prepared is consistent with the financial statements; and
- the Director's Report has been prepared in accordance with applicable legal requirements.

Matters on which we are required to report by exception

In the light of the knowledge and understanding of the company and its environment obtained in the course of the audit, we have not identified material misstatements in the Director's Report.

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of Directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the Directors were not entitled to take advantage of the small companies exemptions in preparing the Director's Report and from the requirement to prepare a Strategic Report.

Responsibilities of Directors

As explained more fully in the Directors' Responsibilities Statement set out on page 1, the Directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as the Directors determine necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Directors are responsible for assessing the company's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Directors either intend to liquidate the company or to cease operations, or have no realistic alternative but to do so.

Auditors' responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (UK) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

A further description of our responsibilities for the audit of the financial statements is located on the Financial Reporting Council's website at www.frc.org.uk/auditorsresponsibilities. This description forms part of our Auditor's Report.

EAST CAMBS TRADING COMPANY LIMITED

INDEPENDENT AUDITORS' REPORT (CONTINUED) TO THE SHAREHOLDERS OF EAST CAMBS TRADING COMPANY LIMITED

Use of our report

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.



Paul Cullen FCCA (Senior Statutory Auditor)
for and on behalf of Price Bailey LLP
Chartered Accountants & Statutory Auditors
Tennyson House
Cambridge Business Park
Cambridge
CB4 0WZ

Date: 15.09.20

EAST CAMBS TRADING COMPANY LIMITED

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 31 MARCH 2020

	Notes	2020 £	Restated 2019 £
CONTINUING OPERATIONS			
Revenue from services		1,206,464	1,185,584
Revenue from construction contracts		-	22,336
Revenue from property development		2,185,935	4,896,223
Grant income		-	520,000
		<u>3,392,399</u>	<u>6,624,143</u>
Cost of sales		<u>(2,867,124)</u>	<u>(5,055,064)</u>
Gross profit		525,275	1,569,079
Administrative expenses		<u>(954,422)</u>	<u>(898,636)</u>
Operating profit/(loss)		(429,147)	670,443
Interest receivable		-	417
Interest payable	5	<u>(84,013)</u>	<u>(12,359)</u>
Profit/(Loss) before taxation		(513,160)	658,501
Tax on profit	6	-	-
Profit/(Loss) and total comprehensive income for the year		<u><u>(513,160)</u></u>	<u><u>658,501</u></u>

There were no recognised gains and losses from 2020 or 2019 other than those included in the statement of comprehensive income.

The notes on pages 11-30 form part of these financial statements. Refer to note 23 for detailed information on restatement of comparatives – adoption of IFRS 16 'Leases'.

EAST CAMBS TRADING COMPANY LIMITED

STATEMENT OF FINANCIAL POSITION AS AT 31 MARCH 2020

		2020	Restated 2019	Restated 1 April 2018
	Notes	£	£	£
Non-current assets				
Property, plant and equipment	7	120,898	134,190	-
Right to use asset	8	263,063	307,464	210,328
		<u>383,961</u>	<u>441,654</u>	<u>210,328</u>
Current assets				
Inventories	9	30,341,716	3,121,683	3,348,472
Trade and other receivables	10	276,638	255,373	330,460
Cash at bank and in hand	11	88,740	1,411,785	34,187
		<u>30,707,094</u>	<u>4,788,841</u>	<u>3,713,119</u>
Current Liabilities				
Trade and other payables	12	(741,660)	(350,720)	(1,279,258)
Financial liabilities - borrowings	13	(7,833,842)	-	-
Lease liabilities	14	(41,050)	(45,041)	(23,704)
		<u>(8,616,552)</u>	<u>(395,761)</u>	<u>(1,302,962)</u>
Net Current Assets		22,090,542	4,393,080	2,410,157
Total assets less current liabilities		22,474,503	4,834,734	2,620,485
Non-Current Liabilities				
Financial Liabilities – borrowings	13	(22,813,978)	(4,620,000)	(3,145,000)
Lease liabilities	14	(233,007)	(274,056)	(193,308)
		<u>(23,046,985)</u>	<u>(4,894,056)</u>	<u>(3,338,308)</u>
Net liabilities		<u>(572,482)</u>	<u>(59,322)</u>	<u>(717,823)</u>
Equity				
Called up share capital	16	1	1	1
Retained earnings		(572,483)	(59,323)	(717,824)
		<u>(572,482)</u>	<u>(59,322)</u>	<u>(717,823)</u>

EAST CAMBS TRADING COMPANY LIMITED

STATEMENT OF FINANCIAL POSITION (CONTINUED) AS AT 31 MARCH 2020

The financial statements were approved and authorised for issue by the board and were signed on its behalf by:

J Hill 
Director
Date: 08/04/20.....

The notes on pages 11-30 form part of these financial statements. Refer to note 23 for detailed information on restatement of comparatives – adoption of IFRS 16 'Leases'.

EAST CAMBS TRADING COMPANY LIMITED

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 31 MARCH 2020

	Share Capital £	Retained earnings £	Total equity £
Balance as at 31 March 2018	1	(711,140)	(711,139)
Adjustment for change in accounting policy (note 23)	-	(6,684)	(6,684)
Balance as at 31 March 2018 - restated	1	(717,824)	(717,823)
Comprehensive income			
Profit for the year	-	658,501	658,501
Total comprehensive income	-	658,501	658,501
Balance as at 31 March 2019	1	(59,323)	(59,322)

Refer to note 23 for detailed information on Restatement of comparatives - adoption of IFRS 16 'Leases'.

Comprehensive income			
Loss for the year	-	(513,160)	(513,160)
Total comprehensive income	-	(513,160)	(513,160)
Balance as at 31 March 2020	1	(572,483)	(572,482)

EAST CAMBS TRADING COMPANY LIMITED

CASH FLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2020

		2020		Restated 2019	
	Notes	£	£	£	£
Cash flows from operating activities					
Net cash outflow from operating activities	20	(26,595,888)	1,020,361		
Net cash inflow from operating activities		(26,595,888)	1,020,361		
Cash flows from investing activities					
Purchase of fixed assets	7	(36,886)	(146,264)		
Disposal of fixed assets	7	15,035	-		
Cash flows from financing activities					
Interest received		-	417		
Interest paid	5	(688,086)	(258,212)		
Repayment of leasing liabilities	24	(45,040)	(23,704)		
Loans advanced	24	27,727,820	1,475,000		
Loans repaid	24	(1,700,000)	(690,000)		
Net cash from financing activities		25,294,694	503,501		
Net increase in cash and cash equivalents		(1,323,045)	1,377,598		
Cash and cash equivalents at beginning of year		1,411,785	34,187		
Cash and cash equivalents at end of year	11	88,740	1,411,785		

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies

1.1 Statutory information

East Cambs Trading Company Limited is a private company limited by shares incorporated and domiciled in England and Wales, United Kingdom. The address of the registered office is The Grange, Nutholt Lane, Cambridgeshire, CB7 4EE.

The company is primarily involved in property development and management of council services.

The financial statements are presented in sterling which is the functional currency of the company and rounded to the nearest £.

1.2 Critical accounting estimates and judgements

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for revenues and expenses during the year and the amounts reported for assets and liabilities at the statement of financial position date. However, the nature of estimation means that the actual outcomes could differ from those estimates.

The key sources of estimation uncertainty that have a significant risk of causing material adjustment to the carrying amounts of assets and liabilities are discussed below.

Critical accounting judgements:

Critical judgements, apart from those involving estimations, that are applied in the preparation of the consolidated financial statements are discussed below:

Going concern including liquidity

In the light of the rapidly escalating COVID-19 pandemic the directors have considered whether any adjustments are required to reported amounts in the financial statements. As at the 31 March 2020 reporting date, the global pandemic had just been declared.

Although the grounds maintenance division has been unaffected by the pandemic, Ely Market closed in late March and was unable to re-open until June 2020 due to the restrictions imposed by UK Government. However, the Company was eligible for a grant and the suspension of business rates payable on the Market Square which mitigated the loss of revenue. The property development division of the company has also been affected by restrictions imposed by the UK Government in response to the COVID-19 pandemic. This has affected both development work and the Company's ability to complete on property sales. This has resulted in a delay in cash flows.

The company successfully negotiated amended terms to its loans with Cambridgeshire & Peterborough Combined Authority. The amended terms include interest-free periods and most importantly agreement that the loans would not be due for repayment until March 2023. It has also secured a new facility from East Cambridgeshire District Council that will be available in March 2021 and will enable the Company to repay its existing loan to the council and have sufficient funds to continue its projects. This loan will be due for repayment in 2023.

The Directors have prepared cash flow forecasts for a period of 12 months from the year end which cover various scenarios which demonstrate that the cash reserves of the company will be sufficient for it to be able to continue as a going concern during restrictions and once restrictions are fully lifted. However there is a level of uncertainty over the level of sales demands once restrictions have ended which could affect this assessment.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies (continued)

1.2 Critical accounting estimates and judgements

The developing situation with respect to COVID-19 does give rise to some uncertainty around going concern, however management are satisfied that the mitigating factors are sufficient to address downside scenarios and support the going concern judgement.

The financial statements do not contain any adjustments that would be required if the company were not able to continue as a going concern.

Leases – discount rate

Under IFRS 16, the Company recognises a right-of-use asset representing its right to use the underlying asset and a lease liability representing its obligation to make lease payments.

The lease liability is initially measured at the present value of the remaining lease payments, discounted using the Company's incremental borrowing rate. Management have made a judgement to use a portfolio approach when estimating an incremental borrowing rate.

As a result of the significant impact the transition to IFRS 16 has had on the Company's statement of financial position (£263,063 right-of-use asset (2019: £307,463) and £274,057 lease liability (2019: £319,096) recognised as at 31 March 2020), the portfolio approach to estimating the incremental borrowing rate is considered to be a significant judgement.

The incremental borrowing rate is determined on a portfolio basis, the most significant portfolio being the lease of properties. Judgement has been used to determine that a portfolio basis is appropriate on a basis. As the Company has agreed borrowings for general purposes at a rate of 5.22%, this has been determined as the borrowing rate of the lease.

Refer to note 14 for additional disclosures relating to leases held by the Company.

Key sources of estimation uncertainty:

The key assumptions about the future, and other key sources of estimation uncertainty at the reporting date that may have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year are detailed below.

The valuation of work in progress and allocation of costs to each period

Costs directly attributable to the projects have been included in the work in progress figure accordingly. When calculating the work in progress the directors consider the stage of completion of the project and the likelihood of all costs being recovered, applying this in accordance with applicable framework.

Lease term

Under IFRS 16, the Company recognises a right-of-use asset for its depot. A level of estimating is involved in determining the likelihood of exercising break or extension options included within the leases when determining the lease term. Break and extension options are included to provide operational flexibility should the economic outlook for an asset be different to expectations and are especially key when considering the short maturity of the Company's depot. As a result, Management have made an estimate that at commencement of the lease, break or extension options are not typically considered reasonably certain to be exercised when determining the lease term, unless there is a valid business reason otherwise. Instead as the lease approaches maturity the estimate of term considering the extension and break options will be considered at the point where Management are able to make a reasonable estimate.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies (continued)

1.2 Critical accounting estimates and judgements (continued)

Refer to note 14 for additional disclosures relating to leases held by the Company.

Useful lives of depreciable assets

Estimates have been made in respect of useful economic lives of property, plant and equipment, which determine the amount of depreciation charged in profit or loss. Uncertainties in these estimates relate to the technological obsolescence that may change the utility of plant and machinery and could result in a material change to the amount of depreciation recognised. These estimates are reviewed annually at the reporting date based on the expected utility of the assets.

Further detail on useful life estimates is included in the accounting policy note 1.6.

1.3 Compliance with accounting standards

These financial statements have been prepared in accordance with International Financial Reporting Standards and IFRIC interpretations and with those parts of the Companies Act 2006 applicable to reporting entities under IFRS.

Historical cost convention

The financial statements have been prepared under the historical cost convention.

Critical accounting estimates

The preparation of the financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the company's accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements, are disclosed in note 1.2.

1.4 Revenue recognition

Revenue from contracts with customers

Revenue is recognised at an amount that reflects the consideration to which the Company is expected to be entitled in exchange for transferring goods or services to a customer. For each contract with a customer, the Company: identifies the contract with a customer; identifies the performance obligations in the contract; determines the transaction price which takes into account the time value of money; allocates the transaction price to the separate performance obligations on the basis of the relative stand-alone selling price of each distinct good or service to be delivered; and recognises revenue when or as each performance obligation is satisfied in a manner that depicts the transfer to the customer of the goods promised.

Further details on specifics relating to each revenue stream is listed below:

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies (continued)

1.4 Revenue recognition (continued)

Grounds Maintenance Services

The Company provides a grounds maintenance service predominantly to local authorities and educational establishments. For larger contracts invoices are issued on a monthly basis or as the work is completed for smaller contracts. Payment is usually received within a month of the invoice being issued.

Markets

The Company operates street markets on behalf of the local council and collects revenue from the individual stallholders. Invoices are issued on a weekly basis and payments are made via direct debits.

Property Development

The Company develops and sells residential properties. Revenue is recognised when control over the property has been transferred to the customer. The properties have generally no alternative use for the company. However, an enforceable right to payment does not arise until legal title has passed to the customer. Therefore, revenue is recognised at a point in time when the legal title has passed to the customer. The revenue is measured at the transaction price agreed under the contract. The consideration is due when legal title has been transferred.

Revenue from a construction contract is recognised when:

- It is probable that the economic benefits associated with the contract will flow to the entity.
- The contract costs attributable to the contract can be clearly identifiable and measured reliably.

1.5 Government grants

Government grants are recognised in Statement of Comprehensive Income on a systematic basis over the periods in which the company recognises as expenses the related costs for which the grants are intended to compensate. The grants are shown separately in the Statement of Comprehensive Income.

Grants are recognised in respect of the delivery of affordable housing projects.

1.6 Property, plant and equipment

Property, plant and equipment is stated at cost less depreciation. Depreciation is provided at rates calculated to write off the cost of fixed assets, less their estimated residual value, over their expected useful lives on the following bases:

Plant & machinery	25% straight line
Leasehold improvements	16.67% straight line
Office equipment	16.67% straight line
Computer equipment	33.33% straight line

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1 Accounting policies (continued)

1.7 Right-of-use assets

Right-of-use assets

A right-of-use asset is recognised at the commencement date of a lease. The right-of-use asset is measured at cost, which comprises the initial amount of the lease liability, adjusted for, as applicable, any lease payments made at or before the commencement date net of any lease incentives received, any initial direct costs incurred, an estimate of costs expected to be incurred for dismantling and removing the underlying asset, and restoring the site or asset.

Right-of-use assets are depreciated on a straight-line basis over the unexpired period of the lease or the estimated useful life of the asset, whichever is the shorter. Where the company expects to obtain ownership of the leased asset at the end of the lease term, the depreciation is over its estimated useful life. Right-of-use assets are subject to impairment or adjusted for any remeasurement of lease liabilities.

1.8 Inventories

Inventories are stated at the lower of cost and net realisable value. Work in progress comprises direct materials, labour costs, site overheads, associated professional charges and other attributable overheads. Net realisable value represents the estimated selling price less costs to complete and sell.

At each year end, inventories are assessed for impairment. If inventories are impaired, the carrying amount is reduced to its selling price less costs to complete and sell. The impairment loss is recognised immediately in profit or loss.

1.9 Trade and other receivables

Short term receivables are measured initially at transaction price, and are measured subsequently at amortised costs.

1.10 Cash and cash equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours.

1.11 Operating profit

Operating profit is stated before investment income and finance costs.

1.12 Financial Instruments

Financial assets and liabilities are recognised on the statement of financial position when the company becomes a party to the contractual provisions of the instrument.

- Cash and cash equivalents comprise cash held at bank and short term deposits
- Trade payables are not interest bearing and are stated at their nominal value
- Trade receivables are measured initially at transaction price, and are measured subsequently at amortised costs.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies (continued)

1.13 Trade and other payables

Short term payables are measured initially at fair value, and subsequently at amortised cost. Other financial liabilities, including bank loans, are measured initially at fair value, net of transaction costs, and are measured subsequently at amortised cost using the effective interest method.

1.14 Finance costs

Finance costs are charged to the Statement of Comprehensive Income over the term of the debt using the effective interest method so that the amount charged is at a constant rate on the carrying amount. Issue costs are initially recognised as a reduction in the proceeds of the associated capital instrument.

1.15 Pensions

Defined contribution pension plan

The Company operates a defined contribution plan for its employees. A defined contribution plan is a pension plan under which the Company pays fixed contributions into a separate entity. Once the contributions have been paid the Company has no further payment obligations.

The contributions are recognised as an expense in the Statement of Comprehensive Income when they fall due. Amounts not paid are shown in accruals as a liability in the Statement of Financial Position. The assets of the plan are held separately from the Company in independently administered funds.

1.16 Taxation

Current taxes are based on the results shown in the financial statements and are calculated according to local tax rules, using tax rates enacted or substantially enacted by the statement of financial position date.

Deferred tax is recognised in respect of all timing differences that have originated but not reversed at the statement of financial position.

1.17 Lease Liabilities

All leases are accounted for by recognising a right-of-use asset and a lease liability except for:

- Leases of low value assets; and
- Leases with a duration of 12 months or less.

A lease liability is recognised at the commencement date of a lease. The lease liability is initially recognised at the present value of the lease payments to be made over the term of the lease, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, the Company's incremental borrowing rate. Lease payments comprise of fixed payments less any lease incentives receivable, variable lease payments that depend on an index or a rate, amounts expected to be paid under residual value guarantees, exercise price of a purchase option when the exercise of the option is reasonably certain to occur, and any anticipated termination penalties. The variable lease payments that do not depend on an index or a rate are expensed in the period in which they are incurred.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

1. Accounting policies (continued)

Lease liabilities are measured at amortised cost using the effective interest method. The carrying amounts are remeasured if there is a change in the following: future lease payments arising from a change in an index or a rate used; residual guarantee; lease term; certainty of a purchase option and termination penalties. When a lease liability is remeasured, an adjustment is made to the corresponding right-of-use asset, or to profit or loss if the carrying amount of the right-of-use asset is fully written down.

1.18 Financed costs

Finance costs attributable to qualifying assets are capitalised as part of the asset. All other finance costs are expensed in the period in which they are incurred.

1.19 New or amended Accounting Standards and Interpretations adopted

The Company has adopted all of the new or amended Accounting Standards and Interpretations issued by the International Accounting Standards Board ('IASB') that are mandatory for the current reporting period.

The following new and revised Standards and Interpretations are relevant to the company but not yet effective for the year commencing 1 April 2019 and have not been applied in preparing these financial statements:

- IAS 1 Presentation of Financial Statements – classification of liabilities as current and non-current.
- IAS 1 and IAS 8 Accounting Policies – definition of materiality.
- IFRS 16 COVID-19 Related Rent Concessions Amendment

The Directors do not consider that the implementation of any of these new standards will have a material impact upon reported income or reported net assets.

The following Accounting Standards and Interpretations are most relevant to the company:

IFRS 16 Leases

The company has adopted IFRS 16 from 1 April 2018. The standard replaces IAS 17 'Leases' and for lessees eliminates the classifications of operating leases and finance leases. Except for short-term leases and leases of low-value assets, right-of-use assets and corresponding lease liabilities are recognised in the statement of financial position. Straight-line operating lease expense recognition is replaced with a depreciation charge for the right-of-use assets (included in operating costs) and an interest expense on the recognised lease liabilities (included in finance costs). In the earlier periods of the lease, the expenses associated with the lease under IFRS 16 will be higher when compared to lease expenses IAS 17. For classification within the statement of cash flows, the interest portion is disclosed in operating activities and the principal portion of the lease payments are separately disclosed in financing activities.

The impact on the financial performance and position of the Company from the adoption of this Accounting Standard is detailed in note 23.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

2. Operating profit

Operating profit is stated after charging

	2020 £	Restated 2019 £
Depreciation of owned fixed assets	35,542	12,074
Depreciation of right to use assets	44,401	36,064
Auditors' remuneration	16,065	15,750
	<u> </u>	<u> </u>

3. Employees and directors

	2020 £	2019 £
Wages and Salaries	682,379	471,551
Social security	67,426	52,693
Other pension costs	57,734	58,454
	<u> </u>	<u> </u>
	<u>807,539</u>	<u>582,698</u>

The average monthly number of employees during the year was as follows:

	2020	2019
Directors	4	5
Administration	17	11
	<u> </u>	<u> </u>
	<u>21</u>	<u>16</u>

4. Directors' remuneration

	2020 £	2019 £
Directors' remuneration	12,000	12,000
Directors' pension contributions to a defined contribution pension scheme	1,240	960
	<u> </u>	<u> </u>
	<u>13,240</u>	<u>12,960</u>

During the year 1 directors (2018 – 1) was accruing benefits under defined contribution pension schemes.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

5. Finance costs

	2020 £	Restated 2019 £
Loan interest payable	68,734	-
Interest on leases	15,279	12,359
	<u>84,013</u>	<u>12,359</u>

Total loan interest payable in the year was £672,807 (2019: £245,853) of which £588,794 was charged to Work In Progress (2019: £245,853).

6. Income tax

Analysis of tax expense

No liability to UK corporation tax arose for the year ended 31 March 2020 nor the year ended 31 March 2019

Factors affecting the tax expense

The tax assessed for the year is higher than the standard rate of corporation tax in the UK. The difference is explained below:

	2020 £	Restated 2019 £
Profit (Loss) per accounts	<u>(513,160)</u>	<u>658,501</u>
Profit multiplied by the standard rate of corporation tax in the UK of 19% (2019 - 19%)	(97,500)	125,115
Effects of: Losses carried forward	<u>97,500</u>	<u>(125,115)</u>
Tax expense	<u>-</u>	<u>-</u>

The company has estimated tax losses of £585,000 (2019 £54,000) to carry forward against future profits.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

7. Property, plant and equipment

	Plant & Machinery	Leasehold Improvement	Office & computer Equipment	Total
Cost				
As at April 1 2018	-	-	-	-
Additions	19,071	35,526	91,667	146,264
Disposals	-	-	-	-
As at 31 March 2019	<u>19,071</u>	<u>35,526</u>	<u>91,667</u>	<u>146,264</u>
Depreciation				
As at April 1 2018	-	-	-	-
Charge for the year	533	1,402	10,139	12,074
On disposals	-	-	-	-
As at March 31 2019	<u>533</u>	<u>1,402</u>	<u>10,139</u>	<u>12,074</u>
Net Book Value				
As at March 31 2019	<u>18,538</u>	<u>34,124</u>	<u>81,528</u>	<u>134,190</u>
As at March 31 2018	-	-	-	-
Cost				
As at April 1 2019	19,071	35,526	91,667	146,264
Additions	28,499	497	7,890	36,886
Disposals	(14,535)	-	(500)	(15,035)
As at 31 March 2020	<u>33,035</u>	<u>36,023</u>	<u>99,057</u>	<u>168,115</u>
Depreciation				
As at April 1 2019	533	1,402	10,139	12,074
Charge for the year	4,235	6,017	25,290	35,542
On disposals	(303)	-	(96)	(399)
As at March 31 2020	<u>4,465</u>	<u>7,419</u>	<u>35,333</u>	<u>47,217</u>
Net Book Value				
As at March 31 2020	<u>28,570</u>	<u>28,604</u>	<u>63,724</u>	<u>120,898</u>
As at March 31 2019	<u>18,538</u>	<u>34,124</u>	<u>81,528</u>	<u>134,190</u>

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

8. Right-of-use assets

	Restated Land and Buildings	Restated Total
As at April 1 2018	210,328	210,328
Additions	126,187	126,187
Depreciation	(29,051)	(29,051)
As at March 31 2019	<u>307,464</u>	<u>307,464</u>
	Land and Buildings	Total
As at April 1 2019	307,464	307,464
Additions	-	-
Depreciation	(44,401)	(44,401)
As at March 31 2020	<u>263,063</u>	<u>263,063</u>

The Company leases land and buildings for its offices and market square under agreements of between 6 to 10 years with, in some cases, options to extend. On renewal, the terms of the leases are renegotiated.

Details of leasing liabilities are included within note 14.

9. Inventories

	2020 £	2019 £
Work in progress	<u>30,341,716</u>	<u>3,121,683</u>

The total amount of Work in progress recognised as an expense during the year was £2,104,826 (2019: £4,474,812)

Please refer to note 13 to see details of the amounts included in Work in progress which are pledged as security for loans.

10. Trade and other receivable

	2020 £	2019 £
Trade receivables	89,892	155,307
Other taxation	60,200	28,621
Other receivables	52,278	45,001
Prepayments and accrued income	74,268	26,444
	<u>276,638</u>	<u>255,373</u>

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

11. Cash and cash equivalents

	2020 £	2019 £
Cash at bank and in hand	88,740	1,411,785

12. Trade and other payable

	2020 £	2019 £
Current		
Trade payables	556,556	188,824
Other taxation and social security	43,221	30,968
Other payables	105,695	81,458
Accruals and deferred income	36,188	49,470
	<u>741,660</u>	<u>350,720</u>

13. Borrowings

	2020 £	2019 £
Current:		
Amounts owed to parent undertakings	4,220,000	-
Loans due within one year	3,613,842	-
	<u>7,833,842</u>	-
Non-current		
Due 1 – 2 years:		
Amounts owed to parent undertakings	-	4,620,000
Loans due after one year	13,924,053	-
	<u>13,924,053</u>	<u>4,620,000</u>
Due 2 – 5 years:		
Amounts owed to parent undertakings	-	-
Loans due after one year	8,889,925	-
	<u>8,889,925</u>	-
	<u>30,647,820</u>	<u>4,620,000</u>

The Cambridge and Peterborough Combined Authority (CPCA) hold security on the company's land at Haddenham and the former RAF service accommodation at the Ely MOD site in relation to loans outstanding to them at the year end. At the year end the total value of the Haddenham site is valued at £3,330,433 and the former RAF service accommodation at the Ely MOD site is valued at £25,405,795.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

14. Lease Liabilities

	2020 £	Restated 2019 £
Current:		
Lease liability	41,050	45,041
Non-current:		
Lease liability	233,007	274,056
	<u>274,050</u>	<u>319,097</u>

Refer to note 15 for further information on financial instruments. Details of finance costs are included within note 5. Details of the right of use assets are included within note 8.

During the year Licence fees relating to a Licence to Occupy, which is not disclosed under IFRS 16, totalled £30,000 (2019: £20,000).

15. Financial Instruments

Financial assets and liabilities

The carrying value of the company's financial assets and liabilities as recognised at the year end of the years under review may also be categorised as follows:

	Financial assets at amortised cost £	Financial liabilities at amortised cost £	Total carrying amount £
As 31 March 2020			
Cash and cash equivalents	88,740	-	88,740
Trade receivables	89,892	-	89,892
Other receivables	126,546	-	126,546
Loans	-	(30,647,821)	(30,647,821)
Trade payables	-	(556,556)	(556,556)
Other payables - current	-	(141,881)	(141,881)
Total	<u>305,178</u>	<u>(31,346,258)</u>	<u>(31,041,080)</u>
	Financial liabilities at amortised cost £	Financial liabilities at amortised cost £	Total carrying amount £
As 31 March 2019			
Cash and cash equivalents	1,411,785	-	1,411,785
Trade receivables	155,307	-	155,307
Other receivables	71,445	-	71,445
Loans	-	(4,620,000)	(4,620,000)
Trade payables	-	(188,824)	(188,824)
Other payables - current	-	(130,928)	(130,928)
Total	<u>1,638,537</u>	<u>(4,939,752)</u>	<u>(3,301,215)</u>

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

15. Financial Instruments (continued)

Credit risk

Credit risk is the risk of financial loss to the company if a customer or counterparty to a financial instrument fails to meet its contractual obligations, and arises principally from the company's receivables from customers and balances at financial institutions.

The company's exposure to credit risk in the property development division is limited as title to any property sold does not pass until funds are received.

For the grounds maintenance division, the major customer is a local authority and the sole shareholder of the company so the risk is perceived to be low. The remaining customers are predominantly also local authorities.

For the markets division, the customers are individual market stall vendors and each debt is relatively small. Most vendors have been trading with the company, and its local authority predecessor for a number of years.

The company held cash and cash equivalents of £88,740 at 31 March 2020 (£1,411,785 at 31 March 2019). The cash and cash equivalents are held at NatWest Bank which is rated A- to A at leading credit rating agencies and so the company considers these to have a low credit risk.

Liquidity risk

Liquidity risk is the risk that the company will not be able to meet its financial obligations as they fall due. The company's policy throughout the year has been to ensure that it has adequate liquidity to meet its liabilities when due by careful management of its working capital.

	Less than one year	More than one year	Total
	£	£	£
2020			
Trade and other payables	741,660	-	741,660
Borrowings	7,833,842	22,813,978	30,647,820
	<u>8,575,502</u>	<u>22,813,978</u>	<u>31,389,480</u>

	Less than one year	More than one year	Total
	£	£	£
2019			
Trade and other payables	350,720	-	350,720
Borrowings	-	4,620,000	4,620,000
	<u>350,720</u>	<u>4,620,000</u>	<u>4,970,720</u>

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

15. Financial Instruments (continued)

Fair values

The carrying amounts of all financial assets and liabilities of the company as disclosed in the notes to the financial information are approximately their fair values.

Capital management

The company's objectives when managing capital are to safeguard the company's ability to continue as a going concern in order to provide returns for shareholders, benefits for other stakeholders and to maintain an optimal capital structure to reduce the cost of capital with an appropriate level of leverage for the size of the business so as to maintain investor, creditor and market confidence and to sustain future development of the business. In order to maintain or adjust the capital structure, the company may return capital to shareholders, issue new shares or sell assets to reduce debt.

On initial application of IFRS 9, the company has not recognised any additional impairment allowance at the start or during the financial year due to the low level of credit risk it is exposed to.

16. Share capital

	2020 £	2019 £
Share classified as equity		
Allotted, called up and fully paid		
1 Ordinary share of £1	1	1
	<u>1</u>	<u>1</u>

17. Pension commitments

The company operates a defined contribution pension scheme. The assets of the scheme are held separately from those of the company in an independently administered fund. The pension cost charge represents contributions payable by the company to the fund and amounted to £49,601 (2019 - £58,454).

Contributions totalling £9,294 (2019 - £4,528) were payable to the fund at the year end and are included in creditors.

18. Related Party Transactions

In line with paragraph 25 of IAS24, the company has taken advantage of the exemption from the requirement to disclose transactions with East Cambridgeshire District Council (ECDC) and connected companies due to the control exercised by ECDC by virtue of it being the only shareholder.

The company has loans of £4,220,000 (2019 £4,620,000) which were initially due to ECDC on March 31 2021 and lent at an interest rate fixed at 5.22%. Due to Covid19 delaying the sale of properties, after the year-end (July 2020) a new loan was agreed that will enable the original loan to be repaid. The new loan will have an interest rate fixed at 3.5%

19. Details of Parent Undertaking

The ultimate parent undertaking is East Cambridgeshire District Council, registered address The Grange, Nutholt Lane, Ely, Cambridgeshire, CB7 4EE

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

20. Note to the cash flow statement

	2020 £	Restated 2019 £
Profit / (Loss) before tax	(513,160)	658,501
Depreciation	79,544	40,727
Interest received	-	(417)
Interest expense (including charge to inventories)	688,086	258,214
	<u>254,470</u>	<u>957,025</u>
Decrease/(Increase) in inventories	(27,220,033)	226,787
Decrease/(Increase) in trade and other receivables	(21,265)	75,087
(Decrease)/Increase in trade and other payables	390,940	(238,538)
Net cash outflow from operating activities	<u><u>(26,595,888)</u></u>	<u><u>1,020,361</u></u>

21. Reserves

The following is a description of each of the reserve accounts that comprise equity shareholders' funds:

Share capital	The share capital comprises the issued ordinary shares of the company at par.
Retained earnings	Retained earnings comprise the Company's cumulative accounting profits and losses since inception.

22. Events after the reporting period

Subsequent to the reporting date, the existence of the infectious disease COVID-19 ('Coronavirus') has become widely known, and begun to rapidly spread throughout the world, including the UK. The Company considers this to be a non-adjusting event after the reporting date. Since the reporting date this has caused increasing disruption to populations, to business and economic activity. See note 1.2 of these financial statements. As this situation is rapidly developing, it is not yet practicable to estimate the potential impact this may have on the Company.

The company has loans of £4,220,000 (2019 £4,620,000) which were initially due to ECDC on March 31 2021 and lent at an interest rate fixed at 5.22%. Due to Covid19 delaying the sale of properties, after the year-end (July 2020) a new loan was agreed that will enable the original loan to be repaid. The new loan will have an interest rate fixed at 3.5%.

The two loans from the Cambridge and Peterborough Combined Authority (CPCA) in relation to the Haddenham and the Ely MOD site, which were initially due to CPCA on March 31 2021 and 31 July 2021 have been extended in an effort to aid the company's cash flow due to the negative effects of COVID 19. These loans were extended in August 2020 and provided interest free periods.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

22. Events after the reporting period (continued)

No other matter or circumstance has arisen since 31 March 2020 that has significantly affected, or may significantly affect the Company's operations, the results of those operations, or the Company's state of affairs in future financial years.

23. Restatement of comparatives – adoption of IFRS 16 'Leases'

Adoption of IFRS 16 'Leases'

The Company has adopted IFRS 16 'Leases' from 1 April 2019, using the full retrospective approach to restatement. The restatement to comparatives of the statement of profit or loss and other comprehensive income for the period ended 31 March 2019 and the statement of financial position as at 31 March 2019 and as 1 April 2018 is as follows:

- Additional lease liability of £319,097 was recognised (current £45,041 and non-current £274,056) (discounted based on the weighted average incremental borrowing rate of 5.22%) as at 31 March 2019 (1 April 2018: £217,012; current £23,704 and non-current £193,308);
- Right-of-use asset of £307,464 was recognised as at 31 March 2019 (1 April 2018: £210,328);
- Depreciation of £52,420 was recognised against the right-of-use asset as at 31 March 2019 (1 April 2018: £23,370);
- Lease payments of £36,064 (1 April 2018: £27,500) were reclassified from other expenses to principal repayments of lease liabilities and finance costs of £12,359 (1 April 2018: £11,719);
- The overall impact on total equity as at 31 March 2019 was a decrease of £18,317 comprising of a reduction to opening retained profits of £6,684 as at 1 April 2018.

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

23. Restatement of comparatives – adoption of IFRS 16 ‘Leases’ (continued)

Statement profit or loss and other comprehensive income

	2019 Reported £	Adjustment £	2019 Restated £
Extract			
Administrative expenses	(906,046)	7,410	(898,636)
Operating profit/(loss)	663,033	7,410	670,443
Interest payable	-	(12,359)	(12,359)
Profit/(Loss) before taxation	663,450	(4,949)	658,501
Tax on profit	-	-	-
Profit/(Loss) and total comprehensive income for the year	663,450	(4,949)	658,501

Statement of financial position at the beginning of the first comparative period

	1 April 2019 Reported £	Adjustment £	1 April 2019 Restated £
Extract			
Non-current assets			
Right to use asset	-	307,464	307,464
Current Liabilities			
Lease liabilities due within one year	-	(45,041)	(45,041)
Net Current Assets	4,438,121	(45,041)	4,393,080
Total assets less current liabilities	4,572,311	262,423	4,834,734
Non-Current Liabilities			
Lease liabilities	-	(274,056)	(274,056)
Net liabilities	(47,689)	(11,633)	(59,322)

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

23. Restatement of comparatives – adoption of IFRS 16 ‘Leases’ (continued)

	1 April 2019 Reported	Adjustment	1 April 2019 Restated
Equity			
Called up share capital	1	-	1
Retained earnings	(47,690)	(11,633)	(59,323)
	<u>(47,689)</u>	<u>(11,633)</u>	<u>(59,322)</u>

Statement of financial position at the beginning of the earliest comparative period

	1 April 2018 Reported £	Adjustment £	1 April 2018 Restated £
Extract			
Non-current assets			
Right to use asset	-	210,328	210,328
Current Liabilities			
Lease liabilities due within one year	-	(23,704)	(23,704)
Net Current Assets	2,433,861	(23,704)	2,410,157
Total assets less current liabilities	2,433,861	186,624	2,620,485
Non-Current Liabilities			
Lease liabilities	-	(193,308)	(193,308)
Net liabilities	<u>(711,139)</u>	<u>(6,684)</u>	<u>(717,823)</u>
Equity			
Called up share capital	1	-	1
Retained earnings	(711,140)	(6,684)	(717,824)
	<u>(711,139)</u>	<u>(6,684)</u>	<u>(717,823)</u>

EAST CAMBS TRADING COMPANY LIMITED

NOTES TO THE FINANCIAL STATEMENTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

24. Changes in liabilities arising from financing activities

	Lease liability £	Bank loans £	Total £
Balance at 1 April 2018	217,012	3,835,000	4,052,012
Net cash used in financing activities	(23,704)	(690,000)	(713,704)
Acquisition of leases	125,788	-	125,788
Loan advance	-	1,475,000	1,475,000
	<hr/>	<hr/>	<hr/>
Balance at 1 April 2019	319,096	4,620,000	4,939,096
Net cash used in financing activities	(45,040)	(1,700,000)	(1,745,040)
Acquisition of leases	-	-	-
Loan advance	-	27,727,820	27,727,820
	<hr/>	<hr/>	<hr/>
Balance at 31 March 2019	<u>274,056</u>	<u>30,647,820</u>	<u>30,921,876</u>

Registration No. 10061867

EAST CAMBS TRADING COMPANY LIMITED

DETAILED ACCOUNTS

FOR THE YEAR ENDED 31 MARCH 2020

EAST CAMBS TRADING COMPANY LIMITED

DETAILED PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDED 31 MARCH 2020

	2020 £	Restated 2019 £
Turnover	3,392,399	6,624,143
Cost of sales	(2,867,124)	(5,055,064)
GROSS PROFIT	<u>525,275</u>	<u>1,569,079</u>
LESS: OVERHEADS		
Administrative expenses	(954,422)	(898,636)
OPERATING PROFIT/(LOSS)	<u>(429,147)</u>	<u>670,445</u>
Interest receivable	-	417
Interest payable	(84,013)	(12,359)
PROFIT/(LOSS) BEFORE TAXATION	<u>(513,160)</u>	<u>658,501</u>
Tax on profit	-	-
PROFIT/(LOSS) FOR THE YEAR	<u><u>(513,160)</u></u>	<u><u>658,501</u></u>

EAST CAMBS TRADING COMPANY LIMITED

SCHEDULE TO THE DETAILED ACCOUNTS FOR THE YEAR ENDED 31 MARCH 2020

	2020	2019
	£	£
Turnover		
Ely market management income	202,155	208,704
Project management fees and other services	83,957	109,220
Parks and open spaces management income	920,352	867,660
Car park construction	-	22,336
Property Development	2,185,935	5,416,223
	<u>3,392,399</u>	<u>6,624,143</u>

	2020	2019
	£	£
Cost of sales		
Ely market and parks and open spaces costs	645,173	652,223
Project management and other services costs	5,555	-
Cost of car park construction	-	22,545
Property development costs	2,216,396	4,380,296
	<u>2,867,124</u>	<u>5,055,064</u>

	2020	Restated 2019
	£	£
Administration expenses		
Directors national insurance	625	493
Directors salaries	12,000	12,000
Directors' pension costs	1,320	1,200
Staff salaries	399,264	308,628
Staff national insurance	67,426	52,693
Staff pension costs	44,514	58,454
Staff training	6,183	5,991
Recruitment fees	3,455	30,082
Motor running costs	44,739	46,037
Entertainment	693	-
Travel and subsistence	5,158	4,046
Consultancy	15,260	34,867
Printing and stationery	5,214	10,338
Postage	96	166
Telephone and fax	6,773	1,611
Computer costs	10,736	2,983
General office expenses	7,889	4,356
Advertising and promotion	7,549	9,351
Trade subscriptions	9,012	6,527
Legal and professional	6,141	14,023
Auditors' remuneration	20,715	31,528
Equipment hire	16,513	18,996
Bank charges	344	284
Sundry expenses	8,428	8,536
Rent	3,056	10,941
Licence fee	30,000	20,000
Light and heat	-	1,480
Water	1,083	841

EAST CAMBS TRADING COMPANY LIMITED

SCHEDULE TO THE DETAILED ACCOUNTS (CONTINUED) FOR THE YEAR ENDED 31 MARCH 2020

Management charge	92,950	87,981
Insurances	21,661	24,614
Repairs and maintenance	26,019	48,465
Depreciation	79,606	41,124
	<hr/>	<hr/>
	954,422	898,636
	<hr/> <hr/>	<hr/> <hr/>

	2020	2019
Interest receivable	£	£
Interest receivable	-	417
	<hr/> <hr/>	<hr/> <hr/>

	2020	Restated
Interest payable	£	2019
		£
Loan interest payable	68,734	-
Lease interest	15,279	12,359
	<hr/>	<hr/>
	84,013	12,359
	<hr/> <hr/>	<hr/> <hr/>

TITLE: ECTC BUSINESS PLAN 2020/21 (revised)

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Director Commercial

[V65]

1.0 ISSUE

1.1 To consider the ECTC Business Plan 2020/21(Revised).

2.0 RECOMMENDATION

2.1 Members are requested to approve the ECTC Business Plan 2020/21 (revised) as set out in Appendix 1.

3.0 BACKGROUND/OPTIONS

3.1 In accordance with the Shareholder Agreement ECTC is required to produce an annual business plan for approval by the Finance & Assets Committee. The business plan was approved by Finance & Assets Committee in on 6 February 2020 (Agenda Item 10). On 3 September 2020 ECTC Board approved a revised Business Plan that addresses changes arising from COVID-19.

4.0 ARGUMENTS/CONCLUSIONS

4.1 Finance & Assets Committee are requested to approve the ECTC Business Plan 2020/21 (revised).

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There are no financial implication arising from this report.

5.2 EIA not required.

6.0 APPENDICES

6.1 Appendix 1- ECTC Business Plan 2020/21 (revised).

Background Documents

None

Location

Room 105,
The Grange,
Ely

Contact Officer

Emma Grima
Director Commercial
(01353) 616960

E-mail:

emma.grima@eastcambs.gov.uk



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

East Cambs
Trading CO. Ltd

ECTC BUSINESS PLAN
(REVISED)

1. INTRODUCTION

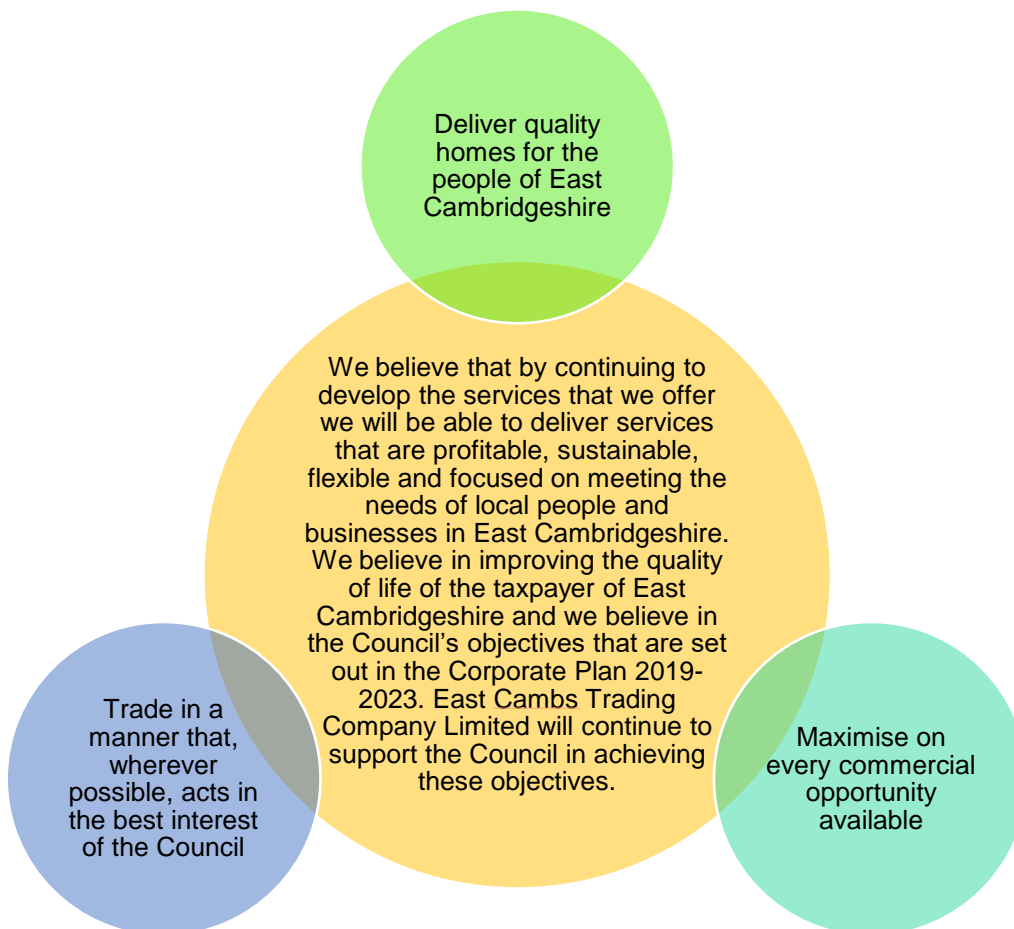
This Business Plan is designed to provide an overview and detail of the:

- ❖ Governance structure
- ❖ Financial overview
- ❖ Risk Management
- ❖ Board and Management Structure
- ❖ Commercial Services
- ❖ Property

East Cambs Trading Company (ECTC) is a private company limited by shares that is wholly owned by East Cambridgeshire District Council (ECDC). ECTC operates at 'arm's length' from ECDC with an independent board for operational decision making.

Working with ECDC the following drivers were established:

- ❖ Balance the Budget
- ❖ Improve Services
- ❖ Build New Homes
- ❖ Maximise Devolution Opportunities
- ❖ Promote Open for Business and 'Can Do' Attitude



2. BACKGROUND

ECTC was established as a 'tool' to enable ECDC to do more than it already does. Whilst ECTC is a legal entity in its own right, and should be free to operate commercially to generate the maximum returns, it is important to remember that it is a company that is wholly owned by ECDC.

As the sole shareholder ECDC has an interest to ensure, wherever practicably possible, that ECTC is profitable. Profit for ECTC will ultimately benefit ECDC as sole shareholder as the only body capable of receiving a dividend. Profit will either be reinvested in ECTC to achieve service improvements and greater profits or will be paid to ECDC, as a dividend, to enable it to achieve the aims of the MTFs and the Corporate Priorities.

2.1 Key Business

ECTC has two key business areas; the first is Commercial Services, which currently delivers Ely Markets and Grounds Maintenance and, the second is Property Development.

Both areas of the business carry out business on behalf of ECDC as well as other customers.

ECTC will continually look for new opportunities to enter new markets or expand in existing markets. Where necessary individual business plans will be developed for approval by the board.

3. PROCESS

3.1 Service Level Agreements

ECDC will continue to provide support services to ECTC through Service Level Agreements (SLA). ECTC will negotiate individual SLAs with each ECDC support service to reflect the needs of ECTC. Each SLA will include measurable performance indicators, break clauses and remedies for non-performance. There will be an annual review process whereby SLAs are refined to more accurately reflect the support required by ECTC.

Support services from ECDC for 2020/21 include:

- ❖ HR Support, including recruitment and training,
- ❖ Payroll,
- ❖ Customer Services- Phone answering service and taking telephone payments,
- ❖ Insurance provision (buildings, vehicles, employers and public liability),
- ❖ Legal Support- as and when required, and
- ❖ IT

3.2 Property and Assets

The Head Office of ECTC is The Grange, Nutholt Lane, Ely, Cambridgeshire, CB7 4EE. Wherever possible, ECTC seeks to operate from premises within the ECDC Estate.

Ely Markets currently occupy The Grange, Ely.

Grounds Maintenance currently occupy The Grange, Ely and The Depot, Portley Hill, Littleport.

Property Development occupy 5 Fordham House Court, Newmarket Road, Fordham. The Fordham property is occupied under a 6 year lease that has an option to break after 3 years. The lease is assignable and sub-letting is allowed. A formal review of the office requirements of Property and Community Housing will be carried out prior to December 2020.

3.3 Policies and Procedures

ECTC continue to use all relevant ECDC policies and procedures.

3.4 Data Protection

ECTC comply with the relevant legislation and guidance concerning Data Protection.

3.5 Freedom of Information

ECTC is subject to requests for the disclosure of information under the Freedom of Information Act 2000 in its own right. As such, ECTC maintain a record management system that complies with the relevant guidance concerning the maintenance and management of records. ECTC will liaise with ECDC as appropriate to ensure consistency in answering FOI requests and provide such information to ECDC as it may require to answer questions it has received.

4. GOVERNANCE AND MANAGEMENT

This Business Plan will be delivered in full compliance with the governance arrangements set out by ECDC. ECTC will seek to maintain and enhance ECDCs reputation and brand for high standards.

ECTC continues to maintain an effective service and will deliver financial performance management reporting systems to the Board and ECDC Shareholder Committee which is the ECDC Finance & Assets Committee (F&A).

4.1 Structure

Board of Directors

The Board of Directors comprises:

The Independent Chairman
2 ECDC Senior Officers; the Chief Executive and the Director, Commercial

The quorum for board meetings shall be two.

At board meetings each director shall have one vote.

Board meetings shall be held at least quarterly on such dates as they may agree (where there is failure to reach an agreement a decision will be made by the Chairman).

An agenda for the meeting will be prepared and distributed not less than 5 business days prior to the meeting.

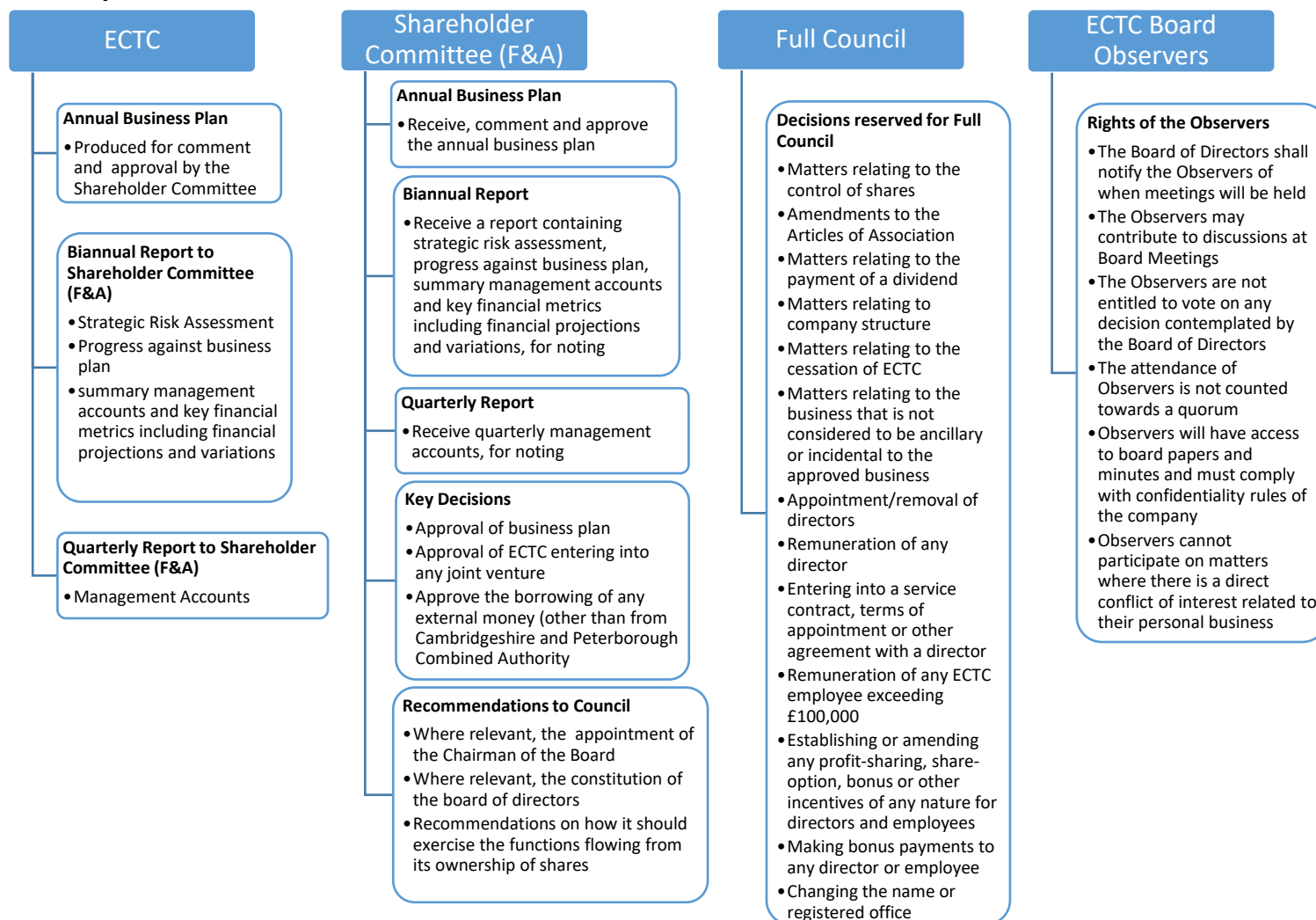
Except where the information is commercially sensitive, approved minutes of Board meetings will be provided to the Shareholder Committee (Finance & Assets) for noting.

Managing Director and Company Secretary

The Managing Director of ECTC is the Chief Executive of ECDC. The Managing Director acts as the key conduit between ECTC and ECDC and has overall responsibility for ensuring compliance with the Shareholder Agreement.

The Company Secretary of ECTC is ECDC's Director Commercial.

4.2 ECTC's relationship with ECDC



5. FINANCIAL INFORMATION

5.1 Budget

The table below provides a summary of turnover and cost up to 2022/23.

	2019/20	2020/21	2021/22	2022/23
Turnover				
Commercial	1,122,507	982,208	1,040,704	1,056,218
Property	2,269,892	6,105,604	16,777,200	37,327,085
Total	3,392,399	7,087,812	17,817,904	38,383,303
Cost				
Corporate	232,878	227,058	232,542	237,521
Commercial	891,529	956,791	990,339	1,007,133
Property	2,684,229	5,662,760	16,281,454	34,925,220
Total	3,808,636	6,846,610	17,504,336	36,169,875
EBITDA	(416,237)	241,202	313,568	2,213,428
Interest cost	140,147	319,795	576,280	981,260
Profit before tax	(556,384)	(78,592)	(262,711)	1,232,168
Tax				54,490
Profit after tax	(556,384)	(78,592)	(262,711)	1,177,678

The balance sheet and cashflow statement are provided as EXEMPT Appendix 1.

The original business plan for 2020/21 had a loss of £71k followed by a post-tax profit of £827k in 2021/22. Unfortunately due to the delays attributable to the Covid-19 pandemic, it will now be the 2022/23 financial year when the majority of the profits from the property developments will be realised.

5.2 Financial benefit to ECDC

The table below shows the receipts that ECDC has received from ECTC as a result of its activities:

	2016/17 Actual	2017/18 Actual	2018/19 Actual	2019/20 Actual	2020/21 Forecast	2021/22 Forecast	2022/23 Forecast	Total
Profit after tax from Trading Company	(405,810)	(305,803)	663,922	(556,384)	(78,592)	(262,711)	1,177,678	232,299
Financial Benefits From Property Development	-	-	943,224	234,769	444,269	566,559	21,037	2,209,859
Charges Incurred From ECDC	93,800	233,188	388,334	372,919	345,443	246,549	229,220	1,909,452
Reduction in Parks Contract	-	-	-	-	100,000	100,000	100,000	300,000
Total Financial Benefit From Company	(312,010)	(72,615)	1,995,481	51,304	811,120	650,397	1,529,782	4,651,610
Cumulative	(312,010)	(384,625)	1,610,855	1,662,159	2,473,279	3,123,676	4,651,610	

6. RISK MANAGEMENT

LEGISLATIVE/POLICY				
Identified Risk	Management of Risk	Risk Score		Risk Owner
<p>Changes in legislation which could place restrictions on ECDC's powers to trade in a commercial manner.</p> <p>Changes in legislation could impact on ECTC's ability to borrow (or conversely ECDC's power to lend) to fund future projects</p>	<p>This is outside the control of ECTC.</p> <p>Continuous monitoring of changes to legislation and government guidance through liaison with MP's, ebulletins, consultations, LGA KnowledgeHub and other publications.</p> <p>Any significant changes in legislation which realise this risk should be addressed immediately by the Managing Director to the Board of Directors.</p> <p>An amended Business Plan or Exit Strategy will need to be approved by the Board of Directors and submitted to ECDC.</p> <p>ECDC's S151 Officer attends all Board Meetings and advises on all relevant financial and governance matters.</p> <hr/> <p>Monitoring</p> <p>There have been no significant changes in legislation. This risk is continually reviewed through publications and regular liaison with Grant Thornton.</p>	<p>Likelihood</p> <p>Impact</p> <p>Risk</p>	<p>1</p> <p>5</p> <p>5</p>	<p>Managing Director</p>
<p>The June 2016 Referendum result for the United Kingdom to leave the European Union could have a financial and/or operational impact on ECTC.</p>	<p>The Board of Directors shall continuously monitor the perceptions and actual impacts on market conditions and inform ECDC of any changes/decisions that need to be made.</p> <p>Advice will be sought from the relevant professional body when appropriate.</p> <hr/> <p>Monitoring</p>	<p>Likelihood</p> <p>Impact</p> <p>Risk</p>	<p>3</p> <p>4</p> <p>12</p>	<p>Board of Directors</p> <p>Section 151 Officer & Director Commercial (ECDC)</p>

	<p>The United Kingdom left the European Union on 31 January 2020.</p> <p>At present there are still unknown implications that could arise from BREXIT.</p> <p>The key risks identified so far relate to inflationary pressures on construction products and material prices, potential for skills shortages within the construction industry, and constraints on market for new homes due to economic uncertainty.</p> <p>ECTC seek to manage these risks through its tendering process and ensures that as much flexibility as possible is retained when entering into land agreements.</p> <p>The Head of Development has addressed the key risks in the individual project business plans.</p>			
<p>Local Government Reform</p>	<p>The Cambridgeshire and Peterborough Combined Authority Mayor has announced a review for local government reform. Details and scope of the review are not defined at present, such a review is capable of having both a positive and a negative impact on ECTC, depending on the outcomes of the review.</p> <p>It is unlikely that there will be negative impact for ECTC in 2020/21 as the review is likely to take a significant amount of time to conclude.</p> <p>A government White Paper has also been announced that may have implications on local government reform. The Director Commercial will continue to monitor any implications for ECTC and seek advice at the relevant time. It is unlikely this will have an impact on ECTC in 2020/21. The Director Commercial shall monitor the proposals as they progress.</p> <p>The Director Commercial shall inform the Board as soon as is practicably possible of any opportunities and threats that arise.</p>	<p>Likelihood Impact Risk</p>	<p>2 2 4</p>	<p>Director Commercial (ECDC)</p>

<p>Changes in Planning and Housing Policies could have an impact of the Property Division, for example, changes to Affordable Housing, Starter Homes, and Self-build could impact the profitability of a particular development.</p>	<p>The Government has published revised National Planning Policy Framework (July 2018). The revised definition of affordable rented housing restricts delivery to registered providers. This will restrict CLTs ability to deliver affordable rented housing unless they become, or work with, a registered provider.</p> <hr/> <p>Monitoring</p> <p>The Regulator has approved Stage 1 consent for ECDC setting up a company to become a Registered Provider. Work is underway to complete the Stage 2 application.</p> <p>There will be no impact on the Haddenham Development or the MOD, Ely Phase 1 development as the Section 106 Agreement for the former was completed prior to the changes and there is no Section 106 Agreement for the latter.</p> <p>The Head of Development shall continue to monitor progress.</p>	<p>Likelihood Impact Risk</p>	<p>3 3 9</p>	<p>Director Commercial (ECDC)</p> <p>Head of Development</p>
<p>Proposed changes in approach to planning policy have been set out in recent White Paper (Aug 20).</p> <p>It is possible that these proposals may impact on community-led development and ECTC's operations in East Cambridgeshire.</p>	<p>Since April 2020, ECDC has been able to demonstrate a five year land supply so land outside a development envelope is only able to be promoted for housing development as a community-led development or a rural exception site.</p> <p>The government is considering changes to the production, scope and content of Local Plans, including the establishment of new land use designations (<i>Growth/Renewal/Protection</i>) that could impact on the operation of ECDC's existing planning policy framework</p> <hr/> <p>Monitoring</p> <p>The Head of Development shall continue to monitor the situation and advise the Board if the proposed changes will impact on ECTC business.</p>	<p>Likelihood Impact Risk</p>	<p>5 3 15</p>	<p>Director, Commercial (ECDC)</p> <p>Head of Development</p>

GOVERNANCE				
<p>Inadequate governance arrangements and lack of clarity on roles of ECDC and ECTC could lead to poor decision making which could undermine the operation of ECTC</p>	<p>In 2019/20 Full Council approved governance changes to the Articles of Association and the Shareholder Agreement. Such changes included the removal of elected Members from the ECTC Board of Directors. Elected Members now serve as Observers to the Board of Directors. The rights and rules of Observers are set out in the Shareholder Agreement.</p> <p>ECDC and ECTC will continue to monitor the practicalities of the Shareholder Agreement to ensure that it is fit-for-purpose. Any necessary changes will be brought to the attention of ECDC.</p> <p>Any changes to the Shareholder Agreement will need to be approved by ECTC. The Managing Director will provide a report to ECTC detailing any proposed changes and why these changes would be necessary.</p>	<p>Likelihood Impact Risk</p>	<p>3 4 12</p>	<p>Managing Director</p>
<p>As ECTC is wholly owned by ECDC, ECTC is subjected to the controls and decision-making process for matters that lay outside of the Business Plan.</p> <p>The speed of the decision-making process may have an impact on ECTC's ability to operate effectively.</p>	<p>The Shareholder Agreement sets out the decision-making abilities of the ECTC and ECDC. The Shareholder Agreement provides for the ability of extraordinary meetings of the Shareholder Committee (Finance & Assets Committee) to be called to consider urgent business and where necessary make recommendations to Full Council.</p> <p>In accordance with ECDC's Constitution a Full Council meeting can be convened to deal with any urgent business.</p>	<p>Likelihood Impact Risk</p>	<p>3 4 12</p>	<p>Managing Director</p>

ECONOMIC				
<p>ECDC has provided a loan to ECTC of £5,000,000, to be drawn down in accordance with the loan agreement.</p>	<p>ECDC has agreed new loan facilities for ECTC and the original £5,000,000 loan must now be repaid by 31/07/23.</p> <p>The ability of ECTC to repay any outstanding loan to ECDC is dependent on commercial activities of ECTC particularly with reference to property development.</p> <p>Monitoring</p> <p>ECTC has reassessed its post Covid19 business forecasts and this revision to the Business Plan sets out the financial projections for the period to 2023.</p> <p>The Board will continue to monitor progress against the Business plan and make any necessary decisions to ensure targets are achieved.</p> <p>The Head of Development will prepare a full business case for consideration by the board for any new projects before ECTC commit further finance (beyond that already agreed to achieve outline planning permissions).</p>	<p>Likelihood Impact Risk</p>	<p>4 4 16</p>	<p>Finance Manager</p>
<p>ECDC has provided a loan to ECTC of up to £1,500,000 for the MOD site in Ely, to be drawn down in accordance with the loan agreement.</p>	<p>ECDC has agreed new loan facilities for ECTC and the £1,500,000 loan for the MOD site in Ely must now be repaid by 31/03/23.</p> <p>The ability of ECTC to repay any outstanding loan to ECDC is dependent on achieving the sales revenues from the MoD site in Ely.</p> <p>Monitoring</p> <p>ECTC has reassessed its post Covid19 business forecasts for the MOD Ely Project and this revision to the Business Plan sets out the financial projections to project completion.</p>			

	The Board will continue to monitor progress against the Business plan and make any necessary decisions to ensure project targets are achieved.			
<p>If ECDC's MTFS is not successfully implemented this will reduce the availability of loan finance to ECTC, thus undermining the cash flow and profitability.</p> <p>With the exception of new loans from the Combined Authority, ECTC cannot increase its indebtedness without the consent of the Shareholder Committee (Finance & Assets); loans could be provided by ECDC (subject to Full Council approval of the Business Case for the loan).</p> <p>If ECDC's MTFS is not successfully implemented this will reduce availability of loan finance to ECTC. This means ECTC would need to borrow from the 'market' and as such will undermine ECTC's profitability and cash flow as the ECTC would not be able to benefit from the same terms and conditions of a loan agreement if</p>	<p>The Section 151 Officer will ensure that ECDC can make the advances to ECTC in accordance with the loan agreements, in the event that advances cannot be made the Section 151 Officer shall notify the Managing Director as soon as is practicably possible.</p> <p>This matter concerns the future of ECTC, however, effective business planning requires continuous consideration of financing in order to realise its success.</p> <p>The existing loan arrangements between ECDC / ECTC were reviewed and amended in July 2020 and the Section 151 Officer and ECTC Finance Manager shall monitor cash flow and progress against Business Plan targets.</p> <p>All parties shall have regard to ECDC's decision-making processes.</p> <p>ECTC shall, wherever possible, adhere to the deadline requirements of the ECDC's Committee and Full Council meetings.</p> <p>Monitoring</p> <p>ECTC has not experienced any issues with accessing the loan facility that has been agreed with ECDC.</p> <p>ECTC and ECDC's S151 Officer continue to keep this matter under review, firstly to ensure that the ECDC can continue to make this facility available and secondly to ensure ECTC continue to be in a position to make the repayments.</p>	Likelihood Impact Risk	3 4 12	<p>Section 151 Officer (ECDC)</p> <p>Managing Director</p> <p>Head of Development</p> <p>Finance Manager</p>

<p>it went to the market for such a loan.</p>	<p>The current loan facility from ECDC is inadequate to fund all of the development activities that ECTC plans to undertake in this business plan</p> <p>Business Plans will be produced to secure additional loan financing for projects that are not currently funded in development stage.</p>			
<p>Changes in taxation, interest rates and build cost inflation could have an impact on the viability and profitability of ECTC.</p>	<p>At present changes in taxation is not a known risk, however, ECTC should have regard to the impact of any such changes.</p> <p>Building cost inflation is a key risk; to minimise the impact of this, where possible, contracts will be let on a fixed price basis with costs defined.</p> <p>The Finance Team, and where relevant the Head of Development will monitor changes and factor any changes in the business planning process.</p>	<p>Likelihood Impact Risk</p>	<p>1 3 3</p>	<p>Section 151 Officer (ECDC)</p> <p>Finance Manager</p> <p>Head of Development</p>
<p>Economic downturn could impact on the viability and profitability of ECTC.</p>	<p>In August 2020 the UK economy has entered a recession and it is difficult to predict the length or severity of the downturn. Sales forecasts and turnover from its existing projects (Ely MOD and Haddenham) have been reassessed and the revised financial information has been included in this update to the Business Plan.</p> <p>Prior to commencement of development on any new projects commencing during the term of this Business Plan, a full assessment of the prevailing market conditions will be carried out and a full Business Case will be presented to the Board for consideration.</p> <p>Monitoring</p> <p>In the event that the economic downturn worsens during the term of this Business Plan the Head of Property Development will appraise the Managing Director of the situation and propose a solution to mitigate any potential losses.</p>	<p>Likelihood Impact Risk</p>	<p>4 4 16</p>	<p>Managing Director</p> <p>Head of Development</p> <p>Finance Manager</p>

	<p>The Managing Director shall inform ECDC as soon as is practicably possible of any significant changes that may impact on the repayment of any ECTC loans.</p> <p>Where relevant the Managing Director shall present to ECDC an amendment to the Business Plan or, if necessary, present an Exit Strategy, for approval.</p>			
<p>In order to prosper in a commercial environment, cash flow for the ECTC will be essential.</p> <p>Insufficient cash flow will result in ECTC being constrained in realising the objectives of the Business Plan.</p>	<p>The cash flow of ECTC is dependent on the loan facilities from ECDC/Combined Authority, commercial returns from non-property based activities, receipts from property sales and project cash flow.</p> <p>Monitoring</p> <p>ECTC continues to monitor its cash flow to ensure it meets its creditor obligations to staff and contractors.</p> <p>Should opportunities arise that are outside of the scope of the Business Plan ECTC shall liaise with ECDC and prepare a revised Business Plan, at the earliest opportunity, which will include identifying loan funding (to be approved by ECDC) that would enable commercial opportunities to be realised.</p>	<p>Likelihood Impact Risk</p>	<p>3 4 12</p>	<p>Managing Director</p> <p>Head of Development</p> <p>Director Commercial (ECDC)</p> <p>Finance Manager</p>
OPERATIONAL				
<p>Inadequate cost controls on commercial build contracts can lead to delays, overspends and</p>	<p>The Head of Development, in the business planning cycle, shall have regard to market conditions, build cost inflation and put in place a robust project management and cost control plan.</p>	<p>Likelihood Impact Risk</p>	<p>2 3 6</p>	<p>Managing Director</p>

<p>reduced profitability/cash flow for the company.</p> <p>This has the potential to undermine the ability to repay loans to ECDC and the Combined Authority.</p>	<p>The Head of Development shall monitor the impacts of Brexit and report any implications to the Board of Directors.</p>			<p>Head of Development</p> <p>Finance Manager</p>
<p>Operational impact of Coronavirus (Covid19)</p>	<p>ECTC is not immune to the effects of the recent global pandemic and the threat that it presents to the Business remains a significant challenge at the time of publication of this Business Plan.</p> <p>Monitoring</p> <p>The company has already taken steps to ensure safe working procedures are being followed for all aspects of its operations, to ensure the safety of its customers, staff and suppliers. Management will continue to keep these procedures under review as the situation evolves and government guidance changes.</p>	<p>Likelihood Impact Risk</p>	<p>5 3 15</p>	<p>Managing Director</p> <p>Head of Development</p>
<p>Adequacy of resources to deal with change and upheaval.</p>	<p>The realisation of ECTC ambitions to deliver over 700 homes requires investment into ECTC to ensure that the company has the human resources it needs to deliver the necessary outcomes.</p> <p>Monitoring</p> <p>The Head of Development and Managing Director shall keep the organisational structure under review during the term of the Business Plan to ensure that it properly reflects the needs of the company in the business cycle.</p>	<p>Likelihood Impact Risk</p>	<p>1 3 3</p>	<p>Managing Director</p> <p>Head of Development</p>

7. COMMERCIAL SERVICES

- 7.1 The Commercial Services of ECTC currently deliver Ely Markets on behalf of ECDC and Grounds Maintenance Services; both on behalf of ECTC and for other customers.
- 7.2 Commercial services, through the Grounds Maintenance Service has made a commitment to explore areas of income generation that will enable ECDC to continue to deliver good quality services to its residents, visitors and businesses.
- 7.3 The primary focus of Commercial Services for 2020/21 shall be to continue to develop Ely Markets, focusing on the community as its customer, and Grounds Maintenance Service focusing on new areas of income generation; ensuring that both continue to deliver high quality services that respond to the needs of their customers and seek to maximise opportunities that arise throughout the year.
- 7.4 Where opportunities arise that are outside of the scope of this business plan, individual business plans will be produced and submitted to the Board for approval.
- 7.5 The following table provides a cumulative budget to 2022/23

	2019/20	2020/21	2021/22	2022/23
Turnover	1,122,507	982,208	1,040,704	1,056,218
Cost	891,529	956,791	990,339	1,007,133
EBITDA	230,978	25,416	50,365	49,085

It is important to note that the main difference in profitability relates to ECTC reducing its management fee for the ECDC's Grounds Maintenance contract by £100,000. This is a positive business decision as it provides an immediate benefit to ECDC as the shareholder, i.e. ECDC is saving £100,000 in 2020/21.

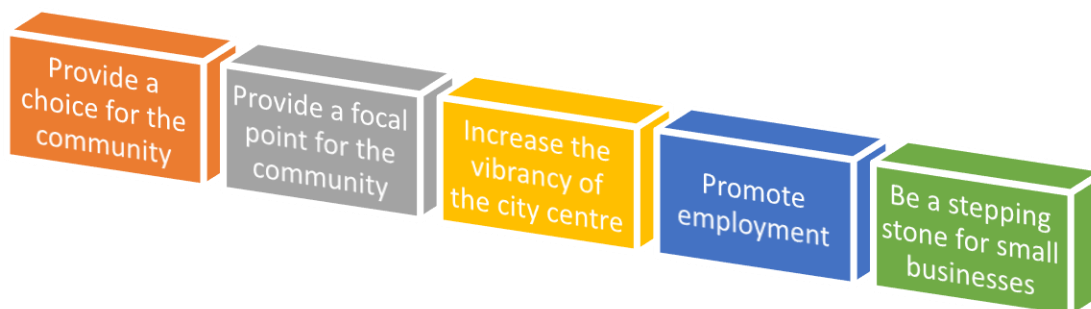
ECTC will continue to seek to reduce the fee to ECDC whenever the opportunity arises. This demonstrates that ECDC can continue to receive an excellent service at a reduced price as the management fee reduction is being absorbed by the profits generated from other contracts in the Grounds Maintenance Service.

It is further important to note that during Quarter 1 the Markets were not operational until 11 June 2020 therefore no income was generated during this period.

7.6 Ely Markets

ECTC manages and operates Ely Markets on behalf of ECDC. This has been secured by way of a ten year operations and management contract.

7.6.1 Service Objectives



7.6.2 Budget

The following table provides a summary of the budget to 2022/23

Markets	2019/20	2020/21	2021/22	2022/23
Salaries	124,159	127,789	132,759	135,414
Premises	16,526	11,825	24,029	24,269
Transport	1,104	716	770	777
Supplies & Services	26,272	25,756	26,941	27,056
Turnover	202,155	179,458	225,710	230,224
Gross Profit	34,095	13,371	41,211	42,707

It was reported to board in June 2020 that the Markets Service would be posting a loss for 2020/21, however, it was identified that the figures used at the time were based on a lower assumption of traders returning to the market. It was identified that it was possible that Markets could break even during 2020/21.

The Markets recommenced on 11 June 2020 and occupancy levels are higher than originally projected which has had positive impact on the original projections. The Markets Team continue to work with the Finance Manager to manage the projections for the remainder of 2020/21 and forecasts for 2021/22.

Premises costs are substantially lower in 2020/21 as there will be not be a business rates liability for the Market Square (£12k) offset by a £5k budget for improvements on the Square.

Transport costs are higher in 2019/20 as some of these costs actually related to 2018/19.

7.7 Grounds Maintenance

ECTC currently carries out Grounds Maintenance services for a variety of different customers; ECDC, Cambridgeshire County Council, Parish Councils, Schools and other private clients. Grounds maintenance services include (but are not limited to); grass cutting, hedge trimming, SUDS maintenance, sports pitch line marking, tree services and sports pitch maintenance.

7.7.1 Service Objectives



ECTC's main client is ECDC; generating an income of £720,675 in 2019/20 and rising with RPI in future years. Please note that the Sanctuary contract is incorporated into the management fee paid by ECDC as ECDC 'sub-contract' the Sanctuary contract to ECTC.

The original business plan reported that the Sanctuary Contract was due to expire in March 2020. An agreement to extend the contract was agreed to March 2021. Discussions are due to commence to extend the contract further.

7.7.5 Budget

The following table provides a summary of the budget to 2022/23.

Grounds Maintenance	2019/20	2020/21	2021/22	2022/23
Salaries	563,622	582,214	597,080	609,022
Premises	58,634	69,709	67,306	67,979
Transport	65,791	70,016	72,414	73,138
Supplies & Services	35,422	68,766	69,040	69,477
Turnover	920,352	802,750	814,994	825,994
EBITDA	196,883	12,045	9,154	6,378

The difference in staff costs is due to vacancies that arose during different periods of 2019/20. The service was able to absorb the vacancies during the year by offering additional hours (either through overtime or time off in lieu). In addition, the results of Job Evaluation and NJC have been reflected.

It is important to note that the main difference in profitability relates to ECTC reducing its management fee for the ECDC's Grounds Maintenance contract by £100,000. This is a positive business decision as it provides an immediate benefit to ECDC as the shareholder, i.e. ECDC is saving £100,000 in 2020/21.

ECTC will continue to seek to reduce the fee to ECDC whenever the opportunity arises. This demonstrates that ECDC can continue to receive an excellent service at a reduced price as the management fee reduction is being absorbed by the profits generated from other contracts in the Grounds Maintenance Service.

The Grounds Maintenance Team consists of 21 members of staff; 1 Open Spaces & Facilities Manager, 1 Parks & Open Spaces Team Leader, 1 Open Spaces & Facilities Support Officer, 1 Open Spaces & Facilities Administrative Officer, 2 Gardeners (1 vacancy), 13 Grounds Maintenance Operatives (2 vacancies), 2 Grounds Maintenance Operatives (Seasonal) and 1 Apprentice Grounds Maintenance Operative (vacant).

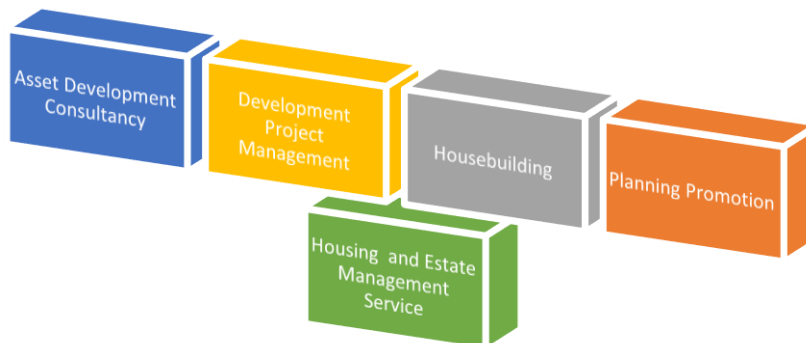
Interviews have now been carried out and positions offered for the Gardener and Grounds Maintenance Operative vacancies. It is anticipated that the new starters will commence during September 2020.

This staffing structure represents the level of staff needed to accommodate the existing contracts in place. If further contract opportunities arise then there may be a need to recruit additional staff to service the contracts. A case will be made to the Managing Director as and when appropriate to secure additional resource.

The figure for 2019/20 supplies and services is artificially low as a number of costs were identified early in 2019/20 that should have been recharged back to ECDC.

8 Property

8.1 Service Objectives



8.2 Overview

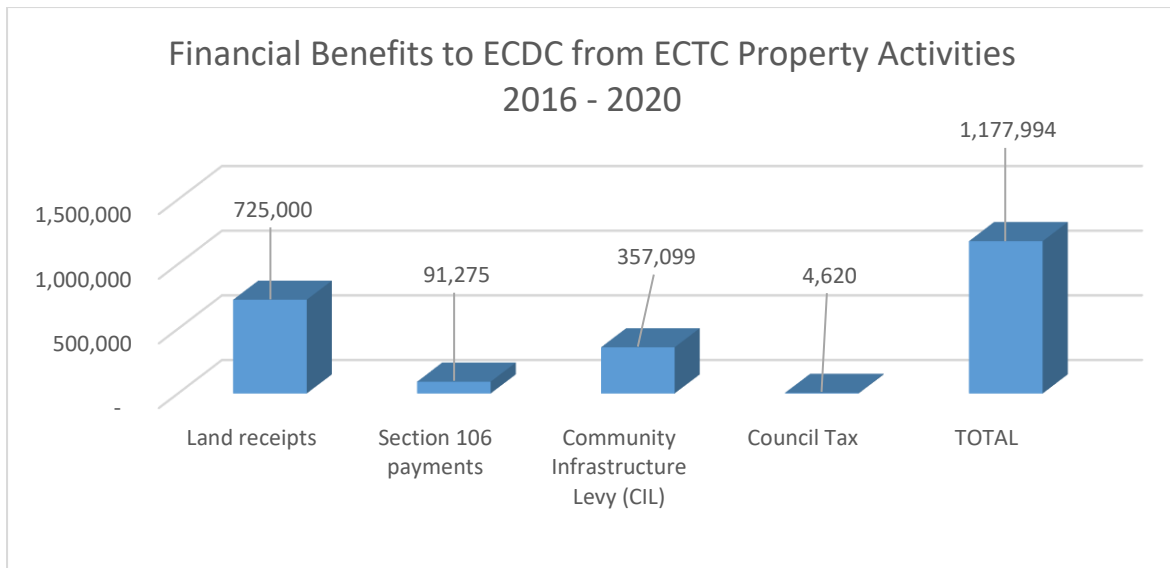
Since the company was established in 2016, East Cambridgeshire District Council (ECDC) has already benefitted by £1,177,993 from the property activities of East Cambs Trading Company. In addition, 50 homes have already been delivered, including 17 affordable homes.

The company has secured land that, subject to planning permission, will expand the development pipeline to over 700 homes; with at least 210 of these being affordable homes. Projects at Haddenham and Ely are currently underway, bringing forward new homes that are additional to the existing local plan, support the further development of CLTs and bring homes back into use that have been empty for years.

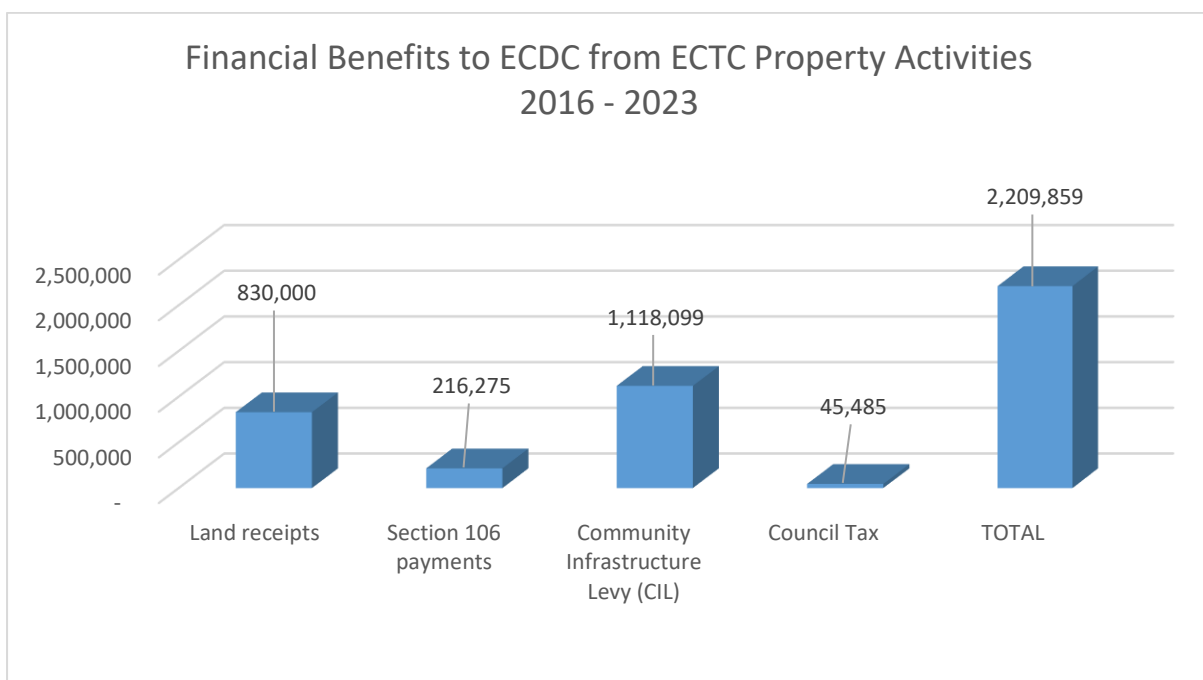
In December 2019, ECTC made its first repayment of £1.7m against the original £5.0m ECDC loan, and the company was on-track to being able to repay the ECDC loan in full in 2021 as planned. However, the subsequent impact of the Covid-19 pandemic on the company's finances created a requirement to renegotiate loan terms with its lenders during Q1 of the current financial year. These negotiations have now concluded and this version of the Business Plan (that was approved by ECDC in February 2020) reflects the revised position.

8.3 Financial benefits to ECDC from ECTC Property

To date, due to the development activities of ECTC (Property and Community Housing), £1,177,993 in financial benefits have already been transferred to ECDC in the form of land receipts, section 106 payments, CIL payments and Council tax receipts from newly built properties. The breakdown of these payments are illustrated on the chart below.



In the coming years, the financial benefits to ECDC are expected to grow. Based on the current development pipeline, by March 2023 the total financial benefits that will accrue to ECDC from the company's development activities will be just over to £2.2 million, illustrated in detail on the chart below. It should be noted that this figure excludes any dividends that may be paid to ECDC out of profits generated by development activities.



8.4 Key Challenges for 2020/21

The last business plan, produced in January 2020, was written after a period of almost unprecedented uncertainty, with politics affecting the real economy as almost never before. A weakening global picture was depressing UK growth and a large question mark hung over any projections made for the economy in 2020. However, the election result in Dec 2020 provided a little more certainty about Brexit, and this was expected to have some positive effects on market sentiment and transaction volumes in 2020/21.

However, when the global Covid19 pandemic hit the UK in March 2020, ECTC was not immune to its impact and the control measures put in place by the UK government caused significant business disruption. Construction sites closed for six weeks, house sales and lettings operations were effectively suspended for 10 weeks, and office staff moved quickly to remote working arrangements.

Since the construction sites reopened in mid May 2020 there has been considerable lag across the sector as material suppliers and contractors returned to work in a phased manner. As a consequence, this business plan assumes that until the end of September 2020, building work will proceed at 50% of the normal pace, leading to at least 6 months of disruption to the company's building programme in this current financial year.

In August 2020, the UK economy officially entered recession, contracting by a record 20.4% compared with the first three months of the year. When the government job retention scheme ends in October 2020, there is a significant risk that the economic position will get worse before it improves. If the recession endures, it is expected that the principle challenges to the housing market during the remainder of 2020/21 and forward into 2021/22 will be:

- General economic uncertainty will weigh on consumer sentiment leading to fewer active buyers in the market that are able to proceed with a transaction;
- Covid-19 restrictions on day-to-day business will continue to impede, and slow, normal estate agency, mortgage and conveyancing processes;
- A generally negative impact on earnings and employment (driven by economic recession and widespread redundancy programmes) that will make people feel less secure about their personal financial situation and affect their willingness to enter into new financial commitments;
- Mortgage lenders tightening their lending requirements, and expecting borrowers to have larger deposits to fund house purchases;

This revision to the company business plan takes the above into account. Purchasers are expected to be very cautious, and slow to return to the market, leading to a reduction in sale transactions and revenue during the current financial year. Even if the threat from Covid19 reduces as the year progresses, Brexit uncertainty may also continue to act as a drag on consumer and business confidence and dampen any recovery in house prices and transaction levels from the end of 2020.

8.5 Revised targets for 2020/21

During the current financial year, ECTC will:

- ❖ Complete the construction of the first 6 homes at West End Gardens, Haddenham, including 2 affordable homes for transfer to Haddenham CLT.
- ❖ Complete the refurbishment of a further 23 homes (additional to the 27 that were completed in 2019/20) on the Former MOD site in Ely. This will include the 15 shared ownership affordable homes.
- ❖ Establish delivery arrangements for Kennett Garden Village (500 new homes, including 150 affordable homes a new primary school and other village facilities).
- ❖ Seek to secure new planning permissions for additional new build housing to underwrite the development pipeline.

8.6 Revised build and sale completion forecasts at Ely and Haddenham

The company's revised forecasts for (post Covid19) build and sales completions from the sites currently under development are set out below.

BUILD COMPLETIONS ELY MOD & HADDENHAM (POST COVID19)										
	2019/20		2020/21		2021/22		2022/23		TOTAL	
	Affordable	Market	Affordable	Market	Affordable	Market	Affordable	Market	Affordable	Market
Haddenham			2	4	12	11	5	20	19	35
Ely, MoD	7	20	8	15		26		16	15	77
FORECAST	7	20	10	19	12	37	5	36	34	112

SALE COMPLETIONS ELY MOD & HADDENHAM (POST COVID19)										
	2019/20		2020/21		2021/22		2022/23		TOTAL	
	Affordable	Market	Affordable	Market	Affordable	Market	Affordable	Market	Affordable	Market
Haddenham			2	0	12	11	5	24	19	35
Ely, MoD	0	2	15	8		35		32	15	77
FORECAST	0	2	17	8	12	46	5	56	34	112

8.7 Projects

8.7.1 West End Gardens, Haddenham

This development, which commenced in late 2019, is for 54 new homes in the village of Haddenham, with generous green space on 8 acres (3.24 hectares) of land. A close partnership formed back in 2016 between the landowner, ECTC (Palace Green Homes), Haddenham CLT, the Parish Council, and the local community will create a positive lasting legacy for the village.

19 of the new homes within the scheme will be affordable homes to be managed by Haddenham CLT. These will be available to people that live and/or work in the parish and will benefit the wider community for years to come. The first affordable homes are expected to be ready for occupation in Feb 2021. The remaining 35 homes on the site will be sold, with the first sale completions expected in May 2021.

The project is being funded in part by a £6.5 million development loan from the Cambridgeshire and Peterborough Combined Authority. The balance of the project costs are being financed by ECTC.

8.7.2 Former MOD Site, Kilkenny Avenue, Ely

In late July 2019 ECTC acquired 8.78 hectares (21.6 acres) of land in Ely. The land included 88 existing houses and provided opportunities for further new-build development. The site is

contiguous with adjoining existing housing estates, new development at Ely North and the Princess of Wales Hospital. The estate was formerly used to accommodate US Air Force families, but some of the homes have stood empty for up to 5 years. The housing is at low density, and includes terraced, semi-detached and detached houses set among several hundred mature protected trees.

The company is in the process of refurbishing the existing houses to bring them up to modern standards and back into use. Improvements to the streetscape and provision of additional off-road parking are also being carried out. Through these improvements, it is also possible to convert four houses into eight flats, delivering 92 homes in total. 15 of the 92 homes will be shared ownership affordable units, the first of which are now ready for occupation.

In addition to the refurbishment, there are opportunities for further new build development within the site. In line with our contractual obligation to MoD, the company has submitted an application for 53 new one, two and three bed homes which is currently being considered by ECDC planners.

The current planning application submission includes the provision of 30% affordable housing on-site. If planning permission is achieved, the company will seek to increase this level of affordable housing, through the application of grant.

The project is being funded by a £24.4 million development loan from the Cambridgeshire and Peterborough Combined Authority. The balance of the project costs are being funded by ECTC and an additional 'top-up' ring fenced loan of £1.5 million from ECDC.

8.7.3 Kennett Garden Village

Now in the advanced planning stage, Kennett Garden Village is set to be the fifth and largest community-led development in East Cambridgeshire. It will offer 500 high-quality homes of all tenures and for all ages, create local employment opportunities and encourage healthy and sociable community living in a careful design that will further enhance this attractive village. 150 of the new homes will be affordable housing. In addition to the new homes, Kennett Garden Village will deliver new school buildings for Kennett Primary School, as well as significant improvements to local highway infrastructure and provision of extensive areas of open space. There will also be a retirement village / care home, an enterprise park for new business and additional car parking for the adjacent railway station.

The project has been designed with community ownership at its heart, including genuinely affordable homes owned by Kennett Community Land Trust. The trust will manage housing assets for the long-term, providing a significant and on-going income that can be reinvested back into the local community for generations to come.

Planning permission was issued by ECDC in April 2020 and ECTC will be establishing delivery arrangements during the course of 2020, with the intention of commencing development in 2021.

8.8 Financial projections – Property

Financial projections 2017 – 2023

	2017/18	2018/19	2019/20		2020/21	2021/22	2022/23		TOTAL
Turnover									
Market housing sales	£0.0m	£4.56m	£2.19m		£4.89m	£15.4m	£32.58m		£59.61m
Affordable housing sales	£0.0m	£0.86m	£0.0m		£1.18m	£1.37m	£4.74m		£8.14m
Other income	£0.99m	£0.13m	£0.08m		£0.04m	£0.01m	£0.01m		£1.26m
Total Turnover	£0.99m	£5.55m	£2.27m		£6.11m	£16.78m	£37.33m		£69.02m
Cost of Sales									
Housing construction costs	£0.78m	£4.4m	£2.19m		£5.2m	£15.79m	£34.44m		£62.8m
Salaries	£0.37m	£0.42m	£0.39m		£0.36m	£0.38m	£0.39m		£2.32m
Premises	£0.0m	£0.01m	£0.02m		£0.02m	£0.03m	£0.03m		£0.1m
Supplies & services	£0.02m	£0.05m	£0.09m		£0.07m	£0.08m	£0.07m		£0.38m
Cost of Sales	£1.18m	£4.88m	£2.68m		£5.66m	£16.28m	£34.93m		£65.61m
Gross Profit / (Loss)	(£0.19m)	£0.67m	(£0.41m)		£0.44m	£0.5m	£2.4m		£3.41m
Overheads	£0.14m	£0.16m	£0.19m		£0.18m	£0.19m	£0.19m		£1.04m
EBITDA	(£0.33m)	£0.51m	(£0.6m)		£0.26m	£0.31m	£2.21m		£2.36m

8.9 SWOT Matrix

SWOT Matrix	
INTERNAL FACTORS	
STRENGTHS (+)	WEAKNESSES (-)
<ol style="list-style-type: none"> 1. Low overhead costs. 2. Responsive and pro-active; 'fleet of foot'. 3. Specialist knowledge of project and construction teams. 4. Strong local connections with key stakeholders, contractors and suppliers. 5. Company ethos aligned with target market. 6. Intensive community engagement activity at planning stage reduces development risk. 	<ol style="list-style-type: none"> 1. Reliance on existing funders; difficulties securing alternative private market finance. 2. Build costs higher than volume housebuilders. 3. Balancing of financial priorities / community benefit inevitably becomes political. 4. Media and Comms profile could be stronger as the company's activities are often in the public eye.
EXTERNAL FACTORS	
OPPORTUNITIES (+)	THREATS (-)
<ol style="list-style-type: none"> 1. ECTC objectives aligned with ECDC's Corporate Plan. 2. Future public sector land disposal programmes. 3. Housing has increased level of importance in national / local political agenda. 4. Partnerships / Joint ventures with commercial companies and other public sector bodies. 	<ol style="list-style-type: none"> 1. Post covid19 housing market to remain depressed throughout 2020/21 and into 2022, negatively impacting on ECTC sales revenue and company's ability to finance future projects. 2. Current active projects are based on low profit margins so sales risk and cost risks are greater. 3. Negative media coverage can damage customer / supplier relationships. 4. Changing ECDC priorities can take time to implement on complex long-term development projects.

TITLE: EQUALITY, DIVERSITY & INCLUSION POLICY 2020-2023

Committee: Finance & Assets Committee

Date: 24th September 2020

Author: Nicole Pema, HR Manager

[V66]

1.0 ISSUE

1.1 To consider the Council's Draft Equality, Diversity and Inclusion Policy 2020-2023 for consultation.

2.1 RECOMMENDATION(S)

2.1 Members are requested to:

- i) approve the draft Equality, Diversity and Inclusion Policy 2020-2023, as set out in Appendix 1, for consultation in accordance with 3.6 and 3.7 below, and
- ii) Delegate authority to the HR Manager, in consultation with the Chairman of Finance & Assets Committee, to make minor amendments prior to consultation.

3.0 BACKGROUND

3.1 Promoting and supporting diversity in the workplace is about valuing everyone as an individual. However, to reap the benefits of a diverse workforce it is vital to have an inclusive environment.

3.2 Inclusion is where people's differences are valued and everyone feels that they belong without having to conform, that their contribution matters and they are able to perform to their full potential, no matter their background, identity or circumstances.

3.3 The new Equality, Diversity and Inclusion Policy aims to expand on the Single Equality Scheme that was previously in place, and sets out the Council's commitment to an inclusive and supportive environment for staff, Members, contractors and visitors that is free from discrimination.

3.4 The first draft of the policy was presented to the Finance & Assets Committee on 23 July 2020 (Agenda Item 9). The committee requested a number of changes to be made and referred back to committee for approval for consultation.

3.5 The comments made by committee have been reflected in the amended draft at Appendix 1.

3.6 Subject to committee approval, a formal consultation will take place with Councillors, local residents, community groups, partner organisations, parish councils and other associations on the new policy.

3.7 It is proposed that the consultation period will commence on 28 September 2020 and end on 31 October 2020. Following the consultation period officers will assess the responses, incorporate these where appropriate, and bring the document back to Finance & Assets Committee for formal adoption.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

4.1 There are no financial implications associated with this report.

4.2 An Equality Impact Assessment (EIA) is attached at Appendix 2.

5.0 APPENDICES

Appendix 1 – Draft Equality, Diversity & Inclusion Policy 2020-2023

Appendix 2 – Equality, Diversity & Inclusion Policy EIA

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
ECDC Single Equality Scheme 2016-2020	Room	Nicole Pema
Local population data:	118, The	HR Manager
(1) Cambridgeshire Insight	Grange,	(01353) 616325
(2) Office for National Statistics 2011 Census	Ely	E-mail:
(3) ONS Survey on Sexual Orientation in the UK (2017)		nicole.pema@eastcambs.gov.uk
(4) Gender Trust		
Home Office Diversity and Inclusion Strategy 2018-2025		
International Holocaust Remembrance Alliance (IHRA) definition of antisemitism		
Equality Act 2010 guidance:		
www.gov.uk/guidance/equality-act-2010-guidance		
www.equalityhumanrights.com/en/equality-act/equality-act-2010		

Staff statistics and recruitment monitoring forms

EQUALITY, DIVERSITY & INCLUSION POLICY



**EAST CAMBRIDGE SHIRE
DISTRICT COUNCIL**

EQUALITY, DIVERSITY & INCLUSION POLICY 2020 – 2023

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1. OUR VISION FOR EQUALITY & INCLUSION IN EAST CAMBRIDGESHIRE

As the district of East Cambridgeshire continues to grow and prosper, the population is becoming increasingly diverse.

The Council recognises and values the diversity of all people and communities in the district and in our workforce, and is committed to providing efficient, effective and relevant services to our residents and to ensuring that we are a good employer.

We welcome and celebrate diversity and the strengths that this brings to our communities and workforce.

The Council's vision is to improve the lives of our residents and to build a community where everyone has the opportunity to take part and be involved. This vision can only be realised through a true commitment by the Council and East Cambridgeshire's residents to promote diversity and ensure we recognise and celebrate difference within the context of fairness and equality.

Councillor Anna Bailey
Leader of the Council

John Hill
Chief Executive

2. OUR RESPONSIBILITIES

As a public sector organisation, the Council has a statutory duty to ensure that equality and diversity are embedded into all its functions and activities as required by the Equality Act 2010. The Equality Act legally protects people from discrimination in the workplace and in wider society. It is underpinned by the public sector Equality Duty, which supports good decision-making by ensuring public bodies (and others providing public services) consider how different people will be affected by their activities, helping them to deliver policies and services which are efficient and effective, accessible to all and which meet different people's needs.

The Equality Act legally protects people from discrimination in the workplace and in wider society. It introduced 9 'protected characteristics', making it unlawful to discriminate against someone on the grounds of age, disability, race, sex, sexual orientation, gender re-assignment, marriage and civil partnership, religion or belief, and pregnancy or maternity (see Appendix 1).

The Equality Act introduced a Public Sector Equality Duty. This Duty includes the General Duty and the Specific Duties. The General Duty requires public bodies to consider how the decisions that they make, and the services they deliver, affect people who share different protected characteristics. The specific duties require public bodies to publish information to show they did this.

The General Duty has three main aims. It requires public bodies to have 'due regard' to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard means consciously thinking about the three aims of the duty as part of the decision-making process. This means that consideration of equality issues must influence the decisions reached by the public bodies in ways that include in how they act as employers, how policies are developed, evaluated and reviewed, how services are designed, delivered and evaluated and how services are commissioned and procured from others.

Advancing equality of opportunity involves considering the need to remove or minimise disadvantage suffered by people due to their protected characteristics, meet the needs of these people and encourage people to participate in public life where participation is low from people within the protected characteristics.

Fostering good relations involves tackling prejudice and promoting understanding between people who share a protected characteristic and others. East Cambridgeshire District is a very rural district and people living outside the larger towns can find it difficult to access services. We will treat people fairly wherever they live and make sure they get the services they need.

3. MEETING OUR RESPONSIBILITIES

To meet our equality responsibilities, the Council makes the following commitments:

- We will comply with Equality Act 2010 and any future equalities legislation.
- We will ensure Elected Members, employees, union representatives, volunteers, contractors, suppliers (and others as relevant) are made fully aware of the council's commitment to inclusion and diversity and how that affects their work.
- We will collect data on our service users and workforce and publish these annually (see Appendix 2).
- We will take proactive steps to reduce social, economic and geographical disadvantage or exclusion.
- We have adopted the International Holocaust Remembrance Alliance working definition of anti-Semitism. In adopting this definition we have undertaken to oppose all forms of anti-Semitism, hatred and harassment towards people who belong to the Jewish faith, and people with a Jewish ethnic or cultural background (see Appendix 3).
- We have committed to being an anti-racist organisation and we will actively work in partnership and stand together to end all forms of violence and racism.
- We will provide training/development and updates as appropriate.
- We will use information and talk to people to identify where inequality exists so that we can plan to tackle it.
- When it will help us to improve our services and understand how we are meeting our equality duties, we will ask questions about people's protected characteristics. We will always make it clear that people do not have to answer these questions and that they will still receive the services they need. We will keep personal data confidential.
- We will consider equality issues when we deliver our services.
- We will publish our equality objectives every four years, which will help us focus on some of the areas which we want to improve.
- When we think about changing our services, we will make sure that those people making the decisions know how the change could affect people with any of the protected characteristics. We will collect information about how people might be affected before making decisions. If the change might cause difficulties for people with a protected characteristic, we will do our best to find ways to reduce this impact. If we cannot do so, then we should think carefully about whether we need to make the change to achieve a legitimate aim.
- We have a duty to make reasonable changes to the way we do things so that disabled people can use our services and work for us. We recognise that everyone is different and we will treat people as individuals.
- We will make sure that anyone who provides a service for us treats people fairly. We will do this through our procurement process and by monitoring their work.
- We will recruit, select, train and promote staff fairly. We will try to ensure that the make-up of our staff matches that of our community. We will have clear systems for staff to complain if they are treated unfairly.
- We will make it easy for customers to complain if something goes wrong and we will respond quickly and efficiently.
- We will expect all employees to be responsible for their personal conduct and acceptable standards. If we find that an employee has disregarded our equality policy we will investigate and take disciplinary action, where appropriate.
- We will ensure that all information produced by the Council is available in a variety of formats including Braille, audio, large print and a variety of languages.

4. WHAT WE ARE ALREADY DOING

- Providing accessible buildings and sites through dedicated disabled parking bays, ramps at entrances and exits, power assisted doors, accessible toilets, a hearing loop for people who are hearing impaired, and an accessible lift.
- Working alongside Living Sport to support sport opportunities for people with disabilities and special needs, so that everybody, regardless of disability or additional needs, can access sport or physical activity that suits them.
- Providing a range of leisure activities for the over 50s through the Mature and Active Programme to keep active and to maintain and improve their health and wellbeing.
- Promoting consultation and community engagement through the Council's Consultee Register.
- Providing translation services if a translation is required into another language or an alternative format, i.e. large print, Braille, audio cassette/CD: Translation Service
- Supporting the Cambridgeshire Equality Pledge with our local partners.
- Providing assisted collections to residents that are unable to put out their waste and recycling because of a serious long-term illness or disability.
- Providing a free of charge Clinical Waste collection service to collect and dispose of clinical waste which poses a threat of infection to humans.
- Offering assistance for Mandatory Disabled adaptations up to a maximum of £30,000 (subject to a test of resources): Disabled Adaptations
- Supporting and encouraging increased reporting of hate crime within the community at locations where victims of hate crime incidents feel safe and comfortable and specifically to extend the ways for victims of hate crime to access services through the development of 3rd party reporting centres. Currently in East Cambs there are two Hate Reporting Centres, one in Ely the other in Littleport. Our aim is to increase this to at least one Hate Reporting Centre in each Parish.
- Developing training packages for schools and businesses to prevent and deter hate crime/incidents by raising awareness of the impact of hate crime, consequences of perpetrating and building community cohesion across all communities. This will increase confidence in being able to report hate crime via the different methods available and raise awareness of local services that exist to protect and support victims and witnesses and challenge perpetrators.
- Providing advice and support for men and women affected by domestic violence (DV), including domestic abuse outreach sessions and a Domestic Violence Directory that lists contact details of organisations that can help individuals affected by this or those supporting people who are affected: Domestic Violence.
- Offering emergency refuge accommodation to women escaping abusive relationships through the Cambridge Women's Aid Refuge (CWA) and providing 'move-on' accommodation in the community for those leaving refuge.
- Providing support through the Community Hubs sited in various villages around East Cambridgeshire. The hub will provide people with support and will cover a range of topics from homelessness, debt and benefits to mental health issues and problems with anti-social behaviour.
- Delivering training and awareness to the workplace and schools through the Community Eyes and Ears Scheme, in relation to: Radicalisation, Hate Crimes, Modern Slavery, Cyber Crime and Scams, Neglect and Abuse, Exploitation, Abuse, Dementia and Loneliness.
- Producing a Live Safe leaflet for migrant workers because the district is attracting people as a place to live and work from across the world. Migrants can experience a number of different issues when working and living in the district and this leaflet informs them of their rights and responsibilities.

5. THE COUNCIL AS AN EMPLOYER

As an employer, we have a responsibility to understand the makeup of our workforce (see Appendix 4) and to meet the diverse needs of our employees. We also have a role to ensure that the workforce is equipped to meet the Council's commitment to promote equality, diversity and inclusion.

We are committed to promoting equality of opportunity, providing an inclusive workplace and eliminating any unfair treatment or unlawful discrimination. This applies to all employment policies and practices including those relating to:

- Recruitment and selection, including promotion career progression;
- Terms and conditions of employment;
- Working environment;
- Training and development; and
- Redundancy and re-deployment.

We will achieve this by:

- Ensuring our recruitment and selection process is fair, consistent and transparent and that job opportunities are accessible to as wide and diverse an audience as possible.
- Providing a working environment where everyone is treated with dignity and respect, free from any form of inappropriate behaviour and one in which all employees can give of their best.
- Implementing reasonable adjustments in the workplace – in conjunction with the member of staff, line manager and Occupational Health (if required). We will endeavour to identify and meet different work-related needs such as providing physical adaptations or equipment and reviewing working arrangements for people with disabilities.
- Providing 'Work-life Balance' policies and guidance - including a range of flexible/alternative working patterns, parental leave and childcare scheme.
- Providing diversity awareness training.
- Monitoring the composition of the Council in line with statutory requirements (see Appendix 4). We will also monitor our recruitment process, from application to employment, to identify barriers.

6. OUR EQUALITY OBJECTIVES FOR 2020-2023

The Council has identified the following equality objectives for the period 2020-2023.

1	As a Community Leader , we acknowledge with concern the published data on increases in hate crimes and crimes towards people with protected characteristics under the Equalities Act 2010. The Council condemns all forms of discrimination against all protected characteristics, and commits to ensuring that every resident of the District is treated with respect, dignity and in an equal manner.
2	As a Service Provider , we are committed to providing inclusive services which actively address inequality and exclusion by assessing the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.
3	As an Employer , we are committed to building an inclusive organisation where the workforce reflects the District we serve and where colleagues feel confident about being themselves in the workplace.

Underpinning each of these objectives is a set of actions and priorities that we will pursue. These are summarised in the Action Plan (see Appendix 5).

7. GATHERING DATA AND USING INFORMATION

One of the duties that must be carried out by any public sector authority is the gathering of information. This includes information on the profile of the workforce, information on the profile of the resident population, and how people are affected by the Council's policies and practices both in employment and service delivery.

The Council has gathered and will continue to gather this information in the following ways:

- Local population data, e.g. Cambridgeshire Insight, Census statistics etc
- Staff statistics and recruitment monitoring forms
- Gender pay gap data
- Flexible working applications
- Applications for training and development
- HR monitoring data, e.g. grievance, disciplinary etc.
- Staff surveys
- Staff engagement workshops
- Customer satisfaction surveys
- Equality Impact Assessments (EIAs)

7.1 Consultation and Engagement

The Council recognises the importance of consultation and engagement with the community, voluntary groups, stakeholders, local businesses and partners in the development and implementation of this policy in order that views can be considered and used to inform decision making.

Consultation will take place between 28th September and 30th October 2020 on this new policy.

7.2 Equality Impact Assessment (EIAs)

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

The word 'policy', in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.

A checklist is available to guide Council officers through the impact assessment process (see Appendix 6). In the first instance, the officer would complete an Initial Screening Template (see Appendix 7) to scope the impact and decide whether a full impact assessment (EIA) is required. If this identified the need for a full impact assessment, then the officer would complete the detailed EIA Template (see Appendix 8).

The Council's Committee Report Template makes reference to equality impact assessments. If a new/revised policy is being presented to committee, the officer should use the committee report template to indicate if an impact assessment has or has not been completed. If an impact assessment has been completed, then a copy should be attached to the committee report. If the impact assessment identifies barriers, the officer's report should make reference to the main findings and any proposed mitigation actions so this can inform decision making.

The results of our Equality Impact Assessments are published on our website. Copies can also be made available on request.

APPENDIX 1 - The Protected Characteristics

Age

Age equality means ensuring that no individual experiences unfair discrimination because of their age. It now applies to both employment and service provision, a requirement which came into effect from October 2012. The Council will discharge its legal obligations and, through best practice, ensure that services are accessible to residents regardless of their age, in accordance with eligibility criteria. There is a need to create greater opportunities for people of all ages to understand and live successfully together. Older and younger generations will each benefit from sharing ideas, experience and knowledge with each other.

Disability

As an employer and service provider we need to better understand and promote disability equality. This requires an understanding of the definition and a willingness to promote the positive contribution made by disabled people.

Disability is defined in legislation as a physical or mental impairment which has a substantial and long-term adverse effect on an individual's ability to carry out normal day to day activities. It is important in discharging our duties that the Council should take a more in depth look at an individual's disability and, either through service delivery or as an employer, discharges its responsibilities in a person-centred manner that meets the individual's needs.

Race, Ethnicity and Nationalities

It is important that, in discharging our duties, we learn to appreciate the differences and understand the needs within this wide range of individuals. Services should be developed to meet specific and sometimes unmet needs. This also requires a greater understanding of migration and the needs of new communities from the European Union countries, especially those seeking permanent settled status.

A greater understanding of disadvantage faced by individuals because of their race, ethnicity, nationality or colour will provide better opportunities to improve the delivery of fairer and more equitable services to everyone.

Gender and Transgender

The Council aims to improve gender equality by making sure the employment and service provision is fair and equally accessible. Experiences, expectations and attitudes of individuals are factors that can influence gender equality and create disadvantage within our society.

We need to inform ourselves about our transgender group and take this work forward through dialogue in a sensitive, practical and sensible way. We have a limited understanding about the needs of our transgender group and at present there is very little or no data on the actual size of the community within East Cambridgeshire as none of the existing household surveys or main administrative sources ask about transgender status.

Gender Identity Research and Education Society (GIRES) suggests that there are 6,200 people who have transitioned to a new gender role via medical intervention and approximately 2,335 full Gender Recognition Certificates have been issued to February 2009. However, the group, Press for Change, estimates that there are around 5,000 post-operative transsexual people.

The figures are more diverse when looking at the wider 'trans community' in the UK, which is an inclusive term for transsexual people, transgender people and people who cross dress (transvestites).

In 2007, transitioning was estimated to be 3.0 per 100,000 people aged over 15 in the UK that is 1,500 people presenting for treatment of gender dysphoria. Data provided to GIRES by HM Revenues and Customs for 2010 confirm the upward trend. The number who had by then presented for treatment can be estimated to be 12,500. That represents a growth trend from 1998 of 11% per annum. At that rate, the number who have presented is doubling every 6½ years.

It is estimated that there are between 300,000 and 500,000 transgendered people living in the UK, a prevalence ratio of between 0.6% to 1% of the population. From this, we could estimate there are between 530 and 900 transgender people living in East Cambridgeshire.

The implications of the above figures are that organisations should assume that 1% of their employees and service users may be experiencing some degree of gender variance. At some stage, about 0.2% may undergo transition. The numbers who have so far sought medical care is likely to be around 0.025%, and about 0.015% is likely to have undergone transition. In any year, the number commencing transition may be around 0.003%.

Religion or Beliefs

Understanding the equality implications on religion, beliefs or non-beliefs is important because it enables service providers to be sensitive to individual needs and communities. East Cambridgeshire churches includes places of worship for all forms of major Christian denomination, for Muslims, Sikhs, Hindus and Jews. Other venues such as community halls are used to bring people together with the focus of religion or beliefs. It is important that as an employer we are able to provide the necessary support to our staff by taking into account any specific needs to ensure that the working environment is respectful and understanding.

The Council has adopted the internationally recognised International Holocaust Remembrance Alliance (IHRA) definition of antisemitism as follows:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Sexual Orientation

The Council understands more often than not, sexuality is perceived to be a private and personal matter. We know that it can be a very sensitive issue for some individuals and not for others who are more open to their respective sexuality. The Council also

understands the many challenges and discrimination that lesbian, gay and bisexual people have faced and continue to face.

The report "Beyond Tolerance" by the Equality and Human Rights Commission states 'the absence of reliable data on sexual orientation presents a major obstacle to measuring progress on tackling inequality'.

As part of our equality monitoring we have begun to ask sexual orientation questions in order to begin to respond better to the needs and issues affecting the lesbian, gay, bisexual and heterosexual population.

We recognise that when we ask questions about sexuality, it is often thought to be a personal matter and needs to be handled confidently and sensitively. However, it is important to gather and analyse data if we are going to be in a better position to ensure we deliver our duties in a fair and equitable way.

Civil Partnership and Marriage, Pregnancy and Maternity

The Equality Act brought further categories within its protected groups in acknowledgement that people in these groups can also face inequality and discrimination from intolerance and lack of understanding.

APPENDIX 2 - ABOUT EAST CAMBRIDGESHIRE AND THE COUNCIL

Our Community

The District of East Cambridgeshire has the smallest population of the five districts within Cambridgeshire, estimated at approximately 89,362¹.

The profile of the population is set out below:

Protected Characteristic		Variable	% of East Cambridgeshire Population
a)	Sex ¹	Females Males	50.9 49.1
b)	Age ¹	0-14 15-19 20-24 25-29 30-34 35-39 40-44 45-49 50-54 55-59 60-64 65-69 70-74 75-79 80-84 85+	18.6 5.3 4.2 4.9 5.9 7 6.7 7.5 7.5 6.6 5.8 5.5 5.5 3.6 2.7 2.7
c)	Ethnic Group ²	White Mixed Asian Black Other	96.2 1.4 1.5 0.6 0.3
d)	Religion ²	No religion Christian Muslim Buddhist Hindu Jewish Sikh Other Not stated	28.1 62.3 0.4 0.3 0.2 0.1 0.1 0.4 8.1

¹ Cambridgeshire Insight (www.cambridgeshireinsight.org.uk)

² ONS 2011 Census

Protected Characteristic		Variable	% of East Cambridgeshire Population
e)	Disability ²	Yes No	15.4 84.6
f)	Sexual Orientation ³	N/a	There is no data on sexual orientation in East Cambridgeshire because it was not included in the 2011 UK Census. However, an ONS Survey on Sexual Orientation in the UK (2017), estimates that 2% of the population is gay, lesbian or bisexual.
g)	Gender Re-assignment ⁴		No local data is available on the transgender and transsexual community in East Cambridgeshire. The Gender Trust estimates that 1% of an organisation's employees and service users may be experiencing some degree of gender variance.
h)	Marriage and Civil Partnership ²		Persons aged 16+ (%)
		Single Married Civil Partnership Separated Divorced Widowed	27.1 54.9 0.3 2.4 8.7 6.6
i)	Pregnancy and Maternity ²	Dependents No Dependents	30 70

² [ONS 2011 Census](#)

³ [ONS Survey on Sexual Orientation in the UK \(2017\)](#)

⁴ [Gender Trust](#)

APPENDIX 3 – ANTISEMITISM

The Council has joined with the Government and other local authorities across the UK in adopting the internationally recognised International Holocaust Remembrance Alliance (IHRA) definition of antisemitism, as follows:

“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it a behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

APPENDIX 4 – PROFILE OF THE COUNCIL’S WORKFORCE

The Council employs 188 staff (as at 31 December 2019), and the profile of the workforce can be summarised as follows:

- 127 (68%) are female and 61 (32%) are male.
- 3.2% consider themselves to have a disability.
- 94% are white, 3% are black and 3% are of mixed ethnic origin.
- 45% are Christian, 0.5% are Buddhist and the remainder have declined to state or are of no religion.
- 6.4% are aged 20-24, 13.3% are aged 25-34, 19.7% are aged 35-44, 32.9% are aged 45-54, 22.9% are aged 55-64, and 4.8% are 65 and over. The average age is 46.
- 7 females (70%) and 3 males (30%) make up the top 5% of earners.
- There are no Black and Minority Ethnic (BME) staff or disabled employees at senior grades.
- As at 31 March 2019, the women’s mean hourly rate was £14.27 per hour, 6.1% lower than the male’s mean hourly rate of £15.20 per hour. In other words when comparing mean hourly rates, women earn £0.94 for every £1 that men earn.
- As at 31 March 2019, the women’s median hourly rate was £12.58 per hour, 4.7% lower than the male’s median hourly rate of £13.20 per hour. In other words when comparing median hourly rates, women earn £0.95 for every £1 that men earn.

APPENDIX 5: Equality, Diversity & Inclusion Action Plan 2020-2023

	Equality & Inclusion Objective	Action	Responsible Officer	Timescale
1.	As a Community Leader , we will:			
1.1	Work with other agencies to reduce the number of hate crimes and incidents	To ensure hate crime recommendations, national guidance and good practice is implemented within East Cambridgeshire.	Community Safety Officer	Ongoing
		To increase our number of Hate Reporting Centres to at least one in each Parish.	Community Safety Officer	March 2023
		To ensure significant focus is placed on a partnership approach through our Multi Agency Meetings to tackling hate crime and therefore increasing confidence amongst communities while identifying any particular hard to reach community groups or potential challenges.	Community Safety Officer	Monthly at a District level through Problem Solving Group (PSG) and Quarterly at the County level through the Against Hate Strategic Group
		To monitor hate crime performance & review the progress through the CSP Delivery Group.	Community Safety Officer	By 31 st March each year
1.2	Understand the profile of our resident population and service users, and appreciate the changing nature of the District	Continue to collect and analyse statistical data on the local population	HR Manager Communities and Partnerships Manager Community Safety Officer	31 st December 2022 (for policy update)
		Improve how we gather, use and share information appropriately to better understand who lives in the district and be aware of their needs.	Communities and Partnerships Manager Community Safety Officer HR Manager	31 st December 2022 (for policy update)

		Monitor take up of information requested in other languages and formats	HR Manager	By 31 st March each year
1.3	Continue to work to improve access to and take-up of Council services from all residents and communities	Continue to assess the equality impacts of all decisions, policies and projects which have an impact on the public	Corporate Management Team (CMT) Service Leads Committee Report Authors	Ongoing
1.4	Improve the involvement and engagement of the diverse communities within the District, and ensure that all people are able to take an active role within the Council and the local community	Ensure the communities feel their views are taken into account	CMT Council Members Communities and Partnerships Manager Community Safety Officer	Ongoing
		Challenge negative views and promote more cohesive communities	CMT Council Members Communities and Partnerships Manager Community Safety Officer	Ongoing
1.5	Work together with community partners and local residents to confront racism, antisemitism and prejudice	Tackle unfair treatment and inappropriate behaviour to those with protected characteristics, experiencing discrimination, bullying and harassment	CMT Service Leads Council Members Local Partners	Ongoing
1.6	Ensure that corporate and service level structures are in place to deliver and review the equalities agenda	Provide strong leadership and ensure equality, diversity and inclusivity are embedded throughout the Council by Elected Members, Management and staff.	CMT Council Members Service Leads Staff	Ongoing
		Ensure the Council has a compliant Equality, Diversity and Inclusion Policy in place	HR Manager	By December 2020 (and then 3 yearly)
		Commit publicly to improving the equality outcomes for the local community by continuing to support the Cambridgeshire Equality Pledge with our local partners	CMT Council Members Local Partners	Ongoing

		All Council publications to reflect a diverse community in terms of content and images	Reprographics Manager	Ongoing
		Ensure Council publications are available in accessible formats	Service Leads Customer Services Team	As required
2.	As a Service Provider , we will:			
2.1	Ensure that everyone entitled to its services are able to access them	Improve our communication and accessibility for all services users	CMT Service Leads Customer Services Team	Ongoing
		Encourage feedback, compliments as well as complaints, and respond to them	CMT Service Leads Customer Services Team	Ongoing
		Continue to provide accessible buildings, facilities and open spaces to improve access for disabled people	Open Spaces and Facilities Manager	Ongoing
2.2	Ensure our suppliers and contractors adhere to our equality and inclusion policy	Take all possible opportunities to ensure our suppliers and contractors take an active approach to contributing to our equalities and inclusion goals, including having standard terms in contracts with external suppliers that require adherence to the Council's Equality Policy.	CMT Service Leads Procurement Advisor	By 31 st March 2022
2.3	Consult with local residents and service users so that they feel empowered to influence decision making	Use the Council's Register of Consultees to give local residents, community groups the opportunity to get involved in local decision making	Communities & Partnerships Manager	Ongoing
3.	As an Employer , we will:			
3.1	Understand the profile of our workforce	Analyse available data to understand how representative the Council's workforce is and identify any issues that need to be addressed	HR Manager HR Support Officer	Every 3 years with Policy update

3.2	Ensure that the Council's policies and practices are non-discriminatory and compliant with Equalities legislation	Ensure our recruitment and selection process is fair, consistent and transparent and that job opportunities are accessible to as wide and diverse an audience as possible	Recruiting Managers HR	Ongoing
		Carry out EIAs on new and revised employment policies and publish them on the Council's website	HR Manager HR Support Officer	By 31 st March 2021
		Take seriously and act upon allegations of inappropriate language, situations or practices and investigate issues as soon as they arise, promptly at the root cause	CMT Service Leads Monitoring Officer	Ongoing
		Ensure that appropriate reasonable adjustments are being put in place for colleagues with disabilities, such as providing physical adaptations or equipment and reviewing working arrangements	Service Leads HR Manager HR Support Officer HR Administrator	Ongoing
3.3	Educate our workforce to improve understanding of barriers faced by particular groups so that all employees can help to remove these barriers	Ensure that all employees undertake equality training and all managers undertake training in unconscious bias	HR Manager HR Support Officer HR Administrator	By March 2021

APPENDIX 6: EQUALITY IMPACT ASSESSMENTS (EIA) – A CHECKLIST FOR OFFICERS

What is an Equality Impact Assessment (EIA)?

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.

Complete

1	<u>EIA - INITIAL SCREENING TEMPLATE</u>	
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To be completed when developing a new or reviewing an existing policy. Use the Initial Screening Template (IST) to scope the impact and decide whether a full equality impact assessment (EIA) is required.

The following questions can help you to determine whether a full EIA is required:

- Does the policy affect service users or the wider community?
- Is it a major policy, with a significant effect on how functions are delivered?
- Will it have a significant effect on how other organisations operate?
- Does it involve a significant commitment of resources?
- Does it relate to an area where there are known inequalities, e.g. disabled people’s access to public transport etc?

If a full EIA is required, go to Stage 2. If not, your IST will need to be countersigned by your Service Lead Officer and forwarded to the HR Manager (go to Stage 3).

2	<u>EQUALITY IMPACT ASSESSMENT (EIA)</u>	
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a)	Establish clear aims and objectives <i>Questions (a) to (b)</i>	<ul style="list-style-type: none"> ▪ What is the aim/purpose of the policy? ▪ Who is the policy intended to benefit and how? ▪ What outcomes do we want to achieve from the policy? ▪ How will the policy be put into practice?
b)	Gather information/data <i>Question (c)</i>	<ul style="list-style-type: none"> ▪ Is the EIA informed by any data? i.e. consultations, complaints, applications received, allocations/take-up, satisfaction/feedback data, access audits, census data, benchmarking, workforce profile etc.
c)	Assess likely impact and opportunities to promote equality <i>Questions (d) to (g)</i>	<ul style="list-style-type: none"> ▪ What do you already know about equality impact or need? ▪ Is there a higher or lower take-up by particular groups? ▪ Have there been any demographic changes/trends locally? ▪ Are there any barriers to accessing the policy or service? ▪ Is there a differential impact on different groups? ▪ Is the differential impact an adverse one? ▪ Is the policy directly or indirectly discriminatory? ▪ Is the policy intended to increase equality of opportunity through positive action?

d)	Involvement and consultation <i>Questions (h) to (j)</i>	<ul style="list-style-type: none"> ▪ How have you engaged stakeholders in gathering evidence or testing the policy proposals? <i>The Consultation Register is available to assist staff in consulting with the Council's stakeholders.</i> ▪ Who was involved, how and when where they engaged? ▪ Does the evidence show potential for differential impact? ▪ How will you mitigate any negative impacts? 								
e)	Make a judgement on the policy in light of data, alternatives and consultation <i>Questions (k) to (l)</i>	<table border="1"> <tr> <td>Option 1:</td> <td>No major change - the evidence shows that the policy is robust and no potential for discrimination.</td> </tr> <tr> <td>Option 2:</td> <td>Adjust the policy - to remove barriers or to better promote equality.</td> </tr> <tr> <td>Option 3:</td> <td>Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.</td> </tr> <tr> <td>Option 4:</td> <td>Stop and remove the policy – if the policy shows adverse effects that cannot be justified.</td> </tr> </table>	Option 1:	No major change - the evidence shows that the policy is robust and no potential for discrimination.	Option 2:	Adjust the policy - to remove barriers or to better promote equality.	Option 3:	Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.	Option 4:	Stop and remove the policy – if the policy shows adverse effects that cannot be justified.
Option 1:	No major change - the evidence shows that the policy is robust and no potential for discrimination.									
Option 2:	Adjust the policy - to remove barriers or to better promote equality.									
Option 3:	Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.									
Option 4:	Stop and remove the policy – if the policy shows adverse effects that cannot be justified.									

Your EIA will need to be countersigned by your Service Lead Officer and forwarded to the HR Manager.

3	COMMITTEE REPORT (IF APPLICABLE)	<input type="checkbox"/>
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If your new/revised policy is being presented to committee, you should use the committee report template to indicate if an impact assessment has or has not been completed. Attach a copy of the completed IST/EIA to the committee report. **If the IST/EIA identifies barriers, your report should make reference to the main findings and any proposed actions so this can inform decision making.**

4	PUBLICATION OF EIA	<input type="checkbox"/>
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The Council is committed to publishing the results of our EIAs on the Council's website. When the IST/EIA has been approved by Committee, then the final version should be forwarded to the HR Manager who will arrange for the documents to be published. You will need to send any background papers or appendices that are relevant. Copies of impact assessments can also be made available on request.

5	MONITOR & REVIEW	<input type="checkbox"/>
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Impact assessments are an ongoing process that do not end once a document has been produced. A review that considers the actual impact of the policy should be undertaken no later than one year after its introduction. This is not repeating the IST/EIA, but going back to the original assessment and using the information and experience gained through implementation to check the findings and make any necessary adjustments.

APPENDIX 7: EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING TEMPLATE (IST)

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:

Lead Officer (responsible for assessment):

Department:

Others Involved in the Assessment (i.e. peer review, external challenge):

Date Initial Screening Completed:

(a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

--

(b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

--

(c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

--

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity	<input type="checkbox"/>	Age	<input type="checkbox"/>
Sex	<input type="checkbox"/>	Religion or Belief	<input type="checkbox"/>
Disability	<input type="checkbox"/>	Sexual Orientation	<input type="checkbox"/>
Gender Reassignment	<input type="checkbox"/>	Marriage & Civil Partnership	<input type="checkbox"/>
Pregnancy & Maternity	<input type="checkbox"/>		

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

(e) Does the policy affect service users or the wider community?	YES/NO/Na
(f) Does the policy have a significant effect on how services are delivered?	YES/NO/Na
(g) Will it have a significant effect on how other organisations operate?	YES/NO/Na
(h) Does it involve a significant commitment of resources?	YES/NO/Na
(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?	YES/NO/Na

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Service Lead Officer and then forwarded to the HR Manager.

Signatures:

Completing Officer: _____ **Date:** _____

Service Lead Officer: _____ **Date:** _____

APPENDIX 8: EQUALITY IMPACT ASSESSMENT (EIA) FORM

Name of Policy:	
Lead Officer (responsible for assessment):	
Department:	
Others Involved in the Assessment (i.e. peer review, external challenge):	
Date EIA Completed:	

What is an Equality Impact Assessment (EIA)?

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

The word 'policy', in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

- (c) **Is the EIA informed by any information or background data (quantitative or qualitative)?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics? (please tick all that apply)

Ethnicity
Sex
Disability
Gender Reassignment
Pregnancy & Maternity

Age
Religion and Belief
Sexual Orientation
Marriage & Civil Partnership

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

(e) Does the policy have a differential impact on different groups?

YES/NO/Na

(f) Is the impact *adverse* (i.e. less favourable)?

YES/NO/Na

(g) Does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?

YES/NO/Na

(h) How have you engaged stakeholders in gathering evidence or testing the policy proposals? Who was involved, how and when where they engaged? Does the evidence show potential for differential impact? How will you mitigate any negative impacts? Where there is the potential for an adverse impact that cannot be addressed immediately, these should be highlighted in your recommendations and objectives at the end of the EIA.

* The Consultation Register is available to assist staff in consulting with the Council's stakeholders.

(i) Summarise the findings of your research and/or consultation (please use a separate sheet if necessary).

(j) What are the risks associated with the policy in relation to differential impact and unmet needs/requirements? i.e. reputation, financial, breach of legislation, service exclusion, lack of resources, lack of cooperation, insufficient budget etc.

--

(k) Use the information gathered in the earlier stages of your EIA to make a judgement on whether there is the potential for the policy to result in unlawful discrimination or a less favourable impact on any group in the community, and what changes (if any) need to be made to the policy.

Option 1:	No major change - the evidence shows that the policy is robust and no potential for discrimination.	
Option 2:	Adjust the policy - to remove barriers or to better promote equality.	
Option 3:	Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.	
Option 4:	Stop and remove the policy – if the policy shows adverse effects that cannot be justified.	

(l) Where you have identified the potential for adverse impact, what action can be taken to remove or mitigate against the potential for the policy to unlawfully discriminate or impact less favourably on one or more communities in a way that cannot be justified? Include key activities that are likely to have the greatest impact (max. 6). Identified actions should be specified in detail for the first year but there may be further longer term actions which need to be considered. To ensure that your actions are more than just a list of good intentions, include for each: the person responsible for its completion, a timescale for completion, any cost implications and how these will be addressed. It is essential that you incorporate these actions into your service plans.

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This completed EIA will need to be countersigned by your Service Lead Officer and forwarded to the HR Manager. All completed EIAs will be published on the Council's website to demonstrate to local people that the Council is actively engaged in tackling potential discrimination and improving its practices in relation to equalities.

Signatures:

Completing Officer: _____ **Date:** _____

Service Lead Officer: _____ **Date:** _____

EQUALITY IMPACT ASSESSMENT (EIA) FORM

Name of Policy:	Equality, Diversity & Inclusion Policy 2020-2023
Lead Officer (responsible for assessment):	Nicole Pema, HR Manager
Department:	HR
Others Involved in the Assessment (i.e. peer review, external challenge):	-
Date EIA Completed:	September 2020

What is an Equality Impact Assessment (EIA)?

As part of any effective policy development process, it is important to consider any potential risks to those who will be affected by the policy's aims or by its implementation. The Equality Impact Assessment (EIA) process helps us to assess the implications of our decisions on the whole community, to eliminate discrimination, tackle inequality, develop a better understanding of the community we serve, target resources efficiently, and adhere to the transparency and accountability element of the Public Sector Equality Duty.

The word 'policy', in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision.

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

East Cambridgeshire District Council recognises the importance of equality, diversity and inclusion. We operate in an increasingly diverse community, and we understand that the people who provide and use our services have diverse characteristics and different experiences, needs and aspirations.

Understanding, valuing and effectively managing these differences ensures that our communities are places where people get on well together and prosper.

The Council acknowledges with concern the published data on increases in hate crimes and crimes towards people with protected characteristics under the Equalities Act 2010. The Council condemns all forms of discrimination against all protected characteristics, and commits to ensuring that every resident of the District is treated with respect, dignity and in an equal manner.

- The aims and principles underpinning our Equality, Diversity and Inclusion Policy are to:
- Meet the responsibilities placed on us by the equalities legislation, specifically, the Equality Act and the Public Sector Equality Duty.
 - Ensure that equality, diversity and inclusion issues influence decision making.
 - Identify what barriers people face and take steps to remove them.
 - Develop measures and actions to tackle discrimination.
 - Challenge discrimination against people who work for the Council or who use our services.
 - Raise staff awareness and understanding of these issues.

The Equality, Diversity and Inclusion Policy sets out the Council's commitment to an inclusive and supportive environment for staff, Members, contractors and visitors that is free from discrimination, where all are able to participate and where everyone has the opportunity to fulfil their potential. It promotes positive attitudes towards inclusivity and valuing diversity, and seeks to ensure that all who are subject to the Council's policies, practices and procedures are treated fairly.

The policy includes three objectives to help us become more inclusive. Underpinning each of these objectives is a set of actions and priorities that the Council will aim to follow to guide our work.

(b) Who are its main beneficiaries? i.e. who will be affected by the policy?

Local residents and businesses, community groups and associations, Council staff, Councillors, partner organisations and Parish Councils.

(c) Is the EIA informed by any information or background data (quantitative or qualitative)? i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The Equality, Diversity and Inclusion Policy and accompanying EIA is informed by the following:

- Local population data:
 - (1) Cambridgeshire Insight
 - (2) Office for National Statistics 2011 Census
 - (3) Office for National Statistics Survey on Sexual Orientation in the UK (2017)
 - (4) Gender Trust
- Staff statistics and recruitment monitoring forms
- Home Office Diversity and Inclusion Strategy 2018-2025
- International Holocaust Remembrance Alliance (IHRA) definition of antisemitism
- Equality and Human Rights Commission guidance on the Equality Act 2010
- GOV.UK guidance on the Equality Act 2010
- The Council's Community Engagement Toolkit
- The Council's Corporate Plan
- Community Eyes and Ears Campaign
- The Council's Community Safety Plan

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics? (please tick all that apply)

Ethnicity	<input checked="" type="checkbox"/>	Age	<input checked="" type="checkbox"/>
Gender	<input checked="" type="checkbox"/>	Religion and Belief	<input checked="" type="checkbox"/>
Disability	<input checked="" type="checkbox"/>	Sexual Orientation	<input checked="" type="checkbox"/>
Gender Reassignment	<input checked="" type="checkbox"/>	Marriage & Civil Partnership	<input checked="" type="checkbox"/>
Pregnancy & Maternity	<input checked="" type="checkbox"/>		

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

The Policy aims to have a **positive** impact across all of the protected characteristics, ensuring that we:

- a) Meet the responsibilities placed on us by the equalities legislation.
- b) Take equality and inclusion issues into account when making decisions.
- c) Identify what barriers people face and take steps to remove them.
- d) Develop measures and actions to tackle discrimination.
- e) Challenge discrimination against people who work for the Council or who use our services.

f) Raise staff awareness and understanding of these issues.

The District of East Cambridgeshire has the smallest population of the five districts within Cambridgeshire, estimated at approximately 89,362.

The profile of the population is set out below:

Protected Characteristic	Variable	% of Population
a) Sex	Females	50.9
	Males	49.1
b) Age	0-14	18.6
	15-19	5.3
	20-24	4.2
	25-29	4.9
	30-34	5.9
	35-39	7
	40-44	6.7
	45-49	7.5
	50-54	7.5
	55-59	6.6
	60-64	5.8
	65-69	5.5
	70-74	5.5
	75-79	3.6
80-84	2.7	
85+	2.7	
c) Ethnic Group	White	96.2
	Mixed	1.4
	Asian	1.5
	Black	0.6
	Other	0.3
d) Religion	No religion	28.1
	Christian	62.3
	Muslim	0.4
	Buddhist	0.3
	Hindu	0.2
	Jewish	0.1
	Sikh	0.1
	Other	0.4
	Not stated	8.1
e) Disability	Yes	15.4
	No	84.6
f) Sexual Orientation	N/a	There is no data on sexual orientation in East Cambridgeshire because it was not included in the 2011 UK Census. However, an ONS Survey on Sexual Orientation in the UK (2017), estimates that 2% of the population is gay, lesbian or bisexual.
g) Gender Re-assignment		No local data is available on the transgender and transsexual community in East Cambridgeshire. The Gender Trust estimates

			that 1% of an organisation's employees and service users may be experiencing some degree of gender variance.
h)	Marriage and Civil Partnership	Single Married Civil Partnership Separated Divorced Widowed	27.1 54.9 0.3 2.4 8.7 6.6
i)	Pregnancy and Maternity ²	Dependents No Dependents	30 70
<p>What the Council is already doing to meet our equality responsibilities:</p> <ul style="list-style-type: none"> ▪ Providing accessible buildings and sites through dedicated disabled parking bays, ramps at entrances and exits, power assisted doors, accessible toilets, a hearing loop for people who are hearing impaired, and an accessible lift. ▪ Working alongside Living Sport to support sport opportunities for people with disabilities and special needs, so that everybody, regardless of disability or additional needs, can access sport or physical activity that suits them. ▪ Providing a range of leisure activities for the over 50s through the <u>Mature and Active Programme</u> to keep active and to maintain and improve their health and wellbeing. ▪ Promoting consultation and community engagement through the Council's <u>Consultee Register</u>. ▪ Providing translation services if a translation is required into another language or an alternative format, i.e. large print, Braille, audio cassette/CD: <u>Translation Service</u> ▪ Supporting the <u>Cambridgeshire Equality Pledge</u> with our local partners. ▪ Providing assisted collections to residents that are unable to put out their waste and recycling because of a serious long-term illness or disability. ▪ Providing a free of charge Clinical Waste collection service to collect and dispose of clinical waste which poses a threat of infection to humans. ▪ Offering assistance for Mandatory Disabled adaptations up to a maximum of £30,000 (subject to a test of resources): <u>Disabled Adaptations</u> ▪ Supporting and encouraging increased reporting of hate crime within the community at locations where victims of hate crime incidents feel safe and comfortable and specifically to extend the ways for victims of hate crime to access services through the development of 3rd party reporting centres. Currently in East Cambs there are two Hate Reporting Centres, one in Ely the other in Littleport. Our aim is to increase this to at least one Hate Reporting Centre in each Parish. ▪ Developing training packages for schools and businesses to prevent and deter hate crime/incidents by raising awareness of the impact of hate crime, consequences of perpetrating and building community cohesion across all communities. This will increase confidence in being able to report hate crime via the different methods available and raise awareness of local services that exist to protect and support victims and witnesses and challenge perpetrators. ▪ Providing advice and support for men and women affected by domestic violence (DV), including domestic abuse outreach sessions and a Domestic Violence Directory that lists contact details of organisations that can help individuals affected by this or those supporting people who are affected: <u>Domestic Violence</u>. ▪ Offering emergency refuge accommodation to women escaping abusive relationships through the Cambridge Women's Aid Refuge (CWA) and providing 'move-on' accommodation in the community for those leaving refuge. 			

- Providing support through the Community Hubs sited in various villages around East Cambridgeshire. The hub will provide people with support and will cover a range of topics from homelessness, debt and benefits to mental health issues and problems with anti-social behaviour.
- Delivering training and awareness to the workplace and schools through the Community Eyes and Ears Scheme, in relation to: Radicalisation, Hate Crimes, Modern Slavery, Cyber Crime and Scams, Neglect and Abuse, Exploitation, Abuse, Dementia and Loneliness.
- Producing a Live Safe leaflet for migrant workers because the district is attracting people as a place to live and work from across the world. Migrants can experience a number of different issues when working and living in the district and this leaflet informs them of their rights and responsibilities.

(e) Does the policy have a differential impact on different groups?

YES/NO/Na

(f) Is the impact *adverse* (i.e. less favourable)?

YES/NO/Na

(g) Does it have the potential to disadvantage or discriminate unfairly against any of the groups in a way that is unlawful?

YES/NO/Na

(h) How have you engaged stakeholders in gathering evidence or testing the policy proposals? Who was involved, how and when where they engaged? Does the evidence show potential for differential impact? How will you mitigate any negative impacts? Where there is the potential for an adverse impact that cannot be addressed immediately, these should be highlighted in your recommendations and objectives at the end of the EIA.

Subject to committee approval, further consultation will now take place with Councillors, local residents, community groups, partner organisations, parish councils and other associations on the updated Policy.

* The Consultation Register is available to assist staff in consulting with the Council’s stakeholders.

(i) Summarise the findings of your research and/or consultation (please use a separate sheet if necessary).

This EIA will be updated to include the findings of the consultation if necessary.

(j) What are the risks associated with the policy in relation to differential impact and unmet needs/requirements? i.e. reputation, financial, breach of legislation, service exclusion, lack of resources, lack of cooperation, insufficient budget etc.

Potential risks of the Equality, Diversity and Inclusion Policy 2020-2023:

- Failing to comply with equality duties and/or other equalities legislation.
- Compliance notices and/or enforcement action being taken by the Equality and Human Rights Commission.
- Insufficient staff and/or lack of cooperation to take forward the Policy’s actions and priorities.
- Financial consequences of enforcement action/non-compliance.
- Financial consequences of discrimination/harassment claims.
- Impact on the Council’s reputation if we are not perceived as an ‘equal opportunities employer’.
- Risk of service exclusion if we do not know who are hard-to-reach groups are and how to engage with them.

(k) Use the information gathered in the earlier stages of your EIA to make a judgement on whether there is the potential for the policy to result in unlawful discrimination or a less favourable impact on any group in the community, and what changes (if any) need to be made to the policy.

Option 1:	No major change - the evidence shows that the policy is robust and no potential for discrimination.	✓
Option 2:	Adjust the policy - to remove barriers or to better promote equality.	
Option 3:	Continue the policy - despite potential for adverse impact or missed opportunity to promote equality, provided you have satisfied yourself that it does not unlawfully discriminate.	
Option 4:	Stop and remove the policy – if the policy shows adverse effects that cannot be justified.	

(l) Where you have identified the potential for adverse impact, what action can be taken to remove or mitigate against the potential for the policy to unlawfully discriminate or impact less favourably on one or more communities in a way that cannot be justified? Include key activities that are likely to have the greatest impact (max. 6). Identified actions should be specified in detail for the first year but there may be further longer term actions which need to be considered. To ensure that your actions are more than just a list of good intentions, include for each: the person responsible for its completion, a timescale for completion, any cost implications and how these will be addressed. It is essential that you incorporate these actions into your service plans.

Not applicable.

This completed EIA will need to be countersigned by your Service Lead/Director and forwarded to the HR Manager.

Signatures:

Completing Officer: Nicole Pema **Date:** 08/07/2020

Director: Emma Grima **Date:** 08/07/2020

TITLE: Custom and Self-Build Housing Supplementary Planning Document (SPD)

Committee: Finance and Assets

Date: 24 September 2020

Author: Harj Kumar – Strategic Planning Senior Officer
Richard Kay – Strategic Planning Manager

[V67]

1.0 ISSUE

1.1 For Committee to adopt the Custom and Self-Build Housing Supplementary Planning Document (SPD). This SPD will then become a material consideration in making planning decisions. A copy of the Custom and Self-build Housing SPD, proposed for adoption, can be found at Appendix 2.

2.0 RECOMMENDATION(S)

2.1 That Committee:

(A) Adopts, as a formal Supplementary Planning Document (SPD), the Custom and Self-Build Housing SPD.

3.0 BACKGROUND

Introduction

3.1 Whilst still a niche part of the housing market, some local residents have an ambition to 'build their own homes', doing so in accordance with their own design wishes rather than one built by a developer to an off-the-shelf design. Custom and Self-build housing could also be a route for some to get on to the property ladder, whilst for others it is the opportunity to build their 'dream home'.

3.2 This is a new SPD, prepared in order to help local residents that have a desire to build their own home. The SPD also provides guidance to large scale developers that are obliged to meet the Local Plan policy to provide self-build plots (i.e. development consisting of more than 100 dwellings should set aside a minimum 5% of plots for self-build purposes). The SPD also provides useful advice for Community Land Trusts (or similar) that may be interested in providing self-build plots. Parishes that are interested in including self-build plots in their Neighbourhood Plans may also find this SPD useful.

Context and Background

3.3 Custom and Self-build housing can play a role in meeting the housing needs of local residents. Some of the benefits of providing this type housing are:-

- Opportunity to provide lower cost market housing for residents;
- Enable more self-build housing to be provided via community-led development;
- Help to provide jobs for local residents, in particular in the construction industry;
- Support a more resilient supply of housing from a diversity of sources, not just volume house builders; and
- Encourage good and distinctive design and sustainable construction.

What is custom and self-build housing?

- 3.4 There is little difference between the two forms of development, with custom build being whereby a person essentially designs the home but commissions a specialist developer to help advise and construct it, whilst self-build is where a person is more directly involved in actually organising and constructing their home. The SPD follows the definition of self-build and custom house building as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). That Act (and the subsequent Self-build and Custom Housebuilding (Register) Regulations 2016) places a number of duties on local authorities in respect of self-build and custom housebuilding which, in short, is broadly a duty to help promote such housing and provide help to meet local demand.

Planning Policy

- 3.5 Both national and local planning policy provide support for custom and self-build housing. Policy HOU 1 (Housing mix) of the Local Plan is a key policy in delivering self-build homes because any development of 100 or more dwellings is required to provide at least 5% self-build plots. This policy has provided a number of self-build home opportunities in East Cambridgeshire.
- 3.6 National policy also provide support for those who wish to build their own homes. The NPPF, at paragraph 61, includes self-build as a distinct type, size and tenure of housing needed to help cater for different groups in the community. The Government has also recently published a National Design Guide in an effort to improve design quality, and self-build homes provides an opportunity to build homes to higher design standards than that built by volume builders who tend to have standard templates for homes.

Custom and Self-Build Supplementary Planning Document (SPD)

- 3.7 Whilst not strictly required, provision of an SPD on this matter will help provide clarity and guidance on how the Council will assist in meeting its obligations via the planning system.
- 3.8 The purpose of the SPD is therefore to provide guidance to all who may be interested in this form of housing, such as those people on our statutory on our Self-build and Custom Housebuilding Register. Guidance provided in the SPD will help potential builders with information and what is required to support their

proposal. Whilst the SPD will prove useful, applicants are still encouraged to seek pre-application advice at an early stage to prevent any unnecessary costs and abortive work.

- 3.9 The SPD discuss how communities can be involved in delivering self-build in the form of Community-led Development. Community Land Trusts could get involved by delivering self-build homes through community-led development as a way to help some residents to get on to the property ladder. Parishes who are preparing Neighbourhood Plans could include policies in their plan to help deliver self-build homes, subject to local circumstances.

Consultation and Responses

- 3.10 As is legally required, prior to the Council adopting an SPD, the Council must undertake appropriate consultation for a minimum of four weeks. Following Committee approval of a draft on 6 February 2020, we carried out six weeks consultation starting on 18 February and ending on 30 March 2020. All comments have been carefully considered and where it was appropriate changes are proposed to be made to the SPD. As part of the process, we have produced a Consultation Statement report which includes all comments we have received on this SPD and the Council's response to these comments (a copy attached at Appendix 3). This report will be published on our website alongside the adopted version of the SPD. Regulations issued by Government in July 2020 mean that, for a temporary period to 31 December 2020, hard copy documents no longer need placing at reception. We will only do so if reception fully reopens to customers.
- 3.11 Ten different organisations responded to the SPD consultation before the end of the consultation period. One late submission was received and this was recorded as such. In total, we received 32 separate comments (plus five late comments). All the comments received are logged in a table in the Consultation Statement report. The Council has responded to each of the comments and this is recorded in the report. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the table.
- 3.12 A number of issues were raised in the representations received. The main issues raised are summarised below.
- The SPD could contain some guidance on creating a safe and physically secure new homes including self-build.
 - Local Plan policies are of considerable age and to entrench these in the SPD is questioned.
 - Local Plan Review discontinued; concerned that not only policies but also the evidence that these policies are based on are considerably out-of-date.
 - Some objection to Policy SPD.SB1 as it is lacking reasoned justification and acting beyond legal remit for SPD.
 - Developers should not be required to sell self-build plots below fair market price as suggested in Policy SPD.SB2.
 - SPD is unlikely to have major impacts on the natural environment.

- Policy SPD.SB2 should contain viability clause and be flexible on phasing of self-build. Two years is too long to be released from self-build clause, it should be six to twelve months.
- SPD should not be used as a substitute for DPD which is subject to greater examination and should not create new policies that go beyond Local Plan policies.
- On a very large development, with so many different phasing it is difficult to provide serviced self-build plots prior to 50% of all housing being occupied.

3.12 The Consultation report responds to these issue in more detail, but in summary, the changes to the SPD, which are very limited in nature, are as follows:

- Page 6 – Policy SPD.SB1 minor amendments.
- Page 7 – Paragraph 2.2.6 in the last sentence “or less” is deleted between ‘fair price’ and ‘and for’.
- Page 7 – Policy SPD.SB2 minor amendment to policy.
- Page 12 – New paragraph 3.4.5 added about Secured by Design.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implications in preparing or adopting this SPD that cannot be covered by existing budgets. The consultation on the SPD was carried out primarily via emails and the Council’s web site. Other more specific consultation, such as with the agents forum and parish councils, were achieved under existing budgets.

4.2 Equality Impact Assessment (INRA) completed – appendix 1.

4.3 Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

There are no direct significant carbon impacts arising from the recommendations of this report. Any attempt to make Custom and Self-Build Homes undertake increased carbon saving measures (such as energy efficiency or renewable energy) would require a review of Local Plan policy. An SPD does not have the power to set such requirements.

5.0 APPENDICES

Appendix 1 - Completed INRA

Appendix 2 – Draft Custom and Self-Build Housing SPD

Appendix 3 - Consultation Statement report

Background Documents

East Cambridgeshire Local
Plan – 2015
National Planning Policy
Framework (NPPF) - 2019

Location

Room12A
The Grange
Ely

Contact Officer

Richard Kay
Strategic Planning Manager
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E-mail:

richard.kay@eastcambs.gov.uk

Appendix 1 - Completed INRA

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Custom and Self-Build Housing Supplementary Planning Document (SPD)
Lead Officer (responsible for assessment):	Harjinder Kumar
Department:	Strategic Planning
Others Involved in the Assessment (i.e. peer review, external challenge):	None
Date Initial Screening Completed:	July 2020

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

The SPD is a supplementary document, in support of policy contained in the Local Plan and in support of national policy. It does not set new policy, but rather gives clarity on how to interpret existing policy, and sets out what information is needed by applicants, parishes or communities in order to help them to deliver self-build homes.

The aim is to assist applicant and developers in preparing proposals or plans to help deliver custom and self-build homes in East Cambridgeshire.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

It is primarily aimed at those interested in building custom and self-build homes in East Cambridgeshire. Developers will be helped by the clarity provided in the SPD as to how the policy will be implemented. Parishes and communities will be helped in planning and delivering self-build homes. Applicants will be encouraged to come forward with their proposals with the knowledge that if their proposals meet the policy requirements they will be approved.

However, all residents and business of (and visitors to) the district could, potentially, benefit from the proposals, to a lesser or greater degree, because the SPD will help those who want to build their own homes either to get on to the property ladder or to build their ‘dream home’.



East Cambridgeshire District Council

Custom and Self-Build Housing

Supplementary Planning Document (SPD)

Adopted Version

September 2020



Contact:
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East Cambridgeshire District Council
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Foreword

This Supplementary Planning Document (SPD) provides guidance to all who are interested in custom and self-build housing.

East Cambridgeshire District Council has an ambition to help deliver housing for all sections of the community, where and how communities want it. Custom and self-build housing could be a route for some to get on to the property ladder and for others to build their 'dream home'.

We consulted on a draft of this document, between 18 February 2020 and 30 March 2020. Comments were invited on the SPD, in particular on how it can be made easier to understand, and if it should include any topic or further advice that was not included in the draft version of the document.

Comments made during this consultation period were carefully considered and changes were made in light of these comments where it was appropriate. This is the final version of the SPD and it was adopted by East Cambridgeshire District Council on 24 September 2020.

1. Introduction

1.1 Purpose and scope of this document

- 1.1.1 The purpose of this Supplementary Planning Document (SPD) is to provide guidance for those seeking to build custom and self-build housing in East Cambridgeshire.
- 1.1.2 The SPD will be of particular relevance to self-build plot providers, developers building more than 100 dwellings, communities involved in Neighbourhood Planning, Community Land Trusts and anybody else wishing to build their own home.
- 1.1.3 The SPD must be considered in the light of the wider planning policy context, including the East Cambridgeshire Local Plan, a Neighbourhood Plan (if one exists in the area of the proposed development) and the National Planning Policy Framework.

1.2 Adoption

- 1.2.1 Now adopted, the SPD has become a material consideration when determining planning applications. This SPD will be updated should the need arise due to changes in national or local policy on custom and self-build housing.
- 1.2.2 If you have any questions about this document, please contact the Strategic Planning Team on 01353 665555 or email planningpolicy@eastcambs.gov.uk

1.3 Context and Introduction

- 1.3.1 East Cambridgeshire District Council has had a long standing desire to promote and support self-build housing, and has done so well before national policy brought national attention to this form of development. This SPD is important in delivering our aspiration to help prospective self-builders. The SPD sets out the Council's expectations in helping deliver custom and self-build housing.
- 1.3.2 The Council recognises the benefits of custom and self-build housing to East Cambridgeshire residents. Some of the benefits are listed below:-
- Opportunity to provide lower cost housing for residents
 - Enable more self-build housing to be provided via community-led development
 - Help to provide jobs for local residents, in particular in the construction industry
 - Support a more resilient supply of housing from a diversity of sources, not just volume house builders
 - Encourage good and distinctive design and sustainable construction

1.4 What is a Custom and Self-Build House?

- 1.4.1 In summary, there is little difference between the two forms of development, with custom build being where a person commissions a specialist developer to help to deliver their own home, whilst self-build is where a person is more directly involved in actually organising and constructing their home. In this SPD, the Council follows the definition of self-build and custom house building as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) as outlined below.

“(A1) In this Act “self-build and custom housebuilding” means the building or completion by—
(a) individuals,
(b) associations of individuals,
or (c) persons working with or for individuals or associations of individuals, of
houses to be occupied as homes by those individuals.

(A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.”

- 1.4.2 As can be seen above, custom and self-build dwellings therefore share the same legal definition.
- 1.4.3 To help the Council decide whether a proposed, or completed, home is covered by the above definition, the Council must be satisfied that the initial owner of the home will have (or has had) primary input into its final design and layout. This would mean the applicants will have to provide evidence of their input into design process of the self-build dwelling. If the Council is not satisfied that this test has been met, the home will not be considered as being a custom or self-built dwelling.
- 1.4.4 To put it another way, and by way of examples only, a new dwelling would not be classed as a self-build or custom built home:
- If a developer built a dwelling, and sold it on the open market.
 - If the future occupier of the dwelling chose a design for the dwelling from a collection of stock designs offered by a developer.
 - If there is no evidence that the future occupier had a primary input into the design of the building, even if the building appears to be a ‘one-off’ bespoke design. Or
 - If the applicant has submitted a reserved matters application with house design and layout etc. for approval before marketing the plots to self-builders.
- 1.4.5 In some circumstances, it is possible for a community to get together and provide a self-build scheme consisting of self-build plots. Each plot is then developed by the owners of the plot according to their design and specifications. Such a scheme would be treated in a similar way to self-build as each plot is brought forward for planning permission and development.

2. Policy and Guidance

2.1 Custom and Self- Build National Policy and Guidance

2.1.1 National planning policy is provided in the National Planning Policy Framework (NPPF – February 2019). There is only limited reference to custom and self-build housing within it. In the section dealing with delivering a sufficient supply of homes, paragraph 61 of the NPPF says (emphasis added):

*“Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and **people wishing to commission or build their own homes**²⁶).”*

The associated NPPF Footnote 26 states:

“Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.”

2.1.2 The glossary of the NPPF also defines such housing as follows:

*“**Self-build and custom-build housing:** Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.”*

2.1.3 In addition to the NPPF, government publishes ‘live’ National Planning Policy Guidance (NPPG), a web-based resource which brings together planning guidance on various topics into one place. It was launched in March 2014 and provides government guidance, not policy, and is subject to change at any time.

2.1.4 At the time of preparing this SPD, the NPPG provides little additional guidance on custom and self-build homes for planning decision making purposes, it simply pointing to the Act and Regulations. It does, however, offer fairly extensive information on the obligation of Local Planning Authorities (LPA) to keep a ‘self-build register’ (see later in this SPD for more information on the East Cambridgeshire register).

2.2 Custom and Self Build Local Area (East Cambridgeshire) Policy

2.2.1 The East Cambridgeshire Local Plan¹ was adopted in April 2015. Although the Plan does not contain a specific custom and self-build housing policy, a key policy in helping to deliver such housing is HOU1: Housing Mix. The relevant part of this policy is as follows:

“Developments of 100 or more dwellings will be expected to provide a minimum of 5% self-build properties. The inclusion of self-build properties on smaller sites will also be encouraged.” (extract from Policy HOU1: Housing mix)

¹ <https://www.eastcambs.gov.uk/local-development-framework/east-cambridgeshire-local-plan-2015>

2.2.2 The supporting text to the policy also includes the following:

“The development of self-build properties by individuals or community groups (including Community Land Trusts) can also contribute to meeting the need for additional housing within the district, and provide a more diverse housing stock. The policy below proposes that larger housing schemes should include an element of self-build plots, to facilitate this diversity. Where this policy would result in the requirement relating to part of a dwelling the calculation will be rounded upwards to ensure that at least the minimum requirement is met.”

2.2.3 Thus, the policy is clear that developers must provide a minimum of 5% self-build properties on a development scheme of 100 or more dwellings. Following experience of implementing the policy since its adoption in 2015, the Council considers the following additional supplementary policy / guidance is necessary:

Policy SPD.SB1: Interpretation and Application of Policy HOU1

In implementing Policy HOU1 of the 2015 Local Plan (or any similar policy in any Neighbourhood Plan or in any superseding Local Plan), the Council will apply the following criteria:

- (A) Where Policy HOU1 refers to ‘self-build properties’, this will be interpreted to mean ‘self-build and custom housebuilding’ as defined by Self-Build and Custom Housebuilding Act 2015 (as amended). Where there is doubt as to whether a property (or plot) will meet such a legal definition, then the precautionary principle will be applied and it will be assumed to not meet the definition. The onus, therefore, is on the applicant to clearly demonstrate beyond reasonable doubt that the property (or plot) will meet the full legal definition as set out in the Act.
- (B) The ‘minimum of 5%’ requirement in Policy HOU1 applies to all dwellings proposed on site, and not just market housing. Thus, for example, a development proposal comprising 80 market homes and 35 affordable homes (total 115 units) would not be exempt from the policy which expects the provision of a minimum of 5% of the total number of all properties to be self-build.
- (C) A plot, forming part of a wider scheme, which is put forward by a developer as a self-build or custom housebuilding plot is unlikely to constitute an ‘affordable dwelling’ for the purpose of meeting the Council’s expectations in respect of affordable housing on that particular site. The requirements for affordable housing and self-build properties are dealt with entirely separately. Whilst it is possible for a self-build or custom build property to meet the definition of an affordable dwelling under national and local policy, it is unlikely in most instances to do so, and would require specific legal agreements confirming the delivery of such units (see Section 2.3 for commentary on this matter).
- (D) Where a site is expected to provide ‘a minimum of 5% self-build properties’, then the interpretation of minimum means that any rounding of calculations should be upwards to the nearest whole dwelling so as to ensure the minimum is met. For example, a scheme of 105 units the Council would expect 6 self-build properties ($105 \times 0.05 = 5.25$, which is rounded up = 6 units).

(E) Where a plot is set aside as a self-build or custom housebuilding plot for the purpose of meeting the minimum 5% expectation, then such a plot must have, or be capable of being provided with, the following:

- (i) a parcel of land with legal access to a public highway; and
- (ii) water, foul drainage and electricity supply available at the plot boundary.

2.2.4 Where a planning permission is granted consent, but such consent is restricted in some way so as to ensure the delivery of custom or self-build housing, there may be instances where, despite the best endeavours of the landowner, insufficient interest in purchasing designated custom and self-build housing plots exists. In such instances, the Council accepts that the best overall outcome would be for such plots to be released from their obligation to be custom and self-build housing, and instead come forward for alternative development (eg market housing).

2.2.5 However, the Council is mindful that developers could use such acceptance to their advantage, by placing barriers to the sale or delivery of self-build and custom housebuilding plots, so that the obligations to provide such dwellings are removed and more profitable market housing provided. To avoid such a scenario, the following policy applies:

Policy SPD.SB2: Making plots available and fall-back position for unsold plots

Where self-build and custom housebuilding plots are to be provided in line with Policy HOU1, then prior to 50% of all homes on the site being occupied, the following will be required (and secured via a legal agreement):

- the plots will have all minimum services and vehicular access provided to base course level; and
- the plots will be marketed for sale (at a fair market price) to individuals on the open market and (via the Council) the Self Build Register.

If after:

- (a) 2 years from the occupation of 50% of all homes; or
- (b) 3 months from the occupation of all other dwellings (i.e. all dwellings except the custom and self-build dwellings) within the site,

contracts for the sale of any plots have not been exchanged, the relevant plots may (subject to consent from the Council, and such consent will not be unreasonably withheld) be:

- (i) retained by the landowner and used for alternative appropriate purposes; or
- (ii) sold on the open market free from any encumbrance to provide self-build or custom housebuilding plots.

2.2.6 The Council will need to be satisfied that both policies in this SDP are complied with. Evidence would need to be submitted for some criteria such as input into the design process of the dwelling by potential owner(s) of the property. Also when selling the self-build plots, evidence will be required that these were marketed at fair price and for sufficient length of time before the Council would consider lifting self-build conditions on the plots.

2.2.7 Policy HOU 1 is the key policy that will help to deliver self-build and custom housebuilding in East Cambridgeshire. Of course, however, all other policies in the Local Plan (and any applicable

Neighbourhood Plan) should also be considered when planning such housing. Some of the relevant policies are listed below by way of example;

- HOU 1: Housing Mix (i.e. the wider elements of the policy, in addition to the self-build properties element)
- HOU 2: Housing density
- HOU 3: Affordable housing provision
- ENV1: Landscape and Settlement Character
- ENV 2: Design
- ENV 4: Energy and water efficiency and renewable energy in construction
- ENV7: Biodiversity and Geology
- ENV 8: Flood risk
- COM 7: Transport impact
- COM 8: Parking provision

2.3 Custom and Self-build Homes and Affordable Housing

2.3.1 The above Policy SPD.SB1 makes reference to custom and self-build housing and the provision of affordable housing. Under certain circumstances, it is possible that custom and self-build housing be used for delivering genuine affordable housing. For example:

- Serviced building plots are made available below market value and are subject to a legal agreement that restricts the resale value of the completed property to below market value
- Homes are built as shared ownership properties – for example where a housing association or Council constructs the homes to the waterproof ‘shell’ stage and then enables private homebuilders to enter into a special form of shared ownership lease to complete the property. Once the work is satisfactorily completed this earns the homebuilder an equity share in the property, which means they need a smaller mortgage or a lower deposit
- A developer or landowner could work in partnership with a recognised Housing Association or alternative affordable housing provider; or
- Where a self-builder commits (via an agreed legal document) that the resale of the dwelling shall be restricted to an eligible household for at least a 20% discount on market prices.

2.3.2 However, there is no obligation on the Council to accept custom and self-build housing to be counted as part of the developer’s obligation to provide affordable housing. Where it does so, the Council would have to be satisfied that such provision genuinely was affordable housing (in accordance with national definitions), and would remain so. In reality, due to the complexities involved, it would appear unlikely many, if any, custom and self-build housing will be officially classed as genuine affordable housing.

2.3.3 The Council is mindful that when affordable housing is included as part of the self-build allocation, the Council would require some guarantees that these plots will be sold/rented to someone who meets the definition of being in housing need. It is likely that the Council will put a condition within the S106 to allow the Council to revisit the affordable self-build allocation if these plots do not sell after, say, six months of being advertised. If no sale is agreed the Council could ask for a reasonable land value capture for the loss of the affordable self-build plot.

2.3.4 In the event of a 100% self-build scheme is large enough to generate the need to provide affordable housing then the Council will expect affordable housing to be provided on site. Only in exceptional circumstances will the Council consider off-site provision or a financial contribution in lieu of provision. Applicants will be expected to justify why affordable housing should not reasonably be provided on-site; for example, where there may be difficulties over the delivery,

design or management of small numbers of affordable units within a development. Therefore, the affordable housing requirement for 100% Self Build sites will be secured using the following hierarchy:

- 1a) Offered to Registered Providers (RP) as affordable self-build. If the developer can demonstrate that no RP will take on the site as affordable self-build then;
- 1b) Developer to build affordable housing units for transfer to an RP. If no RP will accept the units;
- 1c) A commuted sum in lieu of part/all of the provision required will be payable.

2.3.5 If viability demonstrates delivery cannot be on-site a commuted sum in lieu of part/all of the provision required will be payable. If the Council agrees to accept a commuted sum in lieu of part/all of the provision required, the sum required will be of equivalent value to the contribution that would have been provided by on-site provision, i.e. the cost of delivering the Council's policy requirement on the application site.

2.3.6 In order to calculate this sum, the applicant must agree with the Council a notional scheme delivering on-site affordable housing in accordance with the Council's policy. The applicant should submit a financial assessment of this scheme using the HCA's Development Assessment Tool, together with an assessment of the actual scheme proposed. The commuted sum required will be the difference between the residual land values of the notional scheme and the actual scheme. The Council may seek independent valuation advice, and the applicant will be responsible for any costs incurred.

2.3.7 Commuted sums will be paid to the Council prior to the occupation of the first dwelling. The Council will spend commuted sums to increase or improve affordable housing provision in the district and/or to support its other statutory housing functions e.g. prevention of homelessness. The Council will endeavour to prioritise the spending of commuted sums to benefit the locality from which the contribution was raised.

2.3.8 The Council's Developer Contributions SPD (or any superseding document) sets out the process for securing Affordable Housing.

2.4 Standard Conditions and S106 Obligations

2.4.1 For transparency and to hopefully speed up the consideration and approval process of schemes involving self-build or custom housebuilding, the Council provides the following standard conditions and s106 clauses.

2.4.2 However, all proposals will be treated on their merits, and the following may not be suitable in all circumstances. They should be treated, therefore, as a starting point for discussion.

Standard Conditions:

- (A) The self-build dwellings hereby approved will be developed as single plots as shown on the drawings submitted and specified in condition 1 and shall be completed in phases.
- (B) The development hereby permitted consists of solely self-build dwellings as defined in the Custom Housebuilding Act 2015.
- (C) The details to be submitted at reserved matters stage for the self-build plots shall follow the principles on the submitted layout plan drawing number XXX dated XXX and the Self Build Design Code dated XXX.

- (D) The development shall be carried out in accordance with the approved Phasing Plan, drawing ref XXX, received XXX. Each reserved matters application will need to show how it complies with the phasing plan and its relationship with each plot/phase and submit a street scene to demonstrate the relationship with other approved plots/phases.

Standard s106 clauses:

- I. Prior to first occupation of Xth (e.g. 50th) market house unit the self-build area shall have all services and vehicle access provided to base course level;
- II. Prior to first occupation of Xth (e.g. 50th) market house unit the self-build area shall be marketed for sale at full market value or below to individuals on the open market and on the Self-Build Register;
- III. If after (whichever the latest of) (1) 2 years after the occupation of Xth (e.g. 50th) Market Housing unit; or (2) 3 month after the occupation of all dwellings within the site (excluding the self-build area), contracts for the sale of any of the plots within the self-build area have not been exchanged, the relevant self-build dwelling may be either constructed as a Custom Build home or sold on the open market free from any self-build encumbrance.

3. Custom and Self Build Homes: Other Matters

3.1 Community Infrastructure Levy (CIL)

- 3.1.1 CIL is a planning charge, introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. CIL charging has been operating in East Cambridgeshire since February 2013.
- 3.1.2 CIL regulations were amended in 2014 to make provision for exemption for self-build housing. In simple terms, a self-build home, if appropriately qualifying as such and if appropriate documentation is provided to the Council in a timely manner, would not need to pay any CIL charge. The legislative framework behind this exemption is quite complicated, and therefore if you intend to seek such exemption, you should seek appropriate advice. Council officers are available to assist. However, at the time of writing, a crucial part of gaining such exemption is that an individual claiming the exemption must own the property and occupy it as their principal residence for a minimum of 3 years after the work is completed.

3.2 Neighbourhood Planning

- 3.2.1 A Neighbourhood Plan is a way of helping local communities to influence the planning of the area in which they live and work. In East Cambridgeshire, only your local Parish Council can prepare such a Plan. It can be used to:

- Develop a shared vision for your neighbourhood.
- Choose where new homes, shops, offices and other development should be built.
- Identify and protect important local green spaces.
- Influence what new buildings should look like.

- 3.2.2 Neighbourhood Plans may propose to alter non-strategic Local Plan policies where a local need can be demonstrated. Policy HOU1 of the Local Plan is not considered a strategic policy and therefore, where evidenced, Neighbourhood Plans may propose a requirement for the provision of self-build and custom housebuilding which differs from that set out in the East Cambridgeshire Local Plan.

- 3.2.3 An applicant should therefore always check to see whether a Neighbourhood Plan exists (or is well advanced) for the area in which the proposal will fall, to determine whether any alternative self-build or custom housebuilding requirements have been set.

3.3 Self-build and Custom Housebuilding Register

- 3.3.1 Following the Self-build and Custom Housebuilding Act 2015², and the subsequent Housing and Planning Act 2016³, and in accordance with the Self-build and Custom Housebuilding (Register) Regulations 2016⁴, East Cambridgeshire District Council maintains a Custom and Self-build register in order to monitor interest and to quantify the volume of plots for which suitable planning permission should be granted. The Register is open to all who have an interest in custom or self-build within the District. Whilst not obligatory, entering your name on the register is often the first stage for those people wishing to engage in self-build. Further details on the East Cambridgeshire register can be found here:
<https://www.eastcamb.gov.uk/local-development-framework/register-interest-self-build-and-custom-housebuilding>

² http://www.legislation.gov.uk/ukpga/2015/17/pdfs/ukpga_20150017_en.pdf

³ http://www.legislation.gov.uk/ukpga/2016/22/pdfs/ukpga_20160022_en.pdf

⁴ http://www.legislation.gov.uk/uksi/2016/105/pdfs/uksi_20160105_en.pdf

3.3.2 The Council must give planning permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in the area. The level of demand is established by reference to the number of entries added to an authority's register. The Council monitors both demand and provision of permissions in its annual Authority's Monitoring Report (AMR) available on our website⁵.

3.4 Delivering Custom and Self-build Dwellings in East Cambridgeshire

3.4.1 Many self-build plots will come forward on an individual basis (rather than as part of meeting the 5% expectation on a larger development site), meeting the needs of the specific plot owner. These individual plots will highly likely be on 'windfall' (non-allocated) sites in towns or villages, and occasionally in more rural areas in the District.

3.4.2 Where plots come forward as part of larger sites, it is common practice for the 5% self-build minimum element being approved in outline, often in a 'hybrid' style application, with the rest of the wider scheme approved as a full permission. By having outline consent the principle of self-build development on those plots has been established. Outstanding 'reserved matters' (i.e detailed designs) will have to be submitted and approved by the Council before development could commence.

3.4.3 There are a number of self-build housing schemes that have planning permission in East Cambridgeshire. Most are single dwellings on single plots, though some are coming forward via large sites.

3.4.4 For example, in North Ely a number of custom and self-build housing are to be delivered. The current promoter of the wider site has indicated that they might provide a 'Plot Passport' for the self-build plots. The idea behind 'Plot Passport' is to provide as much information as possible to the potential buyer of the plot so they have information about parameters and what can be built on the site. The Council welcomes the provision of Plot Passports, provided they conform to the consents given to those particular plots, the Design Guide SPD and do not unduly restrict the delivery of self or custom housebuilding on them. Examples of plot passports and design code⁶ can be found on the internet.

3.4.5 Secured by Design (SBD), an official Police security initiative, has now produced guidance for self-build developments which aims to create a safe and physically secure new home which can be achieved by focussing on issues of design and layout around the home supported by the use of effective physically secure products such as correct doors and windows, plus much more. A copy of the guidance can be found at: <https://www.securedbydesign.com/guidance/design-guides>

⁵ <https://www.eastcambs.gov.uk/local-development-framework/monitoring-and-local-development-scheme>

⁶ <https://righttobuildtoolkit.org.uk/briefing-notes/design-codes-and-plot-passports/#>



East Cambridgeshire
District Council

**Custom and Self-
Build Housing
Supplementary
Planning Document
(SPD) – Reg 12(a)
Consultation
Statement**

Version 2 – at adoption stage -
September 2020

1. Introduction

- 1.1. The Town and Country Planning (Local Planning) (England) Regulations 2012 requires the Council to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD). Regulation 12(a) requires a Statement to be prepared setting out who has been consulted while preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the final SPD. An earlier version of this report was published alongside the consultation version of the SPD.

2. Consultation Undertaken up to and including 17 February 2020

- 2.1. In preparing the SPD, internal consultation within the Council took place and this resulted in the drafting and refining of the content of the consultation draft SPD. The draft was subsequently considered by Finance and Assets Committee of the Council on 6 February 2020, where it was approved for the purposes of public consultation. The papers for that meeting (including a copy of the draft SPD) were publicly available on the Council's website seven days prior to the meeting taking place.
- 2.2. No external consultation took place on or before 17 February 2020.

3. Public consultation, from 18 February to 30 March 2020

- 3.1. Public consultation started on 18 February 2020 and ended on 30 March 2020. This period was longer than the minimum four week period required by legislation. Some late comments, from one representor, were received and these are included in this report for completeness, and were also considered.
- 3.2. A copy of the draft SPD was made available for public inspection, free of charge:
- On the Council's website at: <http://www.eastcamb.gov.uk/local-development-framework/supplementary-planning-documents>
 - and at the District Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am to 5pm from Monday to Thursday, and 8.45am – 4.30pm on Friday;
- 3.3. An email was sent out to all consultees (except to one consultee who was sent a letter with the same information). A copy of the email is attached at appendix A. Nearly 480 emails were sent out. These included statutory consultees, local businesses, local organisations, individuals who wish to be informed of planning documents consultations and other stakeholders (see full list at Appendix B). All the comments we received were via email.

4. Representations received

- 4.1. Ten different organisations responded to the SPD consultation during the period. One late submission was received and recorded as such in this report. In total, we received 32 separate comments (plus five late comments). All the comments received are recorded in the table below. The Council has responded to each comment and this is recorded in the Council's Response column. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the Action Column of the table below. These changes are included in the adopted version of the SPD.
- 4.2. There were some supporting comments for the SPD as drafted and these were welcomed.

5. Issues Raised during consultation and how they have been addressed

- 5.1 A number of issues were raised in the representations received. The main issues raised are summarised below.
- SPD is unlikely to have major impacts on the natural environment.
 - SPD could contain some guidance on creating a safe and physically secure new homes including self-build.
 - Local Plan policies are considerable age and to entrench these in the SPD is questioned.
 - Local Plan Review discontinued, concerned that not only policies but also the evidence that these policies are based on are considerably out-of-date.
 - Some objection to Policy SPD.SB1 as it is lacking reasoned justification and acting beyond legal remit for SPD.
 - Developers should not be required to sell self-build plots below fair market price as suggested in Policy SPD.SB2.
 - Policy SPD.SB2 should contain viability clause and be flexible on phasing of self-build. Two years are too long to be released from self-build clause, it should be six to twelve months.
 - SPD should not be used as a substitute for DPD which is subject to greater examination and should not create new policies that go beyond Local Plan policies.
 - On a very large development, with so many different phasing it is difficult to provide serviced self-build plots prior to 50% of all housing being occupied.
- 5.2 Paragraph 5.1 provides a summary of the comments received in response to the consultation on the SPD. Full comments can be read in the table below. The Council has responded to each of the comments and where it was felt necessary for accuracy or clarity or improvement, the Council has made changes.

Comment ID	Consultee Name	Chapter/ Para. No./ Policy No. Plus Support/ Object/ Observation	Comments	Council's Response	Action
CSB-01	Natural England	General Comments / Observation	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p>Biodiversity enhancement This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p>Landscape enhancement The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p>Protected species Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.</p>	Comments noted. The suggestions raised are more appropriate for other SPDs.	No change to the SPD

			<p>Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>		
CSB-02	<p>Crime Prevention Design Team (Estates) Cambridgeshire Constabulary</p>	<p>General Comments / Observation</p>	<p>Thank you for the opportunity to comment on the above Supplementary Planning Document – in my role as a designing out crime officer with Cambridgeshire Police and my comments would directly relate to enhancing community safety and reducing vulnerability to crime with this new document. I would ask for consideration that the following be included if possible:</p> <p>Secured by Design (SBD), an official Police security initiative, has now produced guidance for self-build developments which aims to create a safe and physically secure new home which can be achieved by focussing on issues of design and layout around the home supported by the use of effective physically secure products such as correct doors and windows, plus much more. A copy of the guidance can be found at: https://www.securedbydesign.com/guidance/design-guides</p>	<p>Valid comments - any guidance that will help to deliver more secure self-build homes would be useful.</p>	<p>Add a new paragraph after 3.4.4 to read as below.</p> <p>Secured by Design (SBD) have now produced guidance for self-build developments which aims to create a safe and physically secure new home which can be achieved by focussing on issues of design and layout around the home supported by the use of effective physically secure products such as correct doors and windows, plus much more. A copy of the guidance can be found at:</p>

					https://www.securedbydesign.com/guidance/design-guides
CSB-03	Witcham Parish Council	General Comments / Observation	The above consultation documents were considered at our meeting on Wednesday. Witcham Parish Council had no comments to make.	Comments noted	No Change to the SPD
CBS-04	Persimmon Homes Ltd.	General Comments / Observation	<p>The National Planning Policy Framework (NPPF) states at paragraph 33 that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and then should be updated as necessary. The East Cambridgeshire Local Plan Review, which was intended to update the existing 2015 Local Plan, was abandoned by the Council in February 2019. There appears to be no current intention to progress a new local plan.</p> <p>It is particularly concerning that the effect of the Draft SPD is to ensure the stricter application of Policy HOU 1 of the 2015 plan, which is now of a considerable age. The housing needs evidence which sits behind that policy is even more dated and Persimmon would question whether entrenching such a policy through an SPD is appropriate.</p>	Comments noted. An SPD must conform to a Local Plan, and this SPD has been drafted to do so.	No Change to the SPD
CBS-05	Persimmon Homes Ltd.	General Comments / Observation	That said, it appears to be the intention of Policy HOU 1 that the requirement to provide self-build within qualifying developments was to be applied flexibly as confirmed in paragraph 4.2.6 of the supporting text which states that the final mix of housing/types will be subject to negotiation with the applicant. This is also enshrined within the final clause of the policy itself. The new additions to the policy via the proposed SPD are extremely rigid and appear to provide little room for negotiation which will obstruct effective housing delivery.	Policy HOU 1 makes it clear that developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The SPD simply provides greater clarity and guidance to implement the policy effectively.	No Change to the SPD
CBS-06	Persimmon	SB1 / Object	Having made those general observations, the SPD as drafted is fundamentally deficient as it does not comply with Regulation 8 of	Disagree. Clause A provides the clarity	No Change to the SPD

	Homes Ltd.		<p>The Town and Country Planning (Local Planning) (England) Regulations 2012. Among other things, Regulation 8 states that SPDs must contained a reasoned justification of the policies contained within them. Policy SPD.SB1 is supported not by reasoned justification. The provisions explained therein are simply described as necessary following the experience of implementing Policy HOU 1. Policy SPD.SBD1 Clause A) places an onus on the applicant to demonstrate “beyond all reasonable doubt” that a property (or plot) will meet the full legal definition of “custom and self-build” as contained in the Self-Build and Custom Housebuilding Act 2015 (as amended). The SPD is silent on the form of evidence the Council will accept whilst introducing a presumption that where there is any ambiguity, the plots or properties concerned will be assumed not to meet the legal definition thereby giving rise to a potential reason for refusal in its own right and one which is not foreshadowed by Policy HOU 1.</p> <p>The passage of the Self-Build and Custom Housebuilding Act (2015) into law preceded the adoption of the 2015 Local Plan by less than a month. It is therefore extremely improbable that where Policy HOU 1 refers to “self-build properties” that it is referring to the definition of Self Build and Custom Housing in the 2015 Act. The Draft SPD itself at paragraph 2.2.1 concedes that the existing development plan does not contain “a specific custom and self-build policy.”</p> <p>For these reasons Policy SPD.SBD1 Clause A) as well as lacking a reasoned justification is acting beyond the legal remit of a supplementary planning document. Clause A should therefore be removed. Persimmon strongly objects to Policy SPD.SBD1.</p>	<p>needed due to the publication of the Act, and to avoid any misunderstanding that the Local Plan is referring to some other type of ‘self build’. By aligning to the Act, all doubt on definitions are removed.</p> <p>There is ample reasoned justification for the policy.</p>	
CBS-07	Persimm on Homes Ltd.	SB2 / Support	<p>Policy SPD.SB2 seeks to a create fall-back position for unsold self and custom build plots whereby such plots would revert to alternative forms of housing if not taken up after a particular period. Whilst Persimmon is generally supportive of such an approach, the period and form of marketing required needs to be realistic.</p>	<p>Support noted. The approach is concerned realistic.</p>	<p>No Change to the SPD</p>
CBS-08	Persimm on Homes Ltd.	SB2 / Objection	<p>Policy SPD.SB2 begins by stating that all self-build plots will need to be serviced prior to 50% of all homes on the site being occupied. At minimum, this clause should be suitably caveated stating that it is subject to viability and phasing requirements of the individual site.</p>	<p>SPD.SB2 is, like all other policy, an expectation. But, as is often the case, there could be conflict between</p>	<p>No Change to the SPD</p>

				delivering all policies and conflict with viability. These matters should be discussed at application stage. It would not be appropriate to add 'subject to viability' to the start of every planning policy.	
CBS-09	Persimm on Homes Ltd.	SB2 / Observation	Policy SPD.SB2 goes on to state that the plots should be marketed for sale at fair market price or lower to individuals on the open market. The Council is explicit elsewhere in the document that it will not accept custom and self-build plots as contributing to the affordable housing requirements for a site. As such, it is not clear in what scenario plots would be marketed for sale at price lower than market value. The phrase "or lower" should be removed from the policy for the avoidance of doubt as it would not be reasonable to ask the developer to market the plots below market value.	Valid comments. Developers should not be expected to sell plots below fair market price.	Change to the SPD.SB2 as follows; "the plots will be marketed for sale (at a fair market price or lower) to individuals on the open market and (via the Council) the Self Build Register"
CBS-10	Persimm on Homes Ltd.	SB2/ Object	Persimmon strongly objects to the last limb of Policy SPD.SB2. This states that if there is no market interest in self-build plots, they would only be released for alternative development two years after occupation of 50% of all homes or the sale of all other dwellings within the site, whichever is the latest. The practical effects of this approach will cause significant operational challenges for developers and adversely affect the amenity of future residents. Substantial portions of the sites could remain undeveloped for years after most residents have already moved in. If the plots come on stream for their intended use later on in the intended marketing period, construction could continue for a substantially longer period given that self-build plots are much slower to deliver. The result would be that sites would take much longer to complete construction activities and future residents would have to tolerate construction traffic, noise, and the general disturbance associated	Partially agree the challenges presented, but the general clause remains valid. Some adjustment is proposed. Ultimately, the onus is on the developer to (a) locate the plots in a suitable place and (b) market the plots in a positive manner, to deliver	Amend SPD.SB2 as follows: "If after (whichever is the latest of): (a) 2 years from the occupation of 50% of all homes; or (b) 3 months from the sale occupation of all other dwellings (i.e. all dwellings except the custom and self-build dwellings) within the site,

			with construction for much longer than would ordinarily have been the case.	the national policy requirement for these types of homes. If it does so, and sales agreed, the challenges presented will not arise.	contracts for the sale of any plots have not been exchanged..."
CBS-11	Persimm on Homes Ltd.	SB2 / Observation	Persimmon recognises that once obligated then genuine attempts should be made to dispose of self-build plots for their intended purpose. But it is generally our experience that providing such plots as part of large-scale housing developments is undesirable to the market. We have found in other areas of the country that where local authorities have required the provision of self-build plots through strategic housing sites, there is typically the option to revert to standard housing after a period of marketing which is usually about six months. We would submit that this is more than enough time to test potential uptake and that Policy SPD.SB2 should be redrafted on that basis.	The Council wants to give self-build housing every possible chance of success. For example, generating finance for this type of build will take longer to raise and therefore 2 years is considered to be an acceptable limit. '6 months' to 'test potential uptake' is not satisfactory. Of course, if the developer places great importance on marketing the plots, at a fair price, then it is unlikely the clause will need to be enacted.	No Change to the SPD (other than listed above).
CBS-12	Persimm on Homes Ltd.	SB2 / Observation	We are particularly concerned that Policy SPD.SB2 as currently drafted requires the frontloading of self-build plots and then requires developers to hold these serviced plots on their books for an unnecessarily long period, potentially until the sale of all other homes	Developers are aware of this requirement on strategic sites and	No Change to the SPD (other than changes above)

			on the development complete. Depending on site infrastructure requirements and phasing, this could create significant cash flow impacts and potential viability implications introducing a burden on new development which has not been fully considered or tested via an examination process.	therefore they should be able to plan and phase self-build plots in their overall scheme. Policy SPD SB2 provides guidance on Policy HOU1 which has been through the Local Plan process and has been fully tested. See also other comments.	
CBS-13	Persimm on Homes Ltd.	SB2 / Object	Persimmon strongly objects to the Draft SPD as a whole as it is currently drafted.	See Council's responses above.	No further change to the SPD
CBS-14	Historic England	General comments / Observation	<p>Thank you for your e-mail inviting Historic England to respond to the Supplementary Planning Documents on Custom and Self Build Housing and The Natural Environment.</p> <p>Unfortunately, due to our capacity, we regret that we are unable to comment specifically at this time.</p> <p>We do however recommend that the advice of your local authority conservation and archaeological staff is sought as they are best placed to advise on local historic environment issues and priorities, including access to data, indicate how historic assets may be impacted upon by the Supplementary Planning Documents, the design of any required mitigation measures and opportunities for securing wider benefits for the future conservation and management of the historic environment. If you have specific questions relating to the historic environment that cannot be answered by your local conservation and archaeological specialists, please contact Historic England's regional Development Advice Team.</p> <p>Although we have not been able to provide a substantive response at this stage, this does not mean that we are not interested in further iterations of the document. Please note that we may still advise on, and potentially object to, any specific development proposal(s) which</p>	Comments noted	No Change to the SPD

			may subsequently arise from this or later versions of the documents subject to the consultation.		
CSB-15	Huntingdonshire District Council	General comments / Observation	Huntingdonshire District Council are pleased to note that both SPDs take a very proactive stance to support the natural environment and encourage custom and self-build housing. Huntingdonshire look forward to working with East Cambridgeshire on any cross boundary projects that may arise.	Comments noted	No Change to the SPD
CSB-16	Reach Parish Council	General comments / Support	Both supplementary planning documents, approach to the natural environment and, the Custom and Self-build housing SPD, were discussed at the Reach Parish Council meeting on the 4 th March 2020. The outcome of these discussions were that the council is in support and endorses both documents.	Support noted	No Change to the SPD
CSB-17	Gladman Developments Ltd.	General comments / Observation	Gladman take the opportunity to remind the Council that SPDs cannot be used as a fast track mechanism to set policies and should not be made with the aim of avoiding the need for examination or reinventing existing planning policy which should be examined. SPDs are not subject to the same degree of examination and consultation as policies contained in Local Plans and therefore should only provide additional guidance to those bringing forward development proposals across the District. The NPPF 2019 confirms this where it defines SPDs as: “documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material planning consideration in planning decisions, but are not part of the development plan.” The role of the SPDs should therefore be to provide guidance on existing planning policy contained in the adopted Development Plan. It is important to note that this does not present an opportunity to reinvent the existing planning policies contained in the local plan.	Comments noted, and the Council is satisfied that the comments raised have been addressed appropriately.	No Change to the SPD
CSB-18	Gladman Developments Ltd.	General comments / Observation	Whilst the 2015 Local Plan does not contain a policy solely dedicated to custom and self build housing, Policy HOU1: Housing Mix includes reference to this type of housing provision. This policy states <i>“Developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The inclusion of self build</i>	Comments noted. This is the purpose of the SPD, and it does not set policy	No Change to the SPD

			<i>properties in smaller sites will also be encouraged.</i> ” As such the draft SPD should be seeking to provide additional guidance to ensure the effective delivery of this policy rather than setting new policy.	which contradicts the Local Plan.	
CSB-19	Gladman Developments Ltd.	General comments / Observation	Gladman raise some concern over whether this SPD is providing more than just additional guidance and is in fact seeking to create policy which should be the subject of testing through a Local Plan examination. Whilst Gladman support some of the clarity that this document would provide we would question whether the type of detail being provided should actually come through a review of the policy, or an additional policy through a review of the Local Plan. Gladman believe the Council should give further consideration in regard to the scope of this SPD and whether this is just guidance or in fact new policy.	The SPD provides clarity as to how Policy HOU 1 will be implemented and does not impose any additional burden on the developer.	No Change to the SPD
CSB-20	Gladman Developments Ltd.	Para 2.2.4 / Observation	Whilst the policy is clear in the Local Plan that developments over 100 dwellings must provide a minimum 5% self build properties, following experiences since adopting the plan the Council is proposing additional policy guidance through this SPD. Notwithstanding the above concerns regarding the overall scope of this SPD Gladman are supportive of the recognition set out at paragraph 2.2.4 that there may be instances that the plots set aside for self build do not come forward and therefore the best overall outcome is for them to come forward for alternative development (market housing).	Comments noted	No Change to the SPD
CSB-21	Gladman Developments Ltd.	SB2 / Observation	With regards to self build policies within Local Plans, Gladman would in general recommend a policy mechanism enabling the plots to revert back to market housing as part of the wider scheme if they are not brought forward within a given timeframe. Gladman would suggest 12 months, because if there is the demand for self build custom build housing the plots are likely to be brought forwards relatively quickly. Whilst Gladman support the inclusion of such a mechanism as identified in this draft SPD, Gladman believe that 2 years for the occupation of 50% of all homes is too long a period which could sterilise these plots for a considerable length of time frustrating the provision of housing for the wider local population.	The Council wants to give self-build housing every possible chance of success. For example, generating finance for this type of build will take longer to raise. 2 years is considered to be acceptable limit. See also other comments earlier,	No Change to the SPD

				in reply to similar points.	
CSB-22	Gladman Developments Ltd.	Para. 2.2.6 / Observation	Gladman note the text within paragraph 2.2.6 of the consultation document which states " <i>Also when selling the self build plots, evidence will be required that these were marketed at a fair price or lower and for a sufficient length of time before the Council would consider lifting self build conditions on the plots.</i> " Gladman query why reference is made to marketing these plots at a lower price and the evidence base justification for this. The provision of self build plots on a scheme will have an impact on viability and this could potentially impact upon this. It is unclear whether the Council have taken viability considerations into account.	Valid comments in respect of 'or lower'. See earlier comments making a similar point. The issue of viability was addressed in formulating the Local Plan. This SPD does not introduce any new burden.	Change to the second part of paragraph 2.2.6 as follows by removing 'or lower' (see earlier for the change made to a similar point);
CSB-23	Gladman Developments Ltd.	General Comments / Observation	Whilst Gladman note that the SPD refers to the level of demand being established by reference to the number of entries added to the authority's register. Whilst this may be the case, it is critical that the self build register is kept up to date and is an accurate reflection of demand within an area. Gladman would raise a degree of caution with relying too heavily upon this as a definitive source of true demand.	Comments noted. As required by legislation, the self-Build register is kept up to date and details published annually in our AMR.	No Change to the SPD
CSB-24	Pigeon Investment Management	General Comments / Observation	Pigeon welcome the Council's intentions in seeking to provide additional guidance in respect of custom and self-build housing to assist those seeking to bring such schemes forward in accordance with Local Plan Policy HOU1. Pigeon is actively involved in bringing forward plots for self and custom build housing as an integrated part of a number of its schemes across the East of England and consider that, in the right circumstances such provision can make a valuable contribution towards meeting housing needs.	Comments noted	No Change to the SPD
CSB-25	Pigeon Investment	SB1 / Observation	SPD.SB1 (interpretation of HOU1) – Pigeon welcome clarification that references to self-build housing within the Policy also encompasses custom build housing in accordance with the definition in the Self-Build and Custom Housebuilding Act 2015.	Comments noted. Clarity is required to resolve the potential conflict	Change to criterion C of policy SPD.SB1 as below;

	Management		<p>With regard to Criteria C, it is considered that the suggestion that self and custom build housing plots would not contribute to the affordable housing requirement under any circumstances is not consistent with the text at Section 2.3. Moreover, it is unreasonable in that it provides no flexibility to allow this in the exceptional circumstances where such housing could legitimately be secured as affordable housing such as those instances outlined at 2.3.1. It is considered that Criteria C should be amended to align with the text in Section 2.3 and enable self-build and custom build housing to count towards the affordable housing requirement where it can be demonstrated to the Council's satisfaction that it would genuinely be affordable housing (meeting the criteria at paragraph 2.3.1). Such safeguards would be secured through a s106 Agreement as with any affordable housing requirement.</p>	<p>between criterion c of policy SPD.SB1 and section 2.3, though the principle of a self build home not being affordable housing remains extremely likely in most instances.</p>	<p>'A plot, forming part of a wider scheme, which is put forward by a developer as a self-build or custom housebuilding plot does not is unlikely to constitute an 'affordable dwelling'... and would require specific legal agreements confirming the delivery of such units (see section 2.3 for commentary on this matter).'</p>
CSB-26	Pigeon Investment Management	SB2 / Objection	<p>Policy SPD.SB2 (Making Plots available and fall-back position for unsold plots) – Firstly, it is currently unclear from the wording of the policy whether this would apply to all self-build developments or is intended to specifically apply to developments of 100 dwellings or more.</p> <p>Additional wording should therefore be provided to aid interpretation of the Policy and its application.</p> <p>The first part of the Policy seeks to ensure that self-build plots are fully serviced prior to 50% of all homes being occupied. Whilst this is perfectly reasonable in the context of smaller developments, it may in some instances be more challenging, particularly for very large developments which are subject to phasing schemes and where the self-build plots might be located where they would ordinarily fit with a later phase of construction. It is suggested that some flexibility is</p>	<p>The policy SPD.SB2 is clear as stated in first paragraph this applies to plots provided in line with Policy HOU1. Phasing of self-build plots on a larger sites should be discussed at application stage and any unusual circumstances of the scheme can be</p>	<p>No further change to the SPD (but see earlier changes)</p>

			<p>provided to allow for such instances and trigger points are addressed on a scheme by scheme basis.</p> <p>The second part of the policy sets out a 'fall-back' position in instances where there proves to be no demand for the self and custom build plots. As noted above Pigeon welcome the principle of a fall back position. However, it is considered that the two year period for marketing and for exchange of contracts is excessive. The typical marketing requirement for commercial properties for instance is around 12 months. It is considered that this would be a better and more reasonable period.</p>	<p>considered. This would have to be done on a site by site basis. See also commentary on earlier, and similar, representations.</p>	
CSB-27	Pigeon Investment Management	Paragraphs 2.3.1-2.3.2 / Observation	<p>Pigeon welcome the recognition that there may (exceptionally) be limited instances where self and custom build housing plots could legitimately provide genuine affordable housing. As highlighted above. This should be recognised in Policy SPD.SB1 to ensure consistency</p>	<p>Comments noted. See earlier commentary and suggested changes</p>	<p>No further changes to the SPD.</p>
CSB-28	Pigeon Investment Management	Paragraph 2.4.2 / Observation	<p>We would reiterate our comments in relation to SPD.SB2 above with regard to the suggested triggers for the standard s106 clauses.</p>	<p>Comments noted. .</p>	<p>No Change to the SPD</p>
CSB-29	Pigeon Investment Management	Paragraph 3.4.4 / Observation	<p>We would welcome further clarification and examples of plot passports and how these would relate to the Design Guide SPD and any intended design codes.</p>	<p>As stated in paragraph 3.4.4 'plot passport' is provided by the promoter of the site which is specific to the site requirements. It would not be appropriate to provide further guidance in the SPD but happy to discuss during any pre-application advice on any specific site.</p>	<p>No Change to the SPD</p>

CSB-30	Pigeon Investment Management	General Comments / Observation	<p>Pigeon welcome the Council's intentions in seeking to provide additional guidance in respect of custom and self-build housing to assist those seeking to bring such schemes forward. Pigeon fully support the provision of self and custom build housing and consider that it has an important role in helping to meet housing needs. Whilst we are supportive of much of the content of the draft DPD there a number of aspects where we suggest that some amendments or clarifications are made.</p> <p>In particular, it is considered that Policy SPD.SB1 should allow for self and custom build housing to count as affordable housing in the exceptional circumstances where such housing could legitimately be secured as affordable housing. It is also considered that Policy SPD.SB2 should provide additional flexibility in terms of the application of the triggers for provision on larger sites and that a period of around 12 months of marketing would be a more reasonable basis for applying the fall-back position.</p>	Comments are noted and concerns expressed in these comments are addressed in our responses above.	No Change to the SPD
CSB-31	Pigeon Investment Management	General Comments / Observation	<p>Pigeon welcome this consultation and hope that the Council will find the comments of assistance. It is suggested that the Council may wish to consider the benefits of a workshop with Developers before the SPDs are finalised as a mechanism for ensuring the documents draw an appropriate balance in seeking to secure sustainable development which both protects the natural environment and maintains requisite housing delivery including self and custom build housing.</p> <p>I trust that you will find our comments, which have been provided in the interests of facilitating the delivery of sustainable development, of assistance in moving forward towards adoption of these important SPDs. Pigeon are more than happy to give any assistance in clarifying or expanding on any comments made in the above text and attached documents and would be happy to meet with the Council if this was of assistance.</p>	Comments noted. The Council has no plans to hold Developers Workshop before adopting this SPD, especially with the difficulties of holding events at the present time.	No Change to the SPD
CSB-32	John Armour	General Comments / Observation	I have nothing to add here. The conditions and rules applying seem to cover most eventualities. It is good to see some of the definitions being spelled out with examples (not limiting of course).	Comments noted.	No Change to the SPD
CSB-33	Little Thetford	General Comments / Objection	The very first paragraph (1.1.1) states that the purpose of the SPD is to provide guidance for those seeking to build custom and self-build housing in East Cambs. Whilst 1.1.3 refers to general Planning	Paragraph 1.1.1 rightly states the purpose of the	No Change to the SPD

Late Response	Parish Council		Guidance but with no other reference to Self-Build this appears to be the definitive document. It is felt that it does not do this and is therefore Not Fit For Purpose.	SPD whereas paragraph 1.1.3 shows wider context in which SPD has to be considered.	
CSB-34 Late Response	Little Thetford Parish Council	General Comments / Observation	Whilst definitions and their Interpretation are very important the document appears to have lost itself in this detail to the detriment of overarching issues of relevance to Applicants and those whose views will be sought, including Parish Councils.	Not clear from the comments which overarching issues are harmed.	No Change to the SPD
CSB-35 Late Response	Little Thetford Parish Council	Para 2.2.5 / Observations	Considers the thorny issue of the fall-back position for unsold plots. Since some developers would far rather sell the plots outside of the strictures of the self-build programme, they are not incentivised to comply with this provision - rather they could perceive it as a means to go slowly on the marketing and legal aspects to ensure this does not happen. Making it a proviso that Council consent will not be unreasonably withheld will make it almost impossible to challenge any unscrupulous behaviour on the part of developers.	Sufficient safeguards are in place to ensure self-build housing are delivered is not abused such as planning conditions and section 106 agreement.	No Change to the SPD
CSB-36 Late Response	Little Thetford Parish Council	Observation	The SPD also appears to be silent on what happens if somebody buys a plot (in good faith or otherwise) and then seeks to resell it.	Section 2.4 outlines standard conditions and legal clauses that would be included to ensure that the plot is developed as self-build even when plot is resold.	No Change to the SPD
CSB-37 Late Response	Little Thetford Parish Council	Para. 2.3.7 / Observation	Paragraph 2.3.7 refers to the use of commuted funds. Since one of the disadvantages of Self-Build developments is that the local community do not get any CIL payments or similar (as acknowledged in 3.1.2), whilst accepting that the Council has other obligations can a proportion of those payments not be made available for identified Parish Council projects that support those objectives? Paragraph 3.1.2 deals primarily with CIL payments and highlights one of the criteria for gaining exemption to CIL of residence for 3	Apart from the normal information that would be need to be submitted with any planning applications, paragraph 1.4.3 informs applicants	No Change to the SPD

			<p>years. That is one small part of the application process and the penalties for non-compliance with, what some critical of such schemes refer to as, an overly bureaucratic system with financial penalties far in excess of what is appropriate for delay in or failing to submit a form. The SPD would benefit considerably from having a simple time-line template showing what paperwork needs to be submitted at what stage of development (as per the Natural Environment Assessment SPD). That would also assist Parish Council's and others to have a better understanding of the Requirements as well as for monitoring progress.</p>	<p>additional information to be submitted for Custom and Self-Build homes. The SPD is not the appropriate place to set out CIL legislation details, especially as such legislation is prone to regular national changes, and is being proposed to be amended again.</p>	
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Email

Draft Supplementary Planning Documents (SPD): Natural Environment and Custom and Self-Build Housing

Dear Sir/Madam

We are emailing to consult you on the above two supplementary planning documents (SPDs) and with this email, we have enclosed two consultation notices for the SPDs. This will likely be the only consultation on these SPDs. Following consultation, all comments received will be considered and appropriate amendments made. The SPDs are then scheduled to be adopted by the Council later in 2020.

The first draft SPD sets out East Cambridgeshire District Council's approach to the **natural environment**, providing advice on policy requirements relating to it, including issues such as: 'net gain' in biodiversity through development proposals; protection and provision of trees; protection of existing nature sites; and supporting the Council's position in relation to the recently adopted Local Nature Partnership vision to 'double land for nature' by 2050 across Cambridgeshire.

Separately, the **Custom and Self-build housing** SPD provides guidance to large scale developers who are obliged to meet the Local Plan policy to provide self-build plots (i.e. development consisting of more than 100 dwellings should set aside a minimum 5% of plots for self-build purposes). The SPD also provides useful advice for individuals, groups or Community Land Trusts (or similar) that may be interested in providing self-build plots. Parishes that are interested in including self-build plots in their Neighbourhood Plans may also find this SPD useful.

Copies of the draft SPDs are available for public inspection:

- on the Council's website at: <http://www.eastcambs.gov.uk/local-development-framework/supplementary-planning-documents> and
- at reception of the Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am - 5:00pm from Monday to Thursday, and 8.45am – 4.30pm on Friday.

The consultation period starts on **18 February 2020** and ends on **30 March 2020**. Only comments made during this period can be taken into account. Any comments made after the consultation period may be discarded.

You may submit your comments either by email to planningpolicy@eastcambs.gov.uk or send your comments via post to: Strategic Planning Team, East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE.

Please be aware all comments submitted on the SPDs will be made available for public inspection. As part of the process, we will also be producing a Consultation Report which will include a summary of all the comments received and the Council's response to these comments.

If you have any questions or queries regarding the draft SPDs consultation please contact the Strategic Planning Team on (01353) 665555 or email planningpolicy@eastcambs.gov.uk

Kind Regards,
Richard Kay
Strategic Planning Manager

List of all Consultees

<p> Anglia Design LLP Anglian Water Services Limited Beacon Planning Ltd BGG Associates Ltd Bird & Tyler Associates Bloor Homes Bovis Homes Brand Associates BT Openreach Camal Architects Cambridge Past, Present & Future Cambridgeshire Cambridgeshire & Peterborough Combined Authority Cambridgeshire ACRE Cambridgeshire and Peterborough Clinical Commissioning Group Cambridgeshire City Council Cambridgeshire Constabulary Cambridgeshire County Council Cambridgeshire Fire and Rescue Services Cambridgeshire PCT Cambridhe Housing Group CAMRA CAMRA - Campaign for Real Ale Carter Jonas LLP Catesby Property Chatteris Town Council Chorus Homes City of Ely Council CJ Murfitt Limited Claires Chef Agency CLT East Co-Housing Network Colne Parish Council Cottenham Parish Council CPRE Cambridgeshire & Peterborough Create Buildings LLP Dalham Parish Council DC Blayney Associates Ltd DPDS Consulting Dudley Developments Eagle Home Interiors Ltd Earith Parish Council EDWARD GITTINS & ASSOCIATES LTD Huntingdonshire District Council </p>	<p> Ely Diocesan Board of Finance Ely Tool Hire Ltd Endurance Estates Strategic Land Ltd Environment Agency Exning Parish Council F.J. Pistol Holdings Ltd Feltwell Parish Council Fen Ditton Parish Council Fen Line Users Association Fenland District council Flagship Group Flavia Estates Fletcher Barton Forest Heath District and St Edmundsbury Borough Councils Forest Heath District Council Foundation East FP McCann Ltd Freckenham Parish Council Freebridge Community Housing Galliford Try Plc Gazeley Parish Council Gladman Development Limited Graham Handley Architects Granta Architects Greater Cambridgeshire Local Nature Partnership Green & Sons Land & Cattle Hanson UK Hastoe Housing Association HE Group Ltd Herringswell Parish Council Highways Agency Highways England Hilgay Parish Council Historic England Hockwold Parish Council Home Builders Federation Home Group Homes and Communities Agency Homes England Hopkins Homes Ltd Horningsea Parish Council Howes Percival LLP HPB Management Ltd RG&P Ltd </p>
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Hutchinsons	RLN (UK) Ltd
Iceni Homes	Sanctuary Group
Inland Waterways Association	Savills-Smith Gore
EE	Scotsdale Hill
Isleham Cricket Club	Scott Properties
James Mann Architectural Services	SE Cambs Liberal Democrats
JDR Cable Systems Ltd	Sentry Ltd
Jockey Club Racecourses Limited	Shaping Communities Ltd
Kennett Action Group	ShrimplinBrown Planning and Development
Kennett Community Land Trust	Simon J Wilson Architects
Kentford Parish Council	Soham CLT
Kings Lynn and West Norfolk District Council	Soham Town Council
Laragh Homes	South Cambridgeshire District Council
Lidgate Parish Council	Southery Parish Council
Lines Chartered Sureyors	Sport England
Lovell	Stow-cum-Quy Parish Council
Lyster Grillet & Harding	Straus Environmental
Manea Parish Council	Stretham and Wilburton CLT
Marine Management Organisation	Strutt and Parker
Mepal Parish Council	Sttrutt and Parker LLP
Ministry of Defence	Suffolk County Council
Mobile Operators Association	Sustrans East of England
Moulton Parish Council	Sutton Parish Council
National Grid	Swaffam Prior CLT
National grid	Swaffham Prior Community Land Trust
National Trust	Tetlow King
Natural England	The Coal Authority
Network Rail	The Ely Group of Drainage Boards
Newmarket Town Council	The Lady Frances Hospital Almshouse Charity
NHS England	The Wildlife Trust
NKW Design	The Woodland Trust
Norfolk County Council	Theatres Trust
Ousden Parish Council	Three
Palace Green Homes	Timothy Smith and Jonathan Taylor LLP
Pegasus Planning Group	UK Power Networks
Peter Humphrey Associates	Unex Corporation Ltd
Phase 2 Planning and Development	Universal Garage
Phillips Planning Services Ltd	Verity & Beverley
Pigeon Investment Management	Virgin Media
Places4People	Ward Gethin Archer
Plain View	Waterbeach Parish Council
Plainview Planning Ltd	Welney Parish Council
Planinfo	West Suffolk Councils
Planning Potential Ltd	Westbury Garden Rooms
Pocock and Shaw	Wildlife Trust BCN
Ragilbury Roots Ltd	Willingham Parish Council
Ramblers Association (North)	
Rapleys	
Red Lodge Parish Council	

Witchford CLT	Michael	Rose
Woods Hardwick Ltd	Andrew	Holland
WYG	Aidan and Karen	Walmsley
Advance Land & Planning Ltd	Adrian	Fleet
Advance Planning	Alan	Kirk
Amec Foster Wheeler E&I UK	Alastair	Watson
Andrew Fleet MCIAT	Pamela	Joyce
Armstrong Rigg Planning	Alexa	Pearson
Ashley Parish Council	Christine	Ambrose Smith
Barton Willmore	David	Ambrose Smith
Beacon Planning Ltd	Amy	Wright
BGG Associates Ltd	Andrew	Taylor
Bidwells	Antony	Cornell
Brown & Co	Michael	Anthony
Cambridgeshire County Council	Bridget	
Carter Jonas LLP	Lesley	Audus
Cheffins	Robert	Thomson
Churchgate Property	Ian	Wright
City of Ely Council	Stephen	Butler
CODE Development Planners	Alison	Bye
Construct Reason LTD	Cary	Simpson
Deloitte Real Estate	Conor	O'Brien
Denley Draughting Limited	Phyllis	Rusk
Eclipse Planning Services	Cheryl	Jowett
Education and Skills Funding Agency	Cheryl	Cox
Edward Gittins & Associates	Clare	French
EJW Planning Ltd	Su	Field
Framptons Town Planning Ltd	Catherine	Judkins
Freemantle Developments Limited	Francesca	Wray
Gladman Development Limited	Chris	Hurrell
Haddenham Parish Council	Catherine	George
Historic England	Dale	Ingham
Hollins Strategic Land	David	Porter
Hopkins Homes Ltd	David	
Howes Percival LLP	Charles	Werner
Hutchinsons	David	Watson
Indigo Planning	Dawn	Buck
Infinity Architects	David	Chaplin
JMS Planning & Development Ltd	Diana	Ward
Juniper Real Estate	Diana	Donald
K Garnham Design	Gary	Lindsay
King West	Geoffrey	Reed
Lacy, Scott & Knight	George	Rusk
Manor Investments Ltd	Gareth	Maslen
Martindales Architects Ltd	Graham	Thompson
Mattanna Ltd	Greg	Saberton
MWS Architectural	Geoffrey	Woollard
Navigate Planning Ltd	Hilary	Threadgold
NJL Consulting		
Oxalis Planning Ltd		
Pegasus Group		
Pegasus Planning Group		
Percival and Company		
Peter Brett Associate LLP		
Pigeon Investment Management Ltd		
PlanSurv Ltd		

Pocock & Shaw	Hugo	Upton
PRP	Ian and Birgit	Boylett
Rapleys LLP	Ian	Gilbert
Redrow Homes Ltd	Jacqueline	Jones
Richborough Estates Ltd	P.J	Smith
RPS Consulting	B & V	Roberts
RPS Planning & Development	Aaron	Jacobs
Savills	James	D'Souza
Savills (UK) Ltd	Lesley Jan	Eaton
Simon Pott and Co	Jenny	Sherlock
Strutt and Parker	John	Rees
Strutt and Parker LLP	Jo	Braybrooke
Swann Edwards Architecture	John	Bridges
Sworders	John	Powell
Tetlow King Planning	John	Armour
The Design Partnership (Ely) Ltd	John	San Vicente
The Environmental Partnership	Jonathan	Cook
Third Party Delivery Ltd	John W	Smith
Town Planning Intelligence	Katharine	Cantell
Troy Planning & Design	Karl	Dunn
Turley Associates Ltd	Kevin	Arrowsmith
Unex Corporation Ltd	Laura	Ross
William H Brown	Lauren	Whitworth
Williams Griffiths Architects	Lisa	Stubbs
Wood PLC	Elizabeth	Hunter
Woolley Project Management Limited	Elizabeth	Houghton
WYG	Lorna	Dupre
WYG Planning & Environment	Mark	Inskip
Amy Richardson	Malcolm	Palmer
Andrew Boughton	Mark	Goldsack
Ben Pridgeon	Michael	Murfitt
Marilyn Strand	Edwina	Newbury
David Barker	Niki	Allsop
Ellie Zdyrko	Nigel	Cooper
Margaret Franklin	Mark	Robertson
Ian Smith	Phil	Newell
Jamie Palmer	David	Alberry-King
Jackie Ford	Christopher	Threadgold
Kate Wood	Peter &	
Meghan Bonner	Laura	Wood
Andrew Fleet	Malcolm	Malcolm Roper
Mark Baker	Bob	Joy
Mark McGovern	Rhodri	Pashley
Nina Crabb	Rachel and	
Peter Frampton	John	Rees
Rebecca Sharpe	Roger &	
Sarah Hornbrook	Jennifer	Johnson
SJK Planning	Robert	Boyle
Suzanne Nugent	Robert	Algar
Tony Welland		
Richard Agnew		
Terry Frost		
Alison Glover / Spencer		
Lisa O'Mahony		
Tim Bonavia		
Philip Scott		

Tom	Edwardes	Robin	Threadgold
Anthony	Jolley	Roderick	Smith
Anthony	Weston	Rod	Hart
stygol	Stygol	Rodger	Germany
Trevor	Edwards	Roy	Pallett
Anthony	French	Angus	Runciman
Viva Arts and Community Group		Ruth	Paskins Gordon
Daniel	Pullan	Ryan	Jones
Peter	Landshoff	Sue	Burnsnell
Maureen	Munks	Frank and	
Becky	Lockyer	Shirley	Broadfield
		Stuart	Cooper
		shelagh	Monteith
		Simon	Raffe
		Selina	Boyce
		Stephen	Burgess
		Steve	Plumb
		Susan	Frankland
		All East Cambs Parish Councils	

AGENDA ITEM NO 13

TITLE: Natural Environment Supplementary Planning Document (SPD)

Committee: Finance and Assets

Date: 24 September 2020

Author: Richard Kay – Strategic Planning Manager

[V68]

1.0 ISSUE

1.1 For Committee to adopt the Natural Environment Supplementary Planning Document (SPD). This SPD will then become a material consideration in making planning decisions. A copy of the SPD, proposed for adoption, can be found at Appendix 2.

2.0 RECOMMENDATION(S)

2.1 That Committee:

(A) Adopts, as a formal Supplementary Planning Document (SPD), the Natural Environment SPD.

3.0 BACKGROUND

Introduction

3.1 The Natural Environment SPD has been prepared to provide advice on policy requirements relating to the natural environment, including issues such as:

- 'net gain' in biodiversity through development proposals;
- protection and provision of trees;
- protection of existing nature sites, including technical advice in terms of discharging Habitat Regulation Assessments (HRA) obligations, especially in relation to swan and goose foraging in designated protection zones around the Ouse Washes; and

3.2 Preparing this SPD was a specific commitment (amongst others) in the 'Climate Change' Motion passed by Full Council in October 2019.

Context and Background

3.3 East Cambridgeshire's natural environment is a valuable resource, rich in international, national and locally designated sites. Ecological networks comprising designated sites, other habitats, and wildlife corridors are necessary to maintain and enhance biodiversity and prevent fragmentation and loss of connectivity. This is essential if species are to adapt to climate change and if biodiversity is to flourish.

- 3.4 Numerous legislation forms the basis for this SPD including the Wildlife and Countryside Act 1981 (as amended), The Natural Environment and Rural Communities Act 2006 and The Conservation of Habitats and Species Regulations 2017.
- 3.5 The Government is also progressing the Environment Bill (currently at Committee Stage). The Environment Bill proposes to put into legislation a series of environmental principles and establish an Office for Environmental Protection, which will have scrutiny, advice and enforcement functions. The Bill makes provision for the setting of long-term, legally binding environmental targets, and also provision to mandate a 'net gain' in biodiversity via development schemes.
- 3.6 The National Planning Policy Framework (NPPF) provides national policy guidance on conserving and enhancing the natural environment. Planning policies are expected to, amongst other things, protect and enhance valued landscape, recognising the intrinsic character and beauty of the countryside, minimise impacts on, and providing net gains for, biodiversity and preventing adverse effect of new and existing development on the natural environment.

Natural Environment SPD

- 3.7 An SPD is, as the name suggests, a supplement to the main planning policy document for the district, namely the East Cambridgeshire Local Plan (and, where they exist, a Neighbourhood Plan). This SPD therefore supplements in particular Policy ENV7 'Biodiversity and Geology' of the 2015 Local Plan. However, as well as supplementing policy in the Local Plan, the SPD has taken the opportunity to provide local interpretation and guidance in respect of the latest national policy, such as the recent NPPF (2019) and the emerging Environment Bill.
- 3.8 The SPD contains the Council's overarching vision for the natural environment. This includes providing assistance to the management, protection, enhancement and creation of priority habitats; promoting the creation of an effective, functioning ecological network throughout the district; and taking decisions which respond to, and helps nature adapt to, a changing climate.
- 3.9 A flow chart is provided in the SPD to help developers establish whether the natural environment has been suitably taken into account in their proposals. If developers follow the flow chart steps then the Council should be able to deal with the application in a timely manner, and it will ensure development proposals provide wide ranging natural environment benefits.
- 3.10 The SPD will endeavour to reverse the decline in biodiversity and instead promote a 'net gain' in biodiversity. It is expected that Government will introduce mandatory biodiversity 'net gain' (see Environment Bill), but this is not certain both in terms of scope and timing. Thus, in the meantime, the SPD provides guidance how all development could contribute to the objective of achieving a net gain, but with clause saying that the applicable SPD policy will not be applied if an Environment Act establishes a net gain mechanism in law.

- 3.11 The SPD encourages opportunities for new tree planting to be explored as part of all development proposals. A policy in the SPD encourages the existing tree and woodland cover to be maintained, improved and expanded; and create opportunities for expanding woodland.
- 3.12 The SPD provides helpful guidance on information that should be submitted with a planning application where there is likely to be impact on the natural environment, including the use of available ‘toolkits’. These toolkits will help developers provide essential information with the planning application and this will help in reaching prompt decisions.

Consultation and Responses

- 3.13 As is legally required, prior to the Council adopting an SPD, the Council must undertake appropriate consultation for a minimum of four weeks. Following Committee approval of a draft on 6 February 2020, we carried out six weeks consultation starting on 18 February and ending on 30 March 2020. All comments have been carefully considered and where it was appropriate changes are proposed to be made to the SPD. As part of the process, we have produced a Consultation Statement report which includes all comments we have received on this SPD and the Council’s response to these comments (a copy attached at Appendix 3). This report will be published on our website alongside the adopted version of the SPD. Regulations issued by Government in July 2020 mean that, for a temporary period to 31 December 2020, hard copy documents no longer need placing at reception. We will only do so if reception fully reopens to customers.
- 3.14 Several organisations responded to the SPD consultation before the end of the consultation period. All the comments received are logged in a table in the Consultation Statement report. The Council has responded to each of the comments and this is recorded in the report. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the table.
- 3.15 A number of issues were raised in the representations received. The main issues raised (in the order of the document) and changes made are summarised below.
- Overall, lots of supporting representations
 - General updating of the policy and statutory background
 - Adjustment in several places to acknowledge that trees should only be planted in the right places and of the right species, with more harm than good if this is not the case.
 - Significant adjustment to the text relating to ‘recreational pressure’ on protected sites. This pressure arises from an increase in people in local areas through new development. These changes have been done to the SPD to reflect the latest advice from Natural England. The draft SPD was based on advice from 2018-19 and that advice has subsequently moved on in a significant way. There is now a Cambridgeshire wide approach to dealing with recreational pressure, as adopted by Natural England. The SPD has been adjusted to be consistent with that new position. This includes deleting draft policy SPD.NE3 ‘Recreational pressure on the designated sites of

Devil's Dyke and Breckland' and replacing it with a new Appendix setting out Natural England's standing advice across Cambridgeshire.

- Addition of a new policy on Soham Commons (SPD.NE4), reflecting their unique character and the fact that a recent detailed Enhancement Study has been prepared for the Commons. The Policy is that which was intended to be included in the recently withdrawn Local Plan.
- Adjusting Policy SPD.NE7 (doubling land for nature), removing the phrase 'must achieve' what it sets out. Instead, the policy is now setting out a suggested way of meeting Local Plan Policy ENV4. As pointed out by some representors, requiring the policy to be met went beyond the scope of what an SPD could do.
- Removal of the requirement, in policy SPD.NE10 for developers to use the Opportunity Data. First, the SPD could not 'require' this, due to constraints on SPD scope, but secondly that data is not quite ready to be published yet. We can do this separately, on our website, post adoption of the SPD.
- More generally, several adjustments to policies and supporting text, for clarity and consistency.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implications in preparing or adopting this SPD that cannot be covered by existing budgets. The consultation on the SPD was carried out primarily via emails and the Council's web site. Other more specific consultation, such as with the agents forum and parish councils, were achieved under existing budgets.

4.2 Equality Impact Assessment (INRA) completed – appendix 1.

4.3 Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

The purpose of SPD is primarily around the natural environment, rather than tackling carbon emissions. Nevertheless, through the promotion of a net gain in biodiversity (including creation of habitats to support biodiversity, including trees in appropriate places), it is likely that the SPD will have a net positive effect through the capture of carbon via such planting and habitat creation. The measures in the SPD will also help flora and fauna to adapt to a changing climate.

5.0 APPENDICES

Appendix 1 - Completed INRA

Appendix 2 – Natural Environment SPD

Appendix 3 - Consultation Statement report

Background Documents

East Cambridgeshire Local
Plan – 2015
National Planning Policy
Framework (NPPF) - 2019

Location

Room12A
The Grange
Ely

Contact Officer

Richard Kay
Strategic Planning Manager
(01353) 616245
E-mail:
richard.kay@eastcambs.gov.uk

Appendix 1 - Completed INRA

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Natural Environment Supplementary Planning Document (SPD)
Lead Officer (responsible for assessment):	Richard Kay
Department:	Strategic Planning
Others Involved in the Assessment (i.e. peer review, external challenge):	None
Date Initial Screening Completed:	Sept 2020

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

The SPD is a supplementary document, in support of policy contained in the Local Plan and in support of national policy. It does not set new policy, but rather gives clarity on how to interpret existing policy, and sets out what information is needed by applicants, parishes or communities in order to help development contribute to protecting and enhancing the natural environment.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

It is primarily aimed Developers in East Cambridgeshire. Developers will be helped by the clarity provided in the SPD as to how policy will be implemented.

However, all residents and business of (and visitors to) the district could, potentially, benefit from the proposals, to a lesser or greater degree, because the SPD will help create development which enhances the natural environment of the district.

- (c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The draft SPD was subject to public consultation in spring 2020. The comments made were carefully considered and changes were made to the document where the Council considered this was necessary for accuracy or clarity.

(d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity	No	Age	No
Gender	No	Religion or Belief	No
Disability	No	Sexual Orientation	No
Gender Reassignment	No	Marriage & Civil Partnership	No
Pregnancy & Maternity	No	Caring Responsibilities	No

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

There is no apparent reason why any of the different groups as listed above will be particularly affected, negatively or positively, as a result of the SPD

(e) Does the policy affect service users or the wider community?	NO
(f) Does the policy have a significant effect on how services are delivered?	NO
(g) Will it have a significant effect on how other organisations operate?	NO
(h) Does it involve a significant commitment of resources?	NO
(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?	NO

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

Signatures:

Completing Officer:	<u>RK</u>	Date:	<u>Sept 2020</u>
Head of Service:	<u>RK</u>	Date:	<u>Sept 2020</u>



East Cambridgeshire
District Council

East Cambridgeshire District Council Natural Environment – Supplementary Planning Document (SPD)

Adopted
24 September 2020



Contact:
Strategic Planning team
East Cambridgeshire District Council
Email: planningpolicy@eastcambs.gov.uk
Tel: 01353 665555

A simple guide to this Natural Environment Supplementary Planning Document

What is this document?

Its primary purpose is to help make sure new development in East Cambridgeshire both protects the current natural environment, but also creates new areas for wildlife to thrive.

Do we have many wildlife areas worthy of protection in East Cambridgeshire?

Yes, lots!

In fact, some parts of the district are of international importance for wildlife, whilst other sites are of national or local importance.

Internationally important? That's exciting. Why are they so important?

For various reasons, but mostly it relates to surviving wetland areas in our district which are home to rare plants, birds and other animals. Wicken Fen is probably the best known, and home to all kinds of rare plants and animals (8,500 different species have been recorded, including over 1,000 different species of moths!), whereas in the north of the district the Ouse Washes (the UK's biggest washland) is especially important for birds. For example, around one-third of the entire population of north-west Europe Bewick Swans spend their winter on the Ouse Washes.

And nationally important in East Cambs?

We have a further 15 sites of national importance, and hundreds of sites of more local importance.

So, this document protects these sites does it?

Yes, absolutely, this document provides a vital role in helping to both highlight the importance of these sites and to make sure new development does not harm them.

But I hear the environment is in decline, and there is a decline in wild animals such as birds, bees and butterflies?

Sadly, across the country, this is generally true. That's another reason why the Council has prepared this document. We don't just want to **protect** what we have got, but also **create** new areas for wildlife to thrive. This is sometimes referred to as making sure new development not only provides the homes, jobs and facilities we need, but also provides a 'net gain for biodiversity'.

'Net gain for biodiversity' – what does that mean?

Net gain describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. So, if development is to take place on, say, a current agricultural field with perhaps a hedgerow around it, by the time the development is complete, there should be more land set aside for wildlife to thrive than there was before development took place. This will require new habitats to be created, such as woodlands and ponds, as well as homes that incorporate wildlife friendly measures such as bird and bat boxes.

Does 'net gain' apply to all development?

Yes, except for very small development such as householder extensions (though even then you are encouraged to make a difference if you can).

What about trees? We need more of them don't we?

Yes, we do. Trees serve a wide range of benefits, not just for wildlife, but they also help reduce flood risk and 'capture' carbon from the atmosphere, therefore helping efforts to reduce climate change. But, we need to be careful that the right sort of tree is planted in the right location. Too close to a property, and some trees can cause building damage as they grow. Or, if planted on peat soils, it can damage this delicate carbon-rich soil and release more carbon to the atmosphere than it captures.

I heard that Cambridgeshire wants to 'double land for nature'. Will this document help?

East Cambridgeshire District Council has joined forces with all other Cambridgeshire districts and the Local Nature Partnership to set itself a target to double the amount of land across Cambridgeshire which is classed as rich habitat for nature. About 8% or so of land is currently in such state – we want to reach 17%. This SPD will help, but lots of other projects will need to happen to make that target a reality, such as changing the way some of our farmland is managed.

What else does this document do?

Because it is a planning document, some of it is a bit technical in how it is worded. It has to be in order to enforce what it is trying to achieve through the planning application process. This is especially the case for protecting the sites which are of international importance – these sites have strict legal rules in place to make sure such sites are not harmed.

I'm a developer – what does it all mean for me?

This SPD is here to help you. There is already a lot of legislation and national policy for you to comply with in terms of the natural environment, and this SPD aims to help you get through all that as simply as possible. But this SPD also makes clear that the Council will not accept development that either harms wildlife sites or fails to make enough efforts to boost wildlife areas.

A housing scheme with just a few simple bird boxes thrown in, is not good enough – it needs to incorporate genuine net gain for biodiversity.

And it is in your interests to do so, not only so your planning application gets a speedier ride through the planning system, but development which works with nature can add considerable value to your development. The ONS has calculated, for example, that houses are worth 1-4% more if close to functional areas of open space or water areas.

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1.0 Introduction, Purpose and Consultation Arrangements

Introduction

- 1.1 East Cambridgeshire's natural environment is a valuable resource, rich in international, national and locally designated sites. Ecological networks comprising designated sites, other habitats, and wildlife corridors are necessary to maintain and enhance biodiversity and prevent fragmentation and loss of connectivity. This is essential if species are to adapt to climate change and if biodiversity is to flourish.

Purpose of the Supplementary Planning Document (SPD)

- 1.2 The purpose of this SPD is to provide advice on policy requirements relating to the natural environment, including issues such as a 'net gain' in biodiversity through development proposals and technical advice in terms of discharging Habitat Regulation Assessment (HRA) obligations, especially in relation to swan and goose foraging in designated protection zones around the Ouse Washes. This SPD also sets out the Council's position in relation to the recently adopted Local Nature Partnership vision to 'double land for nature' by 2050 across Cambridgeshire (a vision also endorsed by the Combined Authority in July 2019). The SPD also touches upon issues coming forward in the Environment Bill, January 2020.
- 1.3 Whilst this SPD could cover many things, it is not intended to cover the following matters (though there may be some cross over to some of these issues). These may be addressed in future SPDs:
- Detailed design
 - Matters relating to visual impact
 - Carbon Dioxide (and equivalent) emissions
 - Green Infrastructure
 - Environmental Impact Assessment (EIA) procedures and requirements
- 1.4 Preparing this SPD was a specific commitment (amongst others) in the 'Climate Change' Motion passed by Full Council in October 2019.

Consultation

- 1.5 We consulted on a draft SPD between 18 February and 30 March 2020. A full consultation report, setting out who responded, what they said and our response, is available on our website.

Status of this document

- 1.6 This document is a formal Supplementary Planning Document and will need to be taken into account when planning decisions are made.

2.0 Legislation and Policy Review

Legislation

- 2.1 The following paragraphs set out some of the key legislation which is relevant to the preparation of this SPD. However, it should only be seen as a summary of some of the legislation, as there are wide ranging other Acts and regulations which have an impact on natural environment matters.
- 2.2 **The Natural Environment and Rural Communities Act 2006¹** (NERC Act): This includes the duty on public bodies, including Local Planning Authorities, to have proper regard to conserving biodiversity in the exercising of their functions. It also lists species and habitats of principal importance for biodiversity in England. Section 40 of the NERC Act provides the source for the lists of Habitats and Species of Principal Importance otherwise known as Priority habitats and species.
- 2.3 **Wildlife and Countryside Act 1981 (As amended)**: The Act provides primary legislation which covers protection of wildlife (birds, and some animals and plants), Protection of Badgers Act 1992, the countryside and the designation of protected areas including Sites of Special Scientific Interest (SSSI's).
- 2.4 **The Conservation of Habitats and Species Regulations 2012 (As amended)**: These Regulations provide for the designation and protection of 'European sites', and the protection of European protected species though these regulations are somewhat superseded by the 2017 Regulations as described at para 2.6.
- 2.5 **The Hedgerows Regulations (1997)**: These Regulations were made under section 97 of the Environment Act 1995 and came into force on 1 June 1997. They introduced new arrangements for local planning authorities in England and Wales to protect important hedgerows in the countryside, by controlling their removal through a system of notification..
- 2.6 **The Conservation of Habitats and Species Regulations 2017** consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations came into force on 30th November 2017.
- 2.7 The Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I and II of the Habitats Directive respectively) to the European Commission. Once the Commission and EU Member States have agreed that the sites submitted are worthy of designation, they are identified as Sites of Community Importance (SCIs). The EU Member States must then designate these sites as Special Areas of Conservation (SACs) within six years. The Regulations also require the compilation and maintenance of a register of European sites, to include SACs and Special Protection Areas (SPAs) classified under Council Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). These sites form a network termed Natura 2000.
- 2.8 The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Special provisions are also made as respects general development orders, special development orders, simplified planning zones and enterprise zones.
- 2.9 The Council has a legal duty as the 'competent authority' under the Habitats Regulations to protect European protected sites from the effects of development (both individually and in combination). The Council is the body that is responsible for undertaking a Habitats Regulations Assessment of its Local Plan and any individual planning applications. It is a legal requirement for the Council to consult Natural England for its views under regulation 64(3) when they are carrying out an appropriate assessment and to 'have regard' to any representations that Natural

¹ <http://www.legislation.gov.uk/ukpga/2006/16/contents>

England may make. The Council makes a decision on whether individual planning applications can be lawfully granted.

- 2.10 **The Water Framework Directive 2000:** It applies to all surface freshwater bodies (including lakes, rivers and streams), groundwater, groundwater dependent ecosystems, estuaries and coastal waters. The Directive aims to improve the ecological health of inland and coastal waters and prevent further deterioration.
- 2.11 **Environment Bill (January 2020):** The Environment Bill is expected to put into legislation a series of environmental principles and establish an Office for Environmental Protection, which will have scrutiny, advice and enforcement functions. It is also expected to make provision for the setting of long-term, legally binding environmental targets in four “priority areas” of air quality, water, biodiversity and resource efficiency and waste reduction, along with the production of statutory Environmental Improvement Plans (the first being the January 2018, 25 Year Environment Plan²).
- 2.12 Following a commitment in the 25 Year Environment Plan, the Government published a consultation on Net Gain in December 2018. This was followed by a commitment to apply a requirement for biodiversity net gain of 10% for developers through the planning system. This gain will be measured using a biodiversity metric that has been developed by Defra. The Bill is expected to legislate for the creation of the net gain requirement, expand the duty on relevant authorities from conserving (NERC Act 2006) to “conserving and enhancing” biodiversity, and legislate for the creation of Local Nature Recovery Strategies to cover the whole of England.

Policy Review - National

- 2.13 **25 Year Environment Plan:** The Government set out its aim in the Plan of restoring and creating habitats to provide the greatest opportunity for wildlife to flourish, and “promote the economic and social benefits that healthy habitats offer”. The Government announced that, against a background of significant housebuilding, it would embed the principle of “environmental net gain” in the planning system:
“We want to put the environment at the heart of planning and development to create better places for people to live and work”³
- 2.14 The Plan includes commitments to use resources from nature more sustainably and efficiently; and to enhance beauty, heritage and engagement with the natural environment through a natural capital approach. As part of this approach it set out a range of policies aimed at preventing and reversing biodiversity loss, covering both terrestrial and marine environment.
- 2.15 A natural capital approach aims to determine the value of natural capital, and then ensure this value is maintained, or compensated for elsewhere, when considering any action. It also advocates restoring natural capital in areas where it has fallen below a self-sustaining, or renewable, level. The aim is to ensure that an overall level of sustainable natural capital is maintained for future generations.
- 2.16 **National Planning Policy Framework:** The NPPF provides policy guidance on conserving and enhancing the natural environment. Planning policies are expected to, amongst other things: protect and enhance valued landscape; recognise the intrinsic character and beauty of the countryside; minimise impacts on and provide net gains for biodiversity; and prevent adverse effect of new and existing development on the natural environment.
- 2.17 Paragraphs 175-177 are most relevant for considering development proposals:
175. When determining planning applications, local planning authorities should apply the following principles:
a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

² <https://www.gov.uk/government/publications/25-year-environment-plan>

³ HM Government, A Green Future: Our 25 Year Plan to Improve the Environment, January 2018 p32

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

176. *The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.*

177. *The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

2.18 **National Planning Practice Guidance (NPPG):** The NPPG advises that development plans and planning decisions have the potential to affect biodiversity outside as well as inside relevant designated areas.

2.19 It advises that planning authorities and neighbourhood planning bodies can work collaboratively with other partners, including Local Nature Partnerships, to develop and deliver a strategic approach to protecting and improving the natural environment based on local priorities and evidence. Equally, they need to consider the opportunities that individual development proposals may provide to conserve and enhance biodiversity and geodiversity, and contribute to habitat connectivity in the wider area (including as part of the Nature Recovery Network).

Policy Review – Sub-Regional

2.20 **Local Nature Partnership (Natural Cambridgeshire):** LNPs are partnerships of a broad range of local organisations, businesses and people who aim to help bring about improvements in their local natural environment.

2.21 The role of Natural Cambridgeshire LNP is to act as an independent, objective voice for the natural environment in Cambridgeshire and Peterborough, acting as a conduit to local and central government and other stakeholders. The LNP’s work and proposals in the following areas are of particular relevance to this SPD:

- **Toolkit:** The LNP developed a Toolkit in 2018 to help developers and infrastructure providers to demonstrate their commitment to achieving a net biodiversity gain. The Toolkit comprises a simple list of 10 Things to do for Nature. More details on this are set out in section 14 of this SPD.
- **Doubling Nature:** In July 2019, the LNP launched ambitious plans for doubling land for nature across Cambridgeshire and Peterborough with the aim of creating a world-class environment where nature and people thrive, and businesses prosper.

2.22 **Cambridgeshire County Council:** In May 2019, CCC declared a climate and environmental emergency, and recently adopted (2020) a ‘Climate Change and Environment Strategy’, with one of its priorities being to create ‘space for nature to thrive’. More details here:

<https://consultcambs.uk.engagementhq.com/climate-strategy>

Policy Review – East Cambridgeshire

- 2.23 **East Cambridgeshire Local Plan:** The Local Plan was adopted in 2015, and forms the primary basis upon which this SPD document sits under.
- 2.24 The most relevant policy in the Local Plan that provides protection to the natural environment is Policy ENV7 (Biodiversity and geology):

Policy ENV7 Biodiversity and geology

All development proposals will be required to:

- *Protect the biodiversity and geological value of land and buildings and minimise harm to or loss of environmental features, such as trees, hedgerows, woodland, wetland and ponds.*
- *Provide appropriate mitigation measures, reinstatement or replacement of features and/or compensatory work that will enhance or recreate habitats on or off site where harm to environmental features and habitat is unavoidable; and*
- *Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.*

Development proposals where the main aim is to conserve biodiversity will be permitted; and opportunities to incorporate biodiversity into new development will be supported.

All applications for development that may affect biodiversity and geology interests must be accompanied by sufficient information to be determined by the Local Planning Authority, including an ecological report, to allow potential impacts and possible mitigation measures to be assessed fully. Where there is reason to suspect the presence of protected species, trees and woodland, applications must be accompanied by a survey carried out by a qualified individual assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs, in accordance with the relevant protecting legislation. Where appropriate, there will be a requirement for the effective management of designated sites and other features, controlled through the imposition of conditions or Section 106 agreements.

Proposals which have an adverse impact on a site of international importance will not normally be permitted unless there are exceptional overriding reasons of public interest (human health, public safety or environmental benefit).

Proposals which have an adverse impact on a site of national importance will not normally be permitted unless the benefits of development at the site significantly outweigh the impacts.

Proposals which would cause harm to County Wildlife Sites, Ancient Woodland, aged and veteran trees, Local Nature Reserves, Protected Roadside Verges, any other irreplaceable habitats, and green corridors or important species will not be permitted unless the need for, and benefits of development in that location outweigh the potential harm to nature conservation interests.

- 2.25 **Neighbourhood Plans:** These are plans prepared by parish councils, with support from the district council. To date, a number of parishes have commenced neighbourhood plans, with two formally adopted. Neighbourhood Plans can contain policies relevant to the natural environment for the local parish area.
- 2.26 **Climate Change Motion and Environment Plan:** In October 2019, East Cambridgeshire District Council agreed a motion which recognised the need to build on the positive work already done by the Council, to further embed positive environmental thinking, behaviours, and action throughout the organisation and to seek to influence partners and others to do the same. The motion declared there was a climate emergency and committed the Council to undertake a number of activities, including: setting up an Ideas Forum; preparing this SPD; developing a costed Environment and Climate Change Strategy and Action Plan, including targets and timescales to reduce carbon emissions and pollution and protect and enhance biodiversity; and promotion of tree planting. That Plan was produced and adopted by the Council in June 2020.

3.0 Overarching Natural Environment Vision of the Council

Introduction

- 3.1 In order to set the context for the detailed policies and guidance in this SPD, the following box sets out the overarching vision of the Council in terms of its approach, via the planning responsibilities it has, to the natural environment:

East Cambridgeshire District Council recognises the importance of East Cambridgeshire’s valuable wildlife resource and the need to protect and enhance the ecological network to enable wildlife to flourish, particularly in light of climate change. It is acknowledged that biodiversity decline, through habitat loss and fragmentation, requires significant enhancement of the ecological network, and the wider green infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.

East Cambridgeshire District Council will, through the development management process, management agreements and other positive initiatives:

- a. aid the management, protection, enhancement and creation of priority habitats (especially Habitats of Principal Importance as listed under the NERC Act 2006), including fens, calcareous grasslands, woodlands and hedgerows, wet-woodlands, rivers and floodplain grazing marsh meadows;
- b. promote the creation of an effective, functioning ecological network throughout the district, consisting of core sites, buffers, wildlife corridors and stepping stones that link to wildlife rich sites in adjoining local authority areas;
- c. take decisions which respond to, and help nature adapt to, a changing climate;
- d. safeguard the value of previously developed land where it is of significant importance for biodiversity; and
- e. work with other bodies, in order to support the delivery of strategic ambitions for nature, such as the vision of ‘doubling the area of rich wildlife habitats and natural green space’ across Cambridgeshire and Peterborough (Natural Cambridgeshire LNP, 2019) and emerging nature related ambitions of the Cams-Ox Arc project.

4.0 Step by Step Guide

Introduction

- 4.1 The rest of this SPD sets out a wide range of policy requirements, guidance, suggestions and links to other information.
- 4.2 To help developers work their way through this SPD, and to help all parties to establish whether the natural environment has been suitably taken into account in developer proposals, the following flow chart has been developed:

Table 1: Recommended Approach to Natural Environment for all Planning Applications

	All Development Proposals (scale and degree being proportionate to the development proposed)	Additional for 'Major' Proposals	Planning Stage
STEP 1	<ul style="list-style-type: none"> Seek pre-application advice from East Cambridgeshire District Council and relevant agencies and organisations is strongly recommended. In addition it is advised that Natural England is contacted at the earliest stage possible where a development is likely to impact on a National or International Site as there may be a requirement to carry out an Appropriate Assessment under the Habitats Regulations. See https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals <p><i>This will ensure all potential ecological and/or Green Infrastructure issues and requirements are considered before a planning application is submitted and help prevent delays.</i></p>		Prior to application submission
STEP 2 See section 14 for more information.	<ul style="list-style-type: none"> Complete a suitable Biodiversity Checklist, and / or a biodiversity net gain assessment using an appropriate Biodiversity Calculator, which is highly recommended for all applications other than: <ul style="list-style-type: none"> - householder applications; and - most applications which create no additional floor space (though it is recommended for barn conversions). <p>Without these, it may be hard to demonstrate how you can meet the 'net gain' national policy requirements.</p> <p><i>For many smaller developments, the County Council biodiversity checklist should suffice.</i></p> <p><i>It should be possible for a non-specialist member of the public, planning agent or developer to complete the County Council checklist. Where a biodiversity calculator is required, this will need to be filled in by a competent ecological professional.</i></p>	For strategic scale proposals (as a guide, this could be 150 dwellings or more, or 5ha or more), the LNP 'Developing with Nature Toolkit' would be beneficial	Prior to application submission

<p>STEP 3</p>	<ul style="list-style-type: none"> If the checklist identifies the potential presence of protected species and/or habitats (especially Habitats of Principal Importance as listed under the NERC Act 2006), relevant ecological survey(s) must be undertaken by a suitably qualified ecologist in accordance with British Standard BS42020 and details of this must be submitted with your application. Provision of this information is a pre-requisite to the planning validation process. If the initial survey indicates the need for additional survey(s) (eg a detailed survey for a specific species), then these must also be completed and submitted with the application – they will not be a condition added to any approval. <p><i>The Chartered Institute of Ecology and Environmental Management (CIEEM) provides a professional directory of qualified, regulated ecologists which can be found at www.cieem.net/members</i></p> <p><i>Submission of appropriate surveys will help to avoid potentially costly delays at a later date and allow a planning decision to be made in a timely manner, which is beneficial for both the applicant and the planning authority. It is also important to consider that some species can only be surveyed at certain times of the year, for example bat roost emergence and activity surveys may only be carried out between May and September. Failure to address this aspect at the onset of the application could result in costly time delays for the developer and may potentially result in the application being rejected at a later date.</i></p>	<p>It is recommended that professional ecological expertise is appointed at start of concept design process for all major development schemes.</p>	<p>Prior to application submission</p>
<p>STEP 4</p>	<ul style="list-style-type: none"> Carefully design scheme in context of wider landscape and ecological networks, taking all reasonable opportunities to make biodiversity gains. This should in most instances be achieved on site, but exceptionally the use of S.106 contributions may be sought to assist in delivery of a nearby project. <p>Plan green and hard infrastructure at same time, following the ecological mitigation hierarchy by retaining existing natural features such as hedgerows, woodlands and mature trees, ponds and water courses wherever possible, around which connectivity of habitats can be further enhanced, benefiting priority habitats and species.</p>		<p>Strategic Concept Design Stage</p>
<p>STEP 5</p>	<ul style="list-style-type: none"> Design a landscaping scheme which uses native species of trees, shrubs and other plants, with a view to it benefitting birds, bats and invertebrates (as well as wider benefits such as carbon offsetting, shading, flood alleviation and visual amenity). However, for trees, choose species suitable for their location, so as to prevent future problems (such as damage to foundations, footpaths and roads) as the 		<p>Detailed Technical Design Stage</p>

	<p>trees mature. Also, for trees, care should be taken not to reduce the value of existing habitats by planting trees. New tree planting should be avoided on peat soils, as it is likely to cause more harm than good to biodiversity and net carbon emission.</p> <ul style="list-style-type: none"> Where trees are present on site, a Tree Survey will be required, and, potentially, an Arboricultural Method Statement, Impact Assessment and Tree Protection Plan (see Chapter 11). <p><i>Incorporating native wildflower species into seed mixes for areas of public open space is also extremely beneficial to invertebrates (as well as being visually attractive to new residents), and should be used wherever possible. Wild-flower grassland will usually require less frequent mowing and therefore can reduce management costs. Flora Locale’s website is a useful source of further information and also provides a link to approved UK wildflower seed suppliers: www.floralocale.org</i></p> <p><i>The RHS has produced the following list of pollinator-friendly plants:</i></p> <p>www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/rhs_perfectforpollinators_plantlist-jan15</p>		
<p>STEP 6</p>	<ul style="list-style-type: none"> Provide Sustainable Drainage Systems (SuDS) with integral wildlife features. <p>See separate Flood and Water SPD for more details.⁴</p> <p><i>The natural features offered by grass swales, infiltration strips, reed beds and ponds may provide habitats for amphibians, birds, mammals and invertebrates. The replacement of open drains and gully pots with surface features will also reduce the number of animals becoming trapped in drains.</i></p> <p><i>The RSPB has also produced a useful guide which provides more detailed SuDS information including the use of Green Roofs, Living Walls and Rain Gardens:</i></p> <p>www.rspb.org.uk/Images/SuDS_report_final_tcm9-338064.pdf</p> <p><i>Buglife has produced a best practice guide to creating green roofs for invertebrates:</i></p> <p>www.buglife.org.uk/sites/default/files/Creating%20Green%20Roofs%20for%20Invertebrates_Best%20practice%20guidance_2.pdf</p> <p><i>For more information on Green Roofs, see the independent trade organisation NRFC website:</i></p> <p>https://www.nrfc.co.uk/green-roof-installations</p>		<p>Detailed Technical Design Stage</p>

⁴ See <https://www.eastcambs.gov.uk/local-development-framework/supplementary-planning-documents>

<p>STEP 7</p>	<ul style="list-style-type: none"> Provide an appropriate range of breeding sites, shelter and year-round food resources for protected/priority species as part of on-site ecological mitigation and enhancement measures. Full details and specifications may be provided as part of the application or, where appropriate, later at the detailed planning stage and secured by condition. 		<p>Detailed Technical Design Stage</p>
<p>STEP 8</p>	<ul style="list-style-type: none"> Submit completed Biodiversity Checklist and or Biodiversity Calculator along with additional protected species survey reports as required (and any EIA reports if necessary). <p><i>Professional scrutiny from statutory and non-governmental bodies to ensure adequate ecological information has been provided; requests for further information from the applicant may be made should it not be considered adequate.</i></p> <p><i>Statutory obligations including having due regard to biodiversity conservation, must be fulfilled.</i></p> <p><i>Approved applications may be subject to relevant biodiversity planning conditions.</i></p> <p><i>To ensure biodiversity is protected during the construction phase, measures such Construction Environmental Management Plans (CEMP), use of Ecological Clerk of Works (ECW) and restrictions on timings of works may be required.</i></p>		<p>Validation & registration</p> <p>Decision-making</p> <p>Determination</p>
<p>STEP 9</p>	<ul style="list-style-type: none"> Post-development management and/ or monitoring of habitats and species should be carried out as appropriate (may be subject to specific conditions). <p><i>It is important to implement appropriate management of biodiversity features and habitats that are retained or created on site. These may include measures such as reducing the frequency of grassland/ wild-flower meadow mowing, avoiding or reducing the use of pesticides and herbicides and retaining rough grassland buffer zones along field margins, hedges and ditches. Details of all such management measures should be clearly identified in an Ecological/ Landscape Management Plan.</i></p> <p><i>Ecological monitoring (and reporting) of natural green-spaces and associated species/ habitats for a period of five or more years may be required to ensure their satisfactory establishment.</i></p> <p><i>Options for long-term management of natural green-space may include entering into an agreement with conservation bodies such as the Wildlife Trust or Parish Council as an alternative to the land's adoption by the Local Authority.</i></p>		<p>Implementation</p>

4.3 By following the above steps, the Council should be able to deal with your application in a timely manner, and your development proposal should provide wide ranging natural environment benefits.

5.0 What sort of nature conservation measures will decision makers look for?

Introduction

- 5.1 It is important to understand that no two sites or proposals are the same. Different sites will have different biodiversity value pre-development, and differing biodiversity potential which can be created via development.
- 5.2 Some sites will largely have issues confined to that site, whereas others will have potential issues off-site (possibly even several miles away, depending on the 'connection' between the proposal site and the habitat affected). Even on the same site, the development itself can also have significantly different outcomes depending on what sort of development is proposed.
- 5.3 Nevertheless, the following box lists the sorts of things that decision makers will be looking out for when determining applications for their impact (positive or negative) on the natural environment. But, it must be emphasised that this list is not comprehensive, and many other issues may well need looking at, and the issues below might not be relevant to all proposals.

Potential impact of development proposals

Decision makers on planning applications might consider implications relating to:

- Changes to water table height and hydrology of the area and the subsequent impact on habitats and important plant communities.
- Changes to stream/river flow and the resulting impacts on aquatic and riparian ecology.
- Pollution of water courses from run-off from roads and parking areas.
- Impacts of any archaeological investigations or remediation of contaminated land on habitats not identified through constraints mapping.
- Wildlife disturbance and damage to habitats through construction, and increased risks of unlawful activities, such as trespass, vandalism and introduction of non-native species. This extends to offsite effects via public rights of way, other publicly accessible land, permissive routes and potential routes of trespass.
- Human recreational pressures resulting in wildlife disturbance and / or damage to the integrity of habitats and their management.
- Loss of foraging/roosting/commuting habitat for important species.
- Loss of general ecological resources needed to support biodiversity, such as water sources, food plants and nectar sources, and nest sites and song posts for birds.
- Effects of lighting, especially any floodlighting, on important nocturnal species such as bats.
- Effects of pet predation and disturbance on important and sensitive species.
- Impacts from increased air pollution on designated sites
- Disturbance of important species and habitats due to construction work (including noise and piling), and the intended use of the proposed development. A method of construction report may need to be submitted.
- Risk of pollution from construction materials/effluents, such as dust/cement powder or cement washings.
- Storage of materials, location of site huts, construction traffic (parking, turning areas, routes and site access).
- Effects on the long-term viability of land management required to conserve important habitats.
- Effects on bats from construction materials such as breathable roof membranes which pose a risk to bats through entanglement.
- Effects of traffic (including air pollution) once the development is complete and operational.

By using the checklist approach (see section 14) or submission of a suitable ecology assessment(s), the above issues should be more easily assessed by the decision maker.

6.0 Protecting the Most Valuable Sites: Internationally Designated Sites

Introduction

- 6.1 Most nature sites are identified as falling within a hierarchy of importance, with international (SAC, SPA or Ramsar) and then nationally important sites (SSSIs and National Nature Reserves) being at the top of the hierarchy. These sites contain rare habitats or species (often both), and are protected through international and national legislation.
- 6.2 Below international and national important sites are more locally designated sites, usually listed as being of county-importance. For national advice on planning applications and such designations, please see:

<https://www.gov.uk/guidance/protected-sites-and-areas-how-to-review-planning-applications>

- 6.3 This chapter, and the following two chapters, provides local guidance and policy in respect of all such designated sites. Of course, other sites may well have rich biodiversity within them, but are not necessarily designated for protection. These areas are not covered in the following three chapters, but are covered by the more generic chapters within this SPD.

Internationally Designated Sites

- 6.4 Within East Cambridgeshire, there are five sites of relevance for their international importance:
- Wicken Fen (part of the Fenland SAC, which is a collection of three sites formed by Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsars. The Woodwalton Fen site falls within Huntingdonshire district, rather than East Cambridgeshire, and therefore any policies or guidance in this SPD do not apply to that site)
 - Chippenham Fen (part of Fenland SAC – see above)
 - Ouse Washes SAC/SPA/Ramsar
 - Devil's Dyke SAC
 - Breckland SAC/SPA (not physically located within East Cambridgeshire, but part of the buffer zones around it are)
- 6.5 Some nationally designated (SSSI) sites receive additional protection as a 'Natura 2000 sites'. Natura 2000 is a Europe-wide network of sites of international importance for nature conservation established under the Habitats Directive⁵. The network comprises Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are designated under the European Directive 79/409/EEC 'on the Conservation of Wild Birds' (the Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species). SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance.
- 6.6 Some SSSIs may (separately or additionally) receive additional protection due to their designation, under the Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat-1971. Activities within East Cambridgeshire may affect the following sites which hold international designations, some multiple. Full details are given in Appendix 1.

International Designation	Legally under pinned by
Devil's Dyke SAC	Devil's Dyke SSSI
Fenland SAC	Wicken Fen SSSI
Wicken Fen Ramsar	
Fenland SAC	

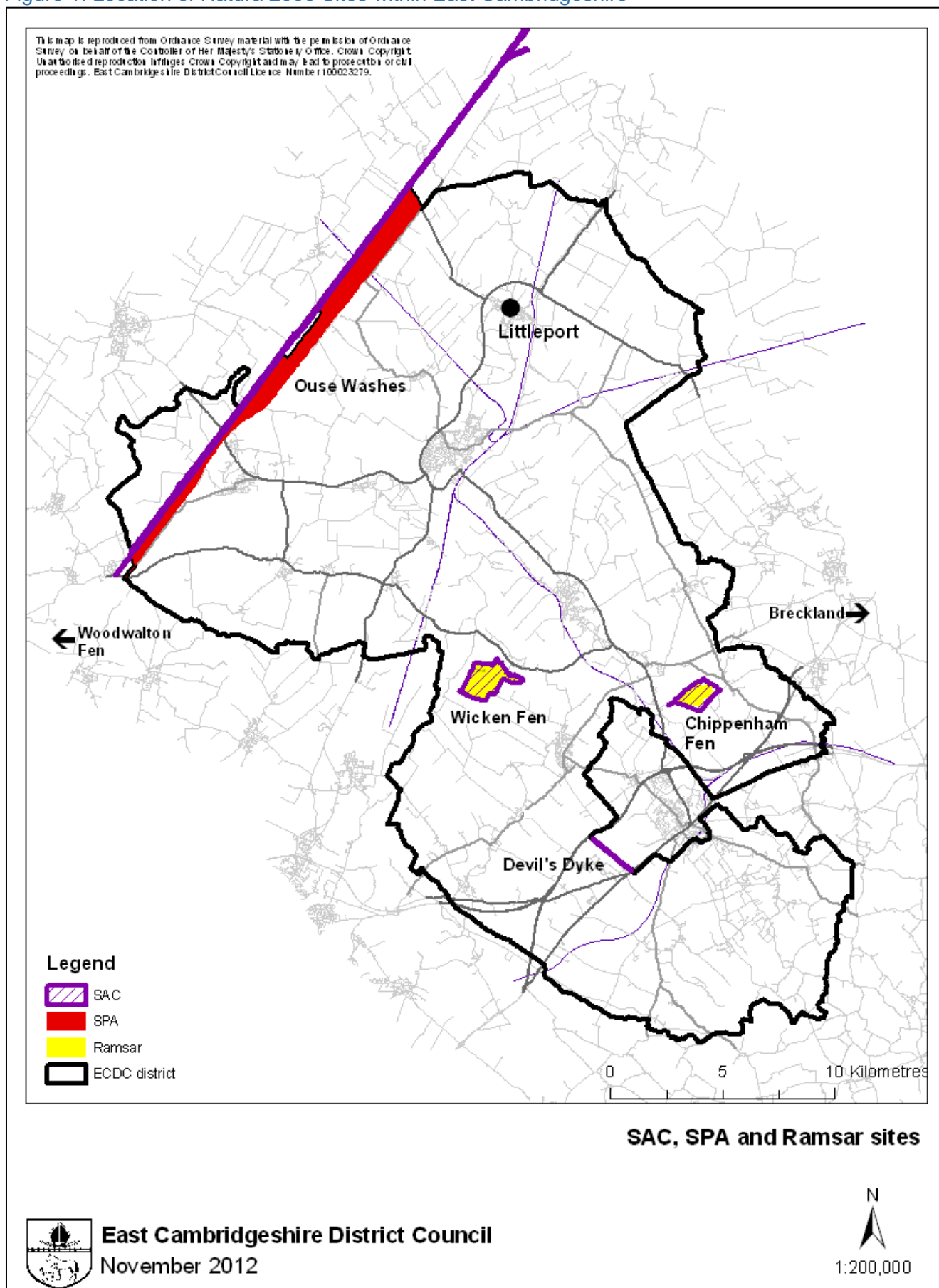
⁵ the European Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna (the Habitats Directive)

Chippenham Fen Ramsar	Chippenham Fen component of Chippenham Fen and Snailwell Poor's Fen SSSI
Fenland SAC	Woodwalton Fen SSSI* (located outside ECDC boundary)
Woodwalton Fen Ramsar	
Ouse Washes SAC	Ouse Washes SSSI
Ouse Washes SPA	
Ouse Washes Ramsar	
Breckland SPA	Multiple SSSIs located outside ECDC boundary, buffer zone within ECDC
Breckland SAC	Multiple SSSIs located outside ECDC boundary.

*Although Woodwalton Fen is outside the ECDC district, it is part of the Fenland SAC and as such needs to be considered during any assessment of the impact of any plan or project.

- 6.7 A map identifying four sites is on the next page (Breckland SAC/SPA buffer zone is not shown).
- 6.8 In recognition of their importance, development proposals which may have an impact on these sites must undertake a rigorous process (a Habitats Regulations Assessment) to determine what those effects might be. This process is identified in the Habitats Regulations 2017. Importantly, it is not just proposals which are located within the designated sites which must be assessed, but also proposals away from such sites, potentially several miles away, if a connection exists between the designated site and the proposed development site. This SPD provides some specific guidance in this respect.

Figure 1: Location of Natura 2000 Sites within East Cambridgeshire



Policy for Internationally designated sites

- 6.9 The Local Plan (2015), in respect of specific policy for internationally protected sites, states as follows (extract of Policy ENV7):

“Proposals which have an adverse impact on a site of international importance will not normally be permitted unless there are exceptional overriding reasons of public interest (human health, public safety or environmental benefit).”

- 6.10 The above policy is, however, somewhat dated. It does not accurately reflect the latest international law, and provides some doubt through the use of the phrase ‘not normally’. The NPPF (2019) provides a more up to date policy framework for considering such sites. Whilst the thrust of the NPPF is that there should be a presumption in favour of sustainable development, at para 177 it clarifies that such a presumption does not apply to internationally protected sites (referred to as a ‘habitats site’):

“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”

- 6.11 Having taken account all of the above (Local Plan, NPPF and NPPG), the following sets out supplementary detailed supporting policy in respect of considering development proposals in East Cambridgeshire:

Policy SPD.NE1: Conserving and Enhancing Biodiversity - Internationally Designated Sites

The highest level of protection will be afforded to international sites designated for their nature conservation importance. Proposals having an adverse impact on the integrity of such sites, either alone or in combination, that cannot be avoided or adequately mitigated to remove any adverse effect, will not be permitted other than in exceptional circumstances. These circumstances will only apply where a Habitats Regulations Assessment has been undertaken and it has not been possible to conclude no adverse effect on integrity (either, alone or in-combination) and:

- (a) there are no suitable alternatives;
- (b) there are imperative reasons of overriding public interest; and
- (c) necessary compensatory provision can be secured.

Development will only be permitted where the Council is satisfied that any necessary avoidance and / or mitigation measures are included to ensure there are no adverse effects on integrity either alone or in-combination.

Development proposals that are likely to, or have the potential to, have an adverse effect, either alone or in-combination, on European designated sites must satisfy the requirements of the Habitats Regulations (or any superseding similar UK legislation, post the UK leaving the EU), determining site specific impacts (which could be off-site as well as on-site) and avoiding or mitigating against impacts where identified. Mitigation may involve providing or contributing towards a combination of the following measures:

- (i) Access and visitor management measures within the designated site;
- (ii) Improvement of existing greenspace and recreational routes;
- (iii) Provision of alternative natural greenspace and recreational routes;
- (iv) Monitoring of the impacts of new development on European designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures;
- (v) Other potential mitigation measures to address air pollution impacts e.g. emission reduction measures, on site management measures.

Where avoidance or mitigation measures are necessary there is likely to be a requirement to undertake monitoring of the effectiveness of such measures to inform the necessary mitigation requirements and any future refinements.

Guidance to applying the policy

- 6.12 The NPPF (paragraph 177) refers to the need for an ‘appropriate assessment’ and the policy above also makes reference to meeting the requirements of the Habitats Regulations. A Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the [Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it. European Sites and European Offshore Marine Sites identified under these regulations are referred to as ‘habitats sites’ in the [National Planning Policy Framework](#). Therefore, in accordance with these Regulations, Local Planning Authorities such as East Cambridgeshire District Council must demonstrate that the implementation of a development proposal would not adversely affect the integrity of Natura 2000 sites within or outside of its area, either alone or in combination with other plans or projects.
- 6.13 Theoretically, any development proposal within East Cambridgeshire could be ‘caught’ by the need to undergo a HRA. However, the purpose of preparing a HRA is to determine firstly whether or not the proposal will have a likely significant adverse effect either alone or in-combination on the Natura 2000 site. If at this screening stage there is a likely significant effect then the appropriate assessments stage must be undertaken to determine if there will be an adverse effect on integrity, either alone or in-combination. Consequently, many small scale development proposals such as (e.g. a house extension within an urban area) would clearly not result in a likely significant adverse effect, and it would be nonsensical to go through the HRA process for such proposals.
- 6.14 However, other proposals are less clear cut, and sometimes proposals which might not initially seem relevant for consideration under the HRA regime, may well require such consideration.
- 6.15 This SPD aims to set out some clear guidance as to when the provisions of the HRA legislation will need to be applied to proposals within East Cambridgeshire.

What proposals might have an adverse effect on an international designated site?

- 6.16 It is unlikely the Council will receive many proposals for development within an internationally designated site itself, on the basis that it is highly unlikely that such a proposal would be able to meet the national and local policy tests (the only exception likely being a proposal which is directly related to and necessary for the management of the site itself).
- 6.17 For example, increasing development near a protected site may increase visitor pressure leading to adverse effects on vegetation or disturbance to birds. Another example is that it might lead to a loss of important foraging grounds used by birds from a designated site some distance away.
- 6.18 To help determine what effects may occur, first it is necessary to provide details of each Natura 2000 site, setting out the qualifying features for which the sites are designated and specific sensitives of each site which contribute to and define their integrity. In compiling this information, reference was made to the Conservation Objectives for each site, Standard Data Forms for SACs and SPAs and Natural England’s Site Improvement Plans (SIPs).⁶ Appendix 1 provides the detailed information, whereas table 2 below provides a summary. The following weblink also provides useful information on each site:
<http://publications.naturalengland.org.uk/category/6490068894089216>

⁶ These were obtained from the JNCC and Natural England websites (www.jncc.gov.uk and www.naturalengland.org.uk)

Table 2: Natura 2000 Sites: Vulnerability, Pressures and Threats (Summarised from Natural England's Site Improvement Plans and advice to the Council)

Site	Vulnerability (✓ means site is vulnerable)						Summary of Pressures/Threats
	Physical Habitat Loss	Physical Damage	Disturbance Recreational	Water Quantity	Water Pollution	Atmospheric Pollution	
Devil's Dyke	✓	✓	✓	x	x	✓	This species rich calcareous grassland is vulnerable to vegetation succession by rank grasses and requires active management by grazing. It is also vulnerable to increased recreational pressure. Habitat degradation is occurring, particularly through trampling of vegetation and soil enrichment from dog excrement. Antisocial behaviour such as littering, fires and other activities is damaging vegetation. Dogs off leads also pose a risk to the continuance of the essential long term management of the site through livestock grazing. The site is also potentially at risk from atmospheric nitrogen deposition, although the site improvement plan states this requires further investigation.
Wicken Fen	✓	✓	✓	✓	✓	✓	This site is vulnerable to vegetation succession and requires management to retain fen characteristics. Hydrological changes associated with off-site agricultural drainage and land reclaim threatens the sites designated features. In addition nitrification from agricultural run-off and abstraction from the underlying aquifer is a threat. Nitrogen deposition exceeds site relevant critical loads. This has the potential to affect the Molinia meadow and calcareous fen features although there is no information known on any current impacts.
Chipp-enham Fen	✓	✓	✓	✓	✓	✓	Key threats include water pollution and hydrological changes. There is considerable pressure in the region from the water abstraction that may affect the local springs and aquifer. The habitats within the site are highly sensitive to inorganic fertilisers and pesticides, applications of which should be avoided both within the site itself and in adjacent surrounding areas. There is also inappropriate scrub control and cutting/mowing in some areas. Nitrogen deposition exceeds site relevant critical loads. This has the potential to affect the Molinia meadow and calcareous fen features although there is no information known on any current impacts.
Ouse Washes	✓	✓	✓	✓	✓	x	The Ouse Washes are extremely vulnerable to changes in hydrology and the site is currently suffering from nitrification and changes in water quality as a result of agricultural run-off and the input of water with high nutrient levels from sewage treatment works. Off-site changes in hydrology have the potential to affect the site's integrity. Over the past 25yrs it has also been noted that there has been

Site	Vulnerability (✓ means site is vulnerable)						Summary of Pressures/Threats
	Physical Habitat Loss	Physical Damage	Disturbance Recreational	Water Quantity	Water Pollution	Atmospheric Pollution	
							an increase in summer flooding as well as high water levels in winter. This has adversely affected both the breeding birds and the traditional washland management regime. It also results in Glyceria grass (sweet rush) competing with the other grasses and herbs, which may affect food availability for wintering waterfowl. High winter water levels also reduce grazing area for wigeon.
Breckland (outside of district)	✓	✓	✓	✓	✓	✓	Grazing by sheep/cattle is essential to the maintenance of habitats. Undergrazing, both by domestic livestock and wild rabbits affects the majority of grassland & heathland sites throughout the SPA/SAC, which puts at risk the quality of SAC habitats and their characteristic species, including SPA bird species. Development, especially for housing, roads and solar farms, can impact on SPA species through disturbance (Stone Curlew, Woodlark, Nightjar). Recreational and other activities have the potential to impact both SAC and SPA features. SAC features may be affected through eutrophication (dog fouling, unauthorised fires) and disturbance of soils, in particular on commons and heaths. Habitat fragmentation is a key threat, with connectivity between heaths poor and the landscape between them hostile to species dispersal. Local groundwater abstraction can negatively impact on the Breckland meres (restricted to the Norfolk Breckland). A further key threat is air pollution from atmospheric nitrogen deposition.

- 6.19 In order to establish whether or not a proposal might have an effect on one of the above designations, then Natural England’s Impact Risk Zones (IRZs) should be consulted in the first instance. These Impact Risk Zones refer to the SSSIs which underpin the international designation.
- 6.20 IRZs are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The IRZs also cover the interest features and sensitivities of European sites, which are underpinned by the SSSI designation and “Compensation Sites”, which have been secured as compensation for impacts on European/Ramsar sites.
- 6.21 Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. The IRZs do not alter or remove the requirements to consult Natural England on other natural environment impacts or

other types of development proposal under the Town and Country Planning (Development Management Procedure) (England) Order 2015 and other statutory requirements - see the gov.uk website for further information.

- 6.22 The following weblink provides considerable more detail and guidance on the interpretation and use of the IRZs dataset:
<https://naturalengland-defra.opendata.arcgis.com/datasets/sssi-impact-risk-zones-england> .
- 6.23 The IRZs data can also be viewed on government's MAGIC website:
<https://magic.defra.gov.uk/>
- 6.24 More specific information on how developers can get advice from Natural England on planning applications can be viewed at <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals> .
- 6.25 In respect of East Cambridgeshire, the vast majority of the district is 'washed over' with at least one IRZ, reflecting the volume and sensitivities of designated sites in the district.
- 6.26 Applying the IRZs is not, however, the most straight forward process. IRZs are typically split into several 'layers' stretching away from the designated site, and within each layer are differing advice as to when there may be an impact and when Natural England will need consulting on proposals. To add to the difficulty, one particular designated site can have two or more different IRZs stretching out from it, with differing impacts potentially arising. Whilst this is unusual, such a scenario applies in East Cambridgeshire with the Ouse Washes designation. Also, an IRZ stretching out from one designated site, may overlap with an IRZ stretching out from another designated site.
- 6.27 Further, once a proposal has been determined to fall within an IRZ (or potentially more than one IRZ), and also within the threshold for the potential of having harm on the designated site, it does not identify what that harm might be or what might need to be investigated. Thus, identification of a site within an IRZ is merely a 'flag' that further work and investigation needs to be undertaken.
- 6.28 It can, therefore, especially in these situations of overlapping IRZs, be very difficult to know whether a parcel of land is within one or more IRZs, and for what reason, and what the implications of development might be. This is why your development proposal will often need specialist ecological advice.
- 6.29 To help applicants (and decision makers of planning applications), it is apparent that one particular IRZ within East Cambridgeshire is worthy of highlighting and providing guidance within this SPD.

'Goose and Swan' IRZ

- 6.30 Natural England's Goose & Swan IRZ identifies land which is potentially functionally linked to sites designated for birds, based on survey data including a British Trust for Ornithology (BTO) research project. The term functionally linked land is used to describe an undesignated area lying beyond the boundary of a protected site, which is nevertheless used by the designated bird populations associated with the site. Such areas typically provide habitat for foraging or other ecological functions essential to the maintenance of the designated population. The Ouse Washes 'Goose & Swan' IRZ indicates the extent of potential functionally linked land for Ouse Washes Special Protection Area (SPA) qualifying bird species, particularly Bewick's and whooper swans. Since these areas are considered to be potentially functionally linked to the European site they require appropriate consideration under the Conservation (of Habitats and Species) Regulations 2017 (as amended) (the Habitats Regulations).
- 6.31 The extent of this particular IRZ, as found on the 'Magic' website, is extensive, stretching out from the Ouse Washes towards, and around, Littleport and Ely.
- 6.32 The following policy applies to proposals within that IRZ:

Policy SPD.NE2: Proposals within the Swan and Goose Impact Risk Zone

Land within the ‘Swan and Goose’ Impact Risk Zone, as identified on the ‘MAGIC’ website, may provide important functional habitat for qualifying bird species associated with the Ouse Washes Special Protection Area (SPA) and Ramsar site, particularly swans, for foraging and roosting.

Since the IRZ area is considered to be potentially functionally linked to the European designated site, development in this area requires appropriate consideration under the Conservation of Habitats and Species Regulations 2017 (as amended). As such, any **greenfield ‘major development’** (as defined by legislation) within the IRZ must undertake a project-level Habitats Regulation Assessment (HRA) to demonstrate that proposed development will not have any adverse effect on Ouse Washes functional land in accordance with the requirements of the Habitats Regulations.

Such a project level HRA should initially commence with a robust HRA Screening, prepared by the applicant, to identify whether the land affected by the proposed development is regularly used by qualifying species (especially foraging and roosting swans) of the Ouse Washes SPA / Ramsar site and whether the proposal will have a likely significant effect. Where this identifies a likely significant effect (or the effect is unknown), applicants will be required to submit sufficient information for a project level Appropriate Assessment to be undertaken by the District Council under the Habitats Regulation Assessment process to ensure there will be no adverse impacts on the Ouse Washes designated site.

For the avoidance of doubt, proposals which are **not greenfield ‘major development’** are not automatically excluded from the need to undergo the HRA process, because such a process may need to be undertaken for reasons not referred to in this policy (for example, for smaller scale development very close to the designated site). However, such proposals are excluded from the provisions of this particular policy.

- 6.33 Should a development proposal be captured by the above policy, planning permission is only likely to be refused where the applicant is unable to demonstrate that any adverse impact to functionally linked land can be adequately mitigated. It is likely that most land will not, following due investigation, be regularly used by qualify species (such as swans). However, as a precautionary measure, it will be necessary for this to be tested and confirmed at the project level HRA stage, to demonstrate no adverse effect on the integrity of the Ouse Washes in line with the above policy and the requirements of the Habitats Regulations.
- 6.34 For the avoidance of doubt, it should be noted that the above policy applies even if the proposed development is allocated within a development plan (i.e. within the Local Plan or a Neighbourhood Plan) for development.

Specific advice and policy in respect to recreational pressure on designated sites arising from development

- 6.35 As identified in the summary table (Table 2), all four European designated sites in East Cambridgeshire are vulnerable to recreational pressure, as well as Breckland. In simple terms, this means that harm to the integrity of such sites could arise because people are using such sites for recreational purposes (such as dog walking). Consequently, if development was to likely increase the quantity of recreational use, that development could potential result in harm.
- 6.36 Only residential development has the potential to increase recreational pressure. The potential increase in pressure will depend on the location of the development and quantity of new homes (and hence people) it will deliver.
- 6.37 By applying Policy GROWTH3 of the Local Plan (which requires new infrastructure provision via development, including open space), most development is not *likely* to result in a significant increase in recreational pressure on designated sites, but it still could.
- 6.38 This is a complex area to consider, especially so in East Cambridgeshire due to the large number of sites which are vulnerable to recreational pressure.
- 6.39 One option the Council considered was whether this SPD could include a policy on this matter, to help all parties understand better how to progress proposals yet meet these constraints, as

established by Natural England. However, following consultation on this SPD, it has been determined that the policy consulted upon was not wide enough (in that it did not cover all sites that Natural England said it should) and was not up to date (in that Natural England no longer supported a 8km zone of influence around Devil's Dyke, as previously agreed, instead directing the Council to new Cambridgeshire SSSI Recreation Pressure IRZs). Also, in attempting to provide policy and guidance, it risked not accurately reflecting the legal and other necessary requirements. As such, this SPD no longer provides a Policy on this matter.

- 6.40 Instead, at Appendix 2, is an extract of the representation received from Natural England when consulting on this SPD. This provides Natural England's advice with regard to assessing and mitigating recreational pressure impacts, linked to their new Cambridgeshire SSSI Recreation Pressure IRZs. It is this standing advice that applicants should use as a starting point for all proposals.

7.0 Protecting the Most Valuable Sites: Nationally Designated Sites

Introduction

- 7.1 The previous chapter was focussed on internationally important designated sites. The next tier down the hierarchy is nationally designated sites, under two headings:
- National Nature Reserves (NNRs)
 - Sites of Special Scientific Interest (SSSI).
- 7.2 East Cambridgeshire is blessed by a large number of nationally designated sites, as the following list demonstrates:

National Nature Reserves (NNRs)	Sites of Special Scientific Interest (SSSI)	
• <i>Wicken Fen</i>	• <i>Ouse Washes</i>	• Soham Wet Horse Fen
• <i>Chippenham Fen</i>	• <i>Wicken Fen</i>	• Stow-cum-Quay Fen
	• <i>Devil's Dyke</i>	• Upware Bridge Pit North
	• <i>Chippenham Fen and Snailwell Poor's Fen</i>	• Upware South Pit
	• Newmarket Heath	• Upware North Pit
	• Park Wood	• Cam Washes
	• Out and Plunder Woods	• Delph Bridge Drain
	• Ten Wood	• Ely Pits and Meadows
	• Snailwell Meadows	• Shippea Hill
	• Brackland Rough	• Chettisham Meadows

- 7.3 As can be seen from above, a numbers of sites have numerous designations, and the boundaries are not always the same for each designation. Where multiple designations exist, each designation needs to be assessed separately.
- 7.4 For the remaining SSSIs sites, the Local Plan states as follows (extract of Policy ENV7):
- “Proposals which have an adverse impact on a site of national importance will not normally be permitted unless the benefits of development at the site significantly outweigh the impacts”*
- 7.5 The NPPF (2019) is similar in sentiments, and states as follows (para175(b)):
- “Development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest.”*
- 7.6 On the basis that the two policy positions are very similar, but that the NPPF is more up to date and provides slightly greater policy detail, decision makers should apply greater weight to the NPPF wording.
- 7.7 The NPPF wording also usefully clarifies that its policy position applies equally to development ‘outside’ an SSSI in addition to development within such sites.

- 7.8 In order to help determine what the impact might be, IRZs have been prepared for each SSSI, and are available through the MAGIC website. See chapter 6 for further details on IRZs. Such IRZs will form a starting point for determine what evidence should be provided in support of an application.

8.0 Protecting the Most Valuable Sites: Locally Designated Sites

Introduction

- 8.1 Below nationally designated sites, many local areas have a variety of local biodiversity related designations.
- 8.2 In East Cambridgeshire, the Local Plan (2015) highlights the following (with Ancient Woodlands considered in more detail in section 11 of this SPD):

Type	Number of sites within East Cambridgeshire
County Wildlife Site (CWS)	81
Local Nature Reserve (LNR)	2 (Isleham and Little Downham)
Protected Roadside Verge (PRV)	12
Ancient Woodland	24

- 8.3 The Local Plan provides specific policy for such sites within the following paragraph (Policy ENV7):

“Proposals which would cause harm to County Wildlife Sites, Ancient Woodland, aged and veteran trees, Local Nature Reserves, Protected Roadside Verges, any other irreplaceable habitats, and green corridors or important species will not be permitted unless the need for, and benefits of development in that location outweigh the potential harm to nature conservation interests.”

- 8.4 The NPPF is largely silent in terms of policy position on these matters, except in a specific reference to ancient woodlands in the following policy position (para 175(c)):

“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists”

- 8.5 The phrase ‘exceptional reasons’ in that paragraph is clarified in the NPPF (footnote 58) as follows: *“For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat”.*

- 8.6 The NPPF also defines what is meant by ‘irreplaceable habitats’ in its glossary, as follows:

“Irreplaceable habitat: *Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.”*

- 8.7 Para 175(c) is a very firm national policy position. And, it is entirely possible that, in addition to Ancient Woodland (which the NPPF expressly identifies), some of the locally designated CWS, LNR or PRV could qualify as an ‘irreplaceable habitat’, and consequently para 175(c) would apply.

- 8.8 Separately, the NPPG has the following advice for locally designated sites (such advice covering geological sites as well):

“Locally designated ‘Local Wildlife Sites’ and ‘Local Geological Sites’ are areas of substantive nature conservation value and make an important contribution to ecological networks and nature’s recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. They can be in rural, urban or coastal locations, can vary considerably in size, and may comprise a number of separate sites.

National planning policy expects plans to identify and map these sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.

Local planning authorities can take a lead in establishing and maintaining partnerships and systems to identify, manage, enhance and safeguard local sites. The positive engagement and co-operation of land owners and their representative bodies can contribute significantly to the success of these partnerships.

All local sites partnerships need to use clear and locally defined site selection criteria with measurable thresholds. For example, where a particular habitat is especially scarce, it may be appropriate to adopt a lower threshold for selection than would be appropriate for other natural areas so that a suitable range of sites is protected. Selection criteria need to be developed with reference to the standard criteria in the following question, with all sites that meet the relevant criteria (informed by detailed ecological surveys and expertise) then being selected.

Paragraph: 013 Reference ID: 8-013-20190721"

- 8.9 The above advice is therefore recommending a detailed site selection process for local wildlife sites. Whilst the above advice is recent (2019), East Cambridgeshire District Council, working with partners across Cambridgeshire, has been involved in designating 'County Wildlife Sites'. In 2010, the Council adopted the 'East Cambridgeshire County Wildlife SPD'. That SPD sets out information and a map for all the CWS in the district, and also explains the methodology and selection process for designating them. The Council therefore believes the SPD remains consistent with the latest national advice.
- 8.10 Bring all of this together, it is apparent that existing Local Plan policy together with the East Cambridgeshire County Wildlife SPD provides appropriate local policy coverage, with one exception, that being any such site which is deemed to be an 'irreplaceable habitat'. The following additional policy (which was SPD.NE4 in the consultation draft) is therefore necessary:

Policy SPD.NE3: Development resulting in the loss or deterioration of a County Wildlife Site (CWS), Local Nature Reserve (LNR) or Protected Roadside Verge (PRV)

In addition to legislation and national and local policy in relation to such sites, development which will result in the loss or deterioration of a CWS, LNR or PVR which is deemed to be an irreplaceable habitat (as defined by the NPPF) will be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

For CWS, LNR or PVR sites which are not deemed to be an irreplaceable habitat, then existing Local Plan ENV7 policy will continue to apply to such sites.

Soham Commons

- 8.11 Soham has a unique landscape setting, being surrounded by Commons to the east and west. The Commons cover a significant area, and consists of grazing land and meadows, with a number of ponds and waterways. The Commons are a haven for wildlife – but also provide an excellent green network and recreational facility for the people of Soham. As Common land, they are protected against loss or re-use. However, it is also important that development proposals adjoining or close to the Commons respect its character and setting, and do not adversely affect biodiversity or access. Development proposals will also be expected to explore opportunities to enhance biodiversity and access to the Commons. The following policy therefore is included:

Policy SPD.NE4: Soham Commons

The wildlife, landscape and recreational quality of the Soham Commons should be protected and enhanced. Development proposals should demonstrate no significant adverse impact on the quality, character, accessibility and biodiversity value of the Commons. Development proposals in the vicinity of the Commons should explore opportunities to improve biodiversity, access and landscape improvements on the Commons. To assist the preparation of proposals, and the exploration of opportunities, applicants should have regard to the Soham Commons Recreational and Biodiversity Enhancement Study, as endorsed by Natural England and the Wildlife Trust, and, where necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind, make an appropriate and proportionate contribution to the implementation of the actions identified.

9.0 Protected Species (Species of Principal Importance)

Introduction

- 9.1 Whilst certain land areas are designated for nature conservation purposes, often for multiple reasons, certain species are also protected irrespective of where such species are found. Thus, it can often be the case that a parcel of land proposed for development is not designated in any way for nature conservation purposes, BUT may still have protected species present on site. It is vitally important that both applicants and decision takers follow due process in assessing the potential presence of such species and, if such species are present (or could be present), that consideration of a development proposal takes account of such issues.
- 9.2 Many wildlife species benefit from statutory protection under a range of legislative provisions. Section 41 (S41) of the Natural Environment and Communities Act 2006 contains a list of habitats and species of principal importance. The current list contains 56 habitats of principal importance (updated 2010) and 943 species of principal importance (updated 2014). The Council has a duty to promote the protection and recovery of these species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity.
- 9.3 Developers are advised to make use of government guidance (see below) and speak to their own ecologist at an early stage to determine if their proposal would affect any habitat or species of principal importance. The Cambridgeshire and Peterborough Biodiversity Partnership has published lists of which priority species as well as additional species of interest that are locally important. The Cambridgeshire and Peterborough Environmental Records Centre also holds records of locally recorded species and is therefore a useful source of biodiversity information.
- 9.4 Within East Cambridgeshire, such protected species which can arise on a fairly frequent basis includes bats, great crested newts and badgers. In certain parts of the district, protected species which are related to wetland habitats including water vole and otter may occur. However, it is possible for other protected species to be present on a site.

Process to follow

- 9.5 Having reviewed the guidance, it has been decided that this SPD need not set out bespoke species advice for the East Cambridgeshire area. As such, both applicants and decision makers should refer in the first instance to government advice on this matter, as available on this page: www.gov.uk/guidance/protected-species-how-to-review-planning-applications
- 9.6 However, the following policy is necessary to explain, in generic terms, how the Council will review planning applications for their potential impact on protected species.

Policy SPD.NE5: Reviewing planning applications for Protected Species

The Council will place great care in assessing development proposals in relation to the potential impact on protected species, and will follow the advice as available on the government website: www.gov.uk/guidance/protected-species-how-to-review-planning-applications

When a proposal is likely to affect a protected species, the Council will only grant planning permission if:

- an appropriate survey was carried out by a qualified ecologist at the time of year specified in Natural England's standing advice;
- a wildlife licence is likely to be granted by Natural England if one is needed;
- mitigation plans are considered acceptable;
- compensation plans are acceptable when mitigation isn't possible; and
- review and monitoring plans are in place, where appropriate.

Achieving the above may require an applicant to enter into a suitable form of developer contributions agreement.

Where a proposal is not likely to affect a protected species, but the proposal provides measures (such as an appropriate habitat in an appropriate location) which are likely to be beneficial to protected species, then weight in favour of such a proposal will apply.

- 9.7 Natural England is rolling out a District Level Licencing scheme for Great Crested Newts to Cambridgeshire in 2020, and it is now available in East Cambridgeshire. The application of Policy SPD.NE5 may therefore differ for Great Crested Newts. See our website for details: <https://www.eastcambs.gov.uk/planning/ecology-and-biodiversity>.

10.0 Reversing the Decline – A ‘net gain’ in Biodiversity

Introduction

- 10.1 In simple terms, biodiversity has been in serious decline in the UK, and Cambridgeshire is no exception.
- 10.2 The UK’s wildlife continues to decline according to the State of Nature 2019 Report. As a summary, the latest findings show that since rigorous scientific monitoring began in the 1970s there has been a 13% decline in average abundance across wildlife studied and that the declines continue unabated. The Report also reveals that 41% of UK species studied have declined, though 26% have increased since 1970, while 133 species assessed have already been lost from our shores since 1500.
- 10.3 Butterflies and moths have been particularly hard hit with numbers of butterflies down by 17% and moths down by 25%. Species that require more specialised habitats have declined by more than three quarters. The UK’s mammals also fare badly with greater than 26% of species at risk of disappearing altogether.”
- 10.4 Locally, across Cambridgeshire, we only have 8.5% of land which is of rich wildlife habitat, one of the lowest in the country.
- 10.5 Of course, East Cambridgeshire is dominated by some of the finest agricultural land in the country, a vital food resource for the country, but the intensification of farming has had an impact on local biodiversity. Significant parts of East Cambridgeshire is also of national importance to the equine industry, but again such use can impact on biodiversity.
- 10.6 Led by government, there is a growing momentum that public policy (whether Local Plan or through other means) should be seeking not only to halt further decline and protect what we have, but to proactively deliver ‘gains’ in order to start to make up for the considerable losses over the decades. The phrase ‘net gains for biodiversity’ is therefore becoming more common, as a policy or target.

Local Policy

- 10.7 The Local Plan (2015) is written largely around protecting what we have and mitigating for harm, which reflected national policy at its time of preparation. However, it does ‘require’ all development proposals to:

“Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals.”

National Policy

- 10.8 The NPPF (2019) goes further than the Local Plan, by specifically requiring a net gain for biodiversity (rather than just ‘maximise opportunities’):

*“170 Planning policies and decisions should contribute to and enhance the natural and local environment by... minimising impacts on and **providing net gains for biodiversity**, including by establishing coherent ecological networks that are more resilient to current and future pressures;”*

*“175 When determining planning applications, local planning authorities should apply the following principles... opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable **net gains for biodiversity**.”*

- 10.9 The NPPG provides considerable guidance on what is intended by ‘net gains’. This is very useful advice and for ease of access is included on the following page.

Extract from the National Planning Practice Guide

(sourced 6.12.19, and is subject to change. Please check for any updates at <https://www.gov.uk/government/collections/planning-practice-guidance>)

What is net gain?

Net gain in planning describes an approach to development that leaves the natural environment in a measurably better state than it was beforehand. Net gain is an umbrella term for both biodiversity net gain and wider environmental net gain.

Paragraph: 020 Reference ID: 8-020-20190721 Revision date: 21 07 2019

How can plans encourage net gain?

Plans, and particularly those containing strategic policies, can be used to set out a suitable approach to both biodiversity and wider environmental net gain, how it will be achieved, and which areas present the best opportunities to deliver gains. Such areas could include those identified in: natural capital plans; local biodiversity opportunity or ecological network maps; local green infrastructure strategies; strategic flood risk assessments; water cycle studies; air quality management plans; river basin management plans; and strategic protected species licensing areas. Consideration may also be given to local sites including where communities could benefit from improved access to nature.

Paragraph: 021 Reference ID: 8-021-20190721 Revision date: 21 07 2019

What is biodiversity net gain?

The National Planning Policy Framework encourages net gains for biodiversity to be sought through planning policies and decisions. Biodiversity net gain delivers measurable improvements for biodiversity by creating or enhancing habitats in association with development. Biodiversity net gain can be achieved on-site, off-site or through a combination of on-site and off-site measures. It may help local authorities to meet their duty under Section 40 of the Natural Environment and Rural Communities Act 2006.

Paragraph: 022 Reference ID: 8-022-20190721 Revision date: 21 07 2019

How can biodiversity net gain be achieved?

Planning conditions or obligations can, in appropriate circumstances, be used to require that a planning permission provides for works that will measurably increase biodiversity. An applicant may also propose measures to achieve biodiversity net gain through a unilateral undertaking. The work involved may, for example, involve creating new habitats, enhancing existing habitats, providing green roofs, green walls, street trees or sustainable drainage systems. Relatively small features can often achieve important benefits for wildlife, such as incorporating ‘swift bricks’ and bat boxes in developments and providing safe routes for hedgehogs between different areas of habitat.

Benefits could be achieved entirely on-site or by using off-site gains where necessary. Off-site measures can sometimes be secured from ‘habitat banks’, which comprise areas of enhanced or created habitats which generate biodiversity unit ‘credits’.

Care needs to be taken to ensure that any benefits promised will lead to genuine and demonstrable gains for biodiversity. Discussions with local wildlife organisations can help to identify appropriate solutions, and tools such as the Defra [biodiversity metric](#) can be used to assess whether a biodiversity net gain outcome is expected to be achieved. Planning authorities need to make sure that any evidence and rationale supplied by applicants are supported by the appropriate scientific expertise and local wildlife knowledge.

When assessing opportunities and proposals to secure biodiversity net gain, the local planning authority will need to have regard to all relevant policies, especially those on open space, health, green infrastructure, Green Belt and landscape. It will also be important to consider whether provisions for biodiversity net gain will be resilient to future pressures from further development or climate change, and supported by appropriate maintenance arrangements.

Paragraph: 023 Reference ID: 8-023-20190721 Revision date: 21 07 2019

How does biodiversity net gain fit with the mitigation hierarchy?

Biodiversity net gain complements and works with the biodiversity mitigation hierarchy set out in [NPPF paragraph 175a](#). It does not override the protection for designated sites, protected or priority species and irreplaceable or priority habitats set out in the NPPF. Local planning authorities need to ensure that

habitat improvement will be a genuine additional benefit, and go further than measures already required to implement a compensation strategy.

Paragraph: 024 Reference ID: 8-024-20190721 Revision date: 21 07 2019

How can biodiversity net gain be calculated?

Using a metric is a pragmatic way to calculate the impact of a development and the net gain that can be achieved.

The biodiversity metric can be used to demonstrate whether or not biodiversity net gain will be achieved. It enables calculation of losses and gains by assessing habitat:

- distinctiveness: whether the type of habitat is of high, medium or low value to wildlife.*
- condition: whether the habitat is a good example of its type.*
- extent: the area that the habitat occupies.*

The information needed to populate this metric is taken from habitat surveys of the site before development and any related habitat clearance or management, and for the habitats proposed within the development as well as any additional habitat improvement off-site. The metric translates habitat distinctiveness, condition and extent into a score which is presented in biodiversity units. It also uses multipliers to account for risks in delivering habitat creation or enhancement. To achieve net gain, a development must have a sufficiently higher biodiversity unit score after development than before development.

Paragraph: 025 Reference ID: 8-025-20190721 Revision date: 21 07 2019

What is the baseline for assessing biodiversity net gain?

The existing biodiversity value of a development site will need to be assessed at the point that planning permission is applied for. It may also be relevant to consider whether any deliberate harm to this biodiversity value has taken place in the recent past, and if so whether there are grounds for this to be discounted in assessing the underlying value of the site (and so whether a proposal would achieve a genuine gain).

There are laws to protect important sites and species from harm, for which Natural England have enforcement powers. In addition, the felling of trees requires a Forestry Commission licence in most cases before felling can commence. There may be a penalty or requirement to restock if felling occurs without this. There are some exemptions relating to the location, volume and diameter of a tree, and an exemption for felling which is immediately required for the purpose of development authorised by a planning permission.

Paragraph: 026 Reference ID: 8-026-20190721 Revision date: 21 07 2019

How can biodiversity net gain be of lasting value?

New or improved habitat needs to be located where it can best contribute to local, national and international biodiversity restoration, including the Nature Recovery Network proposed in the 25 Year Environment Plan, locally identified ecological or green infrastructure networks and biodiversity opportunity areas. Providing biodiversity net gain close to where people live can improve access to nature and bring health and wellbeing benefits.

It is good practice to establish a detailed management plan to ensure appropriate management of the habitat in the long term, and to arrange for regular but proportionate monitoring on how the habitat creation or enhancement is progressing, indicating any remedial action necessary. Planning authorities may consider recording where habitat compensation has been established, and how relevant survey and monitoring data can best be utilised to strengthen the local biodiversity evidence base; for example by working with Local Environmental Record Centres.

Paragraph: 027 Reference ID: 8-027-20190721 Revision date: 21 07 2019

What is wider environmental net gain and how can it be achieved?

The aim of wider environmental net gain is to reduce pressure on and achieve overall improvements in natural capital, ecosystem services and the benefits they deliver. For example, habitat improvements can provide a range of benefits such as improvements to soil, water and air quality, flood risk management and opportunities for recreation.

In planning strategically for the enhancement of natural capital, planning authorities can draw upon evidence on natural capital assets, the supply and demand of ecosystem services flowing from them, and existing and future risks and opportunities for these services.

A number of metrics to measure and monitor aspects of wider environmental net gain are under development.

Paragraph: 028 Reference ID: 8-028-20190721 Revision date: 21 07 2019

The 25 Year Environment Plan

- 10.10 Despite the firm words of the NPPF, Government has committed to go further to secure net gain. It's very first action, of the first chapter, of the 25 Year Environment Plan (2018) states:

“We will embed an ‘environmental net gain’ principle for development, including housing and infrastructure”

- 10.11 Thus, not only is government seeking biodiversity net gains, but also wider net gain. The Environment Plan set out a number of proposals to progress this, including the option of mandating the delivery of a net gain in biodiversity.

The Environment Bill (January 2020)

- 10.12 The Environment Bill was published in January 2020. In respect of ‘net gain’, government has provided the following summary of the January 2020 Bill:

Extract from the (January 2020) ‘Environment Bill Policy Statement’⁷

“The Environment Bill introduces a mandatory requirement for biodiversity net gain in the planning system, to ensure that new developments enhance biodiversity and create new green spaces for local communities to enjoy. Integrating biodiversity net gain into the planning system will provide a step change in how planning and development is delivered. The Bill will provide new opportunities for innovation as well as stimulating new economic markets. This is expected to result in the creation and the avoidance of loss of several thousands of hectares of habitat for wildlife each year, which represents annual natural capital benefits of around £1.4 billion. This will increase the public benefits of ecosystems, such as improvements in air quality, water flow control, outdoor recreation and physical activity.

Net gain requirements will supplement, but not replace or undermine, existing protections for protected sites or irreplaceable habitats. In relation to protected sites, any net gain requirements would only be enforceable following a planning decision which will consider the existing legal and planning policy requirements for protected sites in the usual way. Net gain requirements will not undermine the existing range of protections, in planning policy and legislation, for irreplaceable habitats and protected sites.”

- 10.13 With some uncertainty over the Environment Bill (and the subsequent Act), the following policy therefore includes a clause to say that the policy will not be implemented if it is superseded by legislation:

⁷ See <https://www.gov.uk/government/publications/environment-bill-2020/30-january-2020-environment-bill-2020-policy-statement>

Policy SPD.NE6 Biodiversity Net Gain

In addition to the provisions set out in the Local Plan, all development proposals should contribute to and enhance the natural and local environment by firstly avoiding impacts where possible, where avoidance isn't possible minimising impacts on biodiversity and providing measurable net gains for biodiversity

If and when a nationally mandated mechanism to secure 'net gains' is introduced, then the following policy will not be implemented. In the absence of any nationally mandated mechanism to secure such 'net gains', the following policy applies:

All development proposals (except householder applications – see below) must provide clear and robust evidence setting out:

- (a) information about the steps taken, or to be taken, to avoid and minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,
- (b) the pre-development biodiversity value of the onsite habitat based on an up to date survey and ideally using the Defra metric,
- (c) the post-development biodiversity value of the onsite habitat ideally using the Defra metric; and
- (d) the ongoing management strategy for any proposals.

Proposals which do not demonstrate that the post-development biodiversity value of the onsite habitat will not significantly* exceed the pre-development biodiversity value of the onsite habitat will be refused.

Demonstrating the value of the habitat (pre and post development) will be the responsibility of the applicant, and the information to be supplied will depend on the type and degree of proposals being submitted. The Council strongly recommends the use of available toolkits or biodiversity calculators (see section 14 of this SPD) and/or ecology surveys.

Where insufficient, incomplete or inaccurate information is submitted, meaning the Council is not able to determine whether a proposal is likely to lead to a net gain in biodiversity, a proposal will be deemed to fail the policy requirements (as set out in the Local Plan, the NPPF and this SPD) to take biodiversity opportunities and providing a biodiversity net gain.

Only in exceptional circumstance, the Council may (but is not obliged to) accept off-site biodiversity gains in exchange for on-site biodiversity net gain, but only in instances whereby:

- (i) it is not possible to provide significant net gains on site;
- (ii) the overall net outcome is a significant net gain in biodiversity; and
- (iii) a robust agreement is in place to deliver and maintain such off-site gains.

For householder applications, the detailed provisions of this policy do not apply, but there is still an expectation in most instances that an element of biodiversity gain should be incorporated into the proposal, such as bird boxes, insect 'hotels', bee blocks, bat boxes and/or hibernation holes. More detailed biodiversity gain would be welcomed.

** whilst 'significantly' is not defined precisely in this SPD, it should be taken to read that very minor net gains (such as a new bird box) would not constitute a significant gain. The gain should be more considerable, preferably creating habitat gains which support a larger variety of biodiversity. Where space is tight, integrating a variety of measures within the development may be appropriate, such as targeted bird boxes, insect 'hotels', bee blocks, bat boxes, hibernation holes and 'green' roofs.*

Doubling Nature

10.14 Via its role in Nature Cambridgeshire (the Local Nature Partnership for Cambridgeshire and Peterborough), the Council has already endorsed the following Natural Cambridgeshire vision:

“Our Vision is that by doubling the area of rich wildlife habitats and natural green-space, Cambridgeshire and Peterborough will become a world-class environment where nature and people thrive, and businesses prosper.”⁸

⁸ See - <https://naturalcambridgeshire.org.uk/news/natural-cambridgeshire-ambition-to-double-nature-across-peterborough-and-cambridgeshire/>

- 10.15 The Council is committed where it can to help make the above vision a reality, and implementing this SPD is an important contribution to do so.
- 10.16 Whilst the vast majority of planning applications received by the Council have the potential to deliver a 'net gain' for biodiversity on site, it is accepted that the vast majority will not be able to directly contribute to meeting the above vision. However, some will have potential to do so, and there is a realistic chance that in the near future (via legislation, such as the Environment Bill or equivalent) that some development will contribute a financial sum to an appropriate body which could be used by that appropriate body on initiatives which will assist in delivering the vision.
- 10.17 The following policy sets out the Council's planning policy position in respect of assisting the vision to 'doubling nature', which also aligns with the adopted Local Plan policy (ENV7) requiring all development to '*Maximise opportunities for creation, restoration, enhancement and connection of natural habitats as an integral part of development proposals*':

Policy SPD.NE7: Contributing to the strategic target of doubling land for nature

A strategic scale development proposal* could, as an option, help demonstrate that it meets Local Plan Policy ENV7 (and in turn demonstrate a contribution to the Local Nature Partnership's vision to 'doubling land for nature') if it achieved either (A) or (B):

- (A) set aside a minimum of 20% of the application site area as land for rich wildlife habitat. Such set aside land must have clear proposals for its creation and long-term management. Where the application site already contains rich wildlife habitat which is to be protected as part of the development proposals, then the 20% requirement applies to the land which is not presently rich wildlife habitat.

In the unlikely scenario whereby the application site already contains rich wildlife habitat which is to be lost as part of the development proposals, then not only must the area lost be replaced, but the 20% requirement also added.

Or;

- (B) via an appropriate legal agreement, create (or provide a financial contribution in order to create) new rich wildlife habitat off-site, on land broadly equivalent in size to the land area of the application site. Such off-site land must not presently be rich wildlife habitat, and such land must have clear proposals for its creation and long term management, and details of future public access (if any)., and ideally meet one of the following:

- Land within East Cambridgeshire district adjacent to strategically important biodiversity areas as identified in the Cambridgeshire Green Infrastructure Strategy (2011). These strategic areas include the Wicken Fen vision area, the Ouse Washes, Chippenham Fen, and Devil's Dyke.
- Extensions to other nature-rich sites within East Cambridgeshire district, ideally within the parish or town where the development is located.
- Land within East Cambridgeshire providing new habitats as stepping-stones between existing nature-rich sites, ideally within the parish or town where the development is located.

For all of the above scenarios, the provision of such land can be counted towards the requirement to deliver a net gain for biodiversity.

For all other development proposals not covered by above, the council will give considerable weight in favour of proposals which create new rich wildlife habitat, but only if such provision forms part of delivering a wider net gain for biodiversity.

*defined as 150 dwellings or more, or 5ha or more for non-dwelling proposals.

11.0 Trees and Woodlands

- 11.1 The Council has a statutory duty (s197, Town and Country Planning Act 1990) to consider the protection and planting of trees when granting planning permission for proposed development. The potential effect of development on trees, whether statutorily protected (e.g. by a tree preservation order or by their inclusion within a conservation area) or not, is a material consideration that must be taken into account in dealing with planning applications. Trees provide a broad range of benefits, from providing wildlife habitat, adding maturity to new sites, screening, shade, storm water attenuation, visual amenity, improving air quality and the ability to soften and complement the built form.
- 11.2 In terms of existing trees and woodlands, where trees are present on a development site a British Standard 5837 Tree Survey ‘*Trees in relation to construction survey*’, and any related survey information, should be submitted along with an application for planning permission. This will ensure it is clear that a proper consideration of trees and woodlands has taken place and been taken into account in the preparation of proposals for a site.
- 11.3 In addition, an Arboricultural Method Statement, Impact Assessment and Tree Protection Plan will also be required where there is a likely adverse impact on the health and wellbeing of the trees, either through the pressure to prune or fell or through excavation works which could harm the root systems. The Statement should set out the measures that will need to be taken to protect the health of the trees during the construction period and afterwards.
- 11.4 If the development site (or land within 12 times of the stem diameter of trees located beyond the site boundaries) includes Ancient Woodland, an Ancient Tree and/or a Veteran Tree then any proposal that may result in the loss or damage of such trees will be particularly scrutinised, and only exceptionally approved. Proposals within 500m of an Ancient Woodland will also be tested (and, as appropriate, advice sought from the Forestry Commission) for any potential impact on the Ancient Woodland. See also this useful advice: (<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>). Similarly, any loss of a tree which is protected by virtue of a Tree Preservation Order (TPO) will be resisted and unlikely to be approved if it resulted in a net loss of amenity. In all instances, clear demonstration of overriding public interest in the loss of a tree(s) or woodland would need to be provided.
- 11.5 Any unprotected trees (especially those as defined as Category A or B trees within the aforementioned BS5837) will be expected to be retained if possible.
- 11.6 In terms of mitigation where loss of trees and woodland is proposed (and where it is deemed acceptable for such tree(s) to be lost, taking account of the status of the tree), then suitable proposals for mitigation, via compensation, should be provided. The tree compensation standard in the policy provides a suitable mechanism to determine the appropriate level of mitigation. The Council’s preference is for on-site replacement at suitable locations within the curtilage of the development. In exceptional circumstances, where planting cannot be achieved on-site without compromising the achievement of good design, new tree planting proposals may be considered off site (including on public land). Where trees are to be provided off-site, planning obligations will be sought to cover replacement trees, their planting and their future maintenance.
- 11.7 The council is committed to increasing the overall tree canopy cover, and therefore opportunities for new tree planting should be explored as part of all development proposals. Where new tree planting is proposed (irrespective of whether this is to compensate for losses on site), then the quantity, location and species selection of new trees will be expected to take practicable opportunities to meet the following six Tree Planting Principles.
- Create habitat and, if possible, connect the development site to the Strategic Green Infrastructure Network,
 - Assist in reducing or mitigating run-off and flood risk on the development site;
 - Assist in providing shade and shelter to address urban cooling, and in turn assist in mitigating against the effects of climate change;
 - Create a strong landscaping framework to either (a) enclose or mitigate the visual impact of a development or (b) create new and enhanced landscape;
 - Be of an appropriate species for the site; and
 - Avoid any tree planting where it has the potential to cause harm, such as: harm to existing important habitat; harm to peat soils; or harm to property or infrastructure.

Policy SPD.NE8: Trees and Woodland

Development proposals should be prepared based on the overriding principle that:

- the existing tree and woodland cover is maintained, improved and expanded; and
- opportunities for expanding woodland are actively considered, and implemented where practical and appropriate to do so.

Existing Trees and Woodland

Planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site (and off-site, if there are any trees near the site, with ‘near’ defined as the distance comprising 12 times the stem diameter of the off-site tree). If any trees exists on or near the development site, ‘adequate consideration’ is likely to mean:

- (a) the completion of a British Standard 5837 Tree Survey and, if applicable,
- (b) an Arboricultural Method Statement, Impact Assessment and Tree Protection Plan.

Where the proposal will result in the loss or deterioration of these irreplaceable assets (as defined by the NPPF):

- (c) ancient woodland; and/or
- (d) the loss of aged or veteran trees found outside ancient woodland

permission will be refused, unless, and on an wholly exceptional basis, the need for and benefits of the development in that location clearly outweigh the loss and a suitable compensation strategy exists.

Where the proposal will result in the loss or deterioration of a tree protected by a Tree Preservation Order or a tree within a Conservation Area, then permission will be refused unless:

- (e) there is no net loss of amenity value which arises as a result of the development; or
- (f) the need for, and benefits of, the development in that location clearly outweigh the loss.

Where the proposal will result in the loss of any other tree or woodland not covered by above, then the council will expect the proposal to retain those trees that make a significant contribution to the landscape or biodiversity value of the area, provided this can be done without compromising the achievement of good design for the site.

Mitigating for loss of Trees and Woodland

Where it is appropriate for higher value tree(s) (category A or B trees (BS5837)) and/or woodland to be lost as part of a development proposal, then appropriate mitigation, via compensatory tree planting, will be required. Such tree planting should:

- (g) take all opportunities to meet the six Tree Planting Principles (see supporting text); and
- (h) unless demonstrably impractical or inappropriate, provide the following specific quantity of compensatory trees:

Trunk diameter (mm) at 1.5m above ground of tree lost to development	Number of replacement trees required, per tree lost*
75-200	1
210-400	4
410-600	6
610-800	9
810-1000	10
1000+	11

* replacement based on selected standards 10/12 cm girth at 1m

New Trees and Woodland

Where appropriate and practical, opportunities for new tree planting should be explored as part of all development proposals (in addition to, if applicable, any necessary compensatory tree provision). Where new trees are proposed, they should be done so on the basis of the six Tree Planting Principles. Proposals which fail to provide practical opportunities for new tree planting will be refused. Planting schemes should include provision to replace any plant failures within five years after the date of planting. Planting of trees must be considered in the context of wider plans for nature recovery which seeks to increase biodiversity and green infrastructure generally, not simply planting of trees, and protecting / enhancing soils, particularly peat soils. Tree planting should only be carried out in appropriate locations that will not impact on existing ecology or opportunities to create alternative habitats that could deliver better enhancements for people and wildlife, including carbon storage. Where woodland habitat creation is appropriate, consideration should be given to the economic and ecological benefits that can be achieved through natural regeneration. Any tree planting should use native and local provenance tree species suitable for the location.

Management and Maintenance

In instances where new trees and/or woodlands are proposed, it may be necessary for the Council to require a tree/woodland management plan and/or appropriate developer contributions to be provided, to ensure provision is made for appropriate management and maintenance of the new trees and/or woodland.

Carbon Sequestration Implications of Proposals

The net increase or decrease in tree cover as a consequence of a development will be a material consideration in the decision making process in terms of the carbon sequestration consequences of the proposal. Considerable weight in favour of a proposal will be given where the net situation is a considerable increase in tree cover (and hence the positive and significant contribution to carbon sequestration). Where the net situation is a loss of trees, weight against a proposal will be given as a consequence of the loss of carbon sequestration, with the degree of weight dependent on the scale of net loss.

12.0 Landscaping and Biodiversity

Introduction

- 12.1 This section of the SPD does not provide policy guidance on all aspects of 'landscaping', but focusses on the biodiversity aspects of landscaping proposals. Policy provision on other aspects of landscaping, such as providing visually attractive development or making sure development assimilates into the local landscape character, can be found in national policy and guidance, and other local policy and guidance.
- 12.2 Good quality landscape schemes can, in addition to wider benefits, help relieve the pressure on existing habitats by providing links, enhancing existing wildlife resources and providing additional space and landscape features for animals and plants to colonise, and overall help to increase biodiversity on the development site.
- 12.3 Large developments will likely feature a range of green space, from domestic gardens to public areas such as parks, greenways or sports fields. In preparing the landscape design, applicants should consider the existing and proposed transport routes, 'green corridors' and watercourses within and around the development site as opportunities to increase biodiversity. When well designed, these features can be multi-functional, offering access routes and habitats for badgers, bats, birds and other wildlife, as well as human uses.
- 12.4 Where the space is available, schemes should include native tree, shrub or herbaceous planting, particularly if this can form physical or visual links to existing areas of similar planting, the countryside and the wider landscape. If space is limited many non-native varieties of plant are 'wildlife friendly' and can increase the wildlife value of the domestic landscape.
- 12.5 Many new build developments will also offer the opportunity to provide 'green' roofs or walls, constructed using a variety of plant material. A wide range of buildings can benefit from greening, from domestic sheds and dwellings to factories and office buildings. Green walls and roofs are particularly useful in providing habitat links where green space at ground level may be limited.
- 12.6 In all developments, large or small, the detailed layout and construction of the landscape scheme can also be important. Decisions regarding aspect, slopes, degree of exposure, sun and shade can greatly affect the microclimate and the range and quality of the habitat provided. Most new development could also likely make provision for nest boxes, insect hotels, wildlife shelters and improved access routes and links - leaving gaps beneath garden fences for small mammals for example.
- 12.7 The following policy therefore applies:

Policy SPD.NE9: Landscaping and Biodiversity

New planting must be an integral part of the design of a development rather than as an afterthought. It should be used in appropriate locations and must consider its function, context, scale, texture along with colour and seasonal qualities. At the same time, new planting should be chosen (in terms of species and location) to maximise biodiversity gains.

When preparing the detailed design of layouts, the implications of the future function will need to be taken into account, ensuring that the design does not cause problems for future maintenance and management.

In order to ensure the successful establishment of landscaping for biodiversity gain, the following provisions apply:

- Landscape schemes should aim to be in the form of corridors, linking up areas of greenery, rather than isolated pockets of landscaping;
- Remedial treatment should take place where the soils in planting areas are unsatisfactory, such as incorporation of soil amendments or decompaction. These should be applied to the whole planting area, not just to planting holes;

- Native new planting should be provided that reflects the local character, except where landscape character considerations suggest otherwise (for example, planting that is in keeping with areas of historic character, or within ‘on-plot’ residential planting in urban areas);
- Sufficient space should be provided to allow retained and new planting to continue growing healthily and for future management to be carried out;
- A suitable species mix should be provided that helps to promote a wide range of biodiversity and contribute to enhancing green infrastructure;
- Incorporate within the landscape scheme features that will support the establishment of biodiversity, such as wetland areas, ‘insect hotels’ and log piles (if trees are lost elsewhere on site);
- Apply the guidance as set out in the Cambridgeshire Flood and Water SPD which relates to good SUDS design and biodiversity;
- Try to avoid conflict between areas attractive for biodiversity and (i) non-native predators (such as domestic cats) and (ii) anti-social behaviour; and
- Sufficient space for soft landscaping within the layout. The space needs to be sufficient for suitable species and numbers of trees to be provided and reach maturity without creating conflicts with buildings and infrastructure.

12.8 To illustrate, in part, how the above policy can be successfully used, the following text box illustrates the advantages of incorporating willow trees within a SUDS landscape scheme:

Willow trees and attenuation ponds

Why willow trees?

Guidance for the design of SUDS states that SUDS including attenuation ponds should look to create new habitats enhancing nature conservation and amenity space. The use of native willow trees should be considered as part of the design as they have an important ecological role that relates to their affiliation with wetlands such as found in fenland areas.

Willows have a high wildlife value, providing rich habitat and food for a diverse range of organisms. There is evidence of up to 450 species of insect associated with Willows.

Willows aid fast stabilization of chemically degraded land surfaces and the re-establishment of a biologically active soil can be achieved using Willow species, which possess the major requirements for plant survival in environmentally disrupted areas such as development sites.

Tolerance of soil chemical contamination is an important requirement for survival in many situations and Willow trees potential can be emphasized by the fact that, of the seven most important metal contaminants in soil, Willow has been reported to have tolerance to at least four (cadmium, copper, zinc, lead).

Willows’ ability to sequester heavy metals and other contaminants in their root systems, halting their circulation within the environment, can be of great practical use when dealing with water runoff. Willows dense root system and high transpiration rates provide efficient control of soil water and high filtering capacity for pollutants, along with continuous growth of some species during the whole growing season, create an efficient dehydration plant that locks up the pollutants.

The fast growth of willow can sequester more carbon than softwoods within a single growing season which could prove invaluable in the pursuit of being carbon neutral.

Management/Cost

The size of the tree can be easily managed by pollarding or coppicing. The cutting rotation cycle depends on species and growing conditions, and ranges from 3–5 years. Pollarding/Coppicing, minimizes wind damage, enhances branching appearance of willows and supports a higher density of breeding birds.

Possible restrictions

The constraints of willow planting in urban areas include potential for damage of drainage pipes due to roots exploring for water, damage to foundations, or road and path base layers due to pressure exerted by roots when trees are planted too closely, and lack of ample space for growth of the tree. These problems can be avoided by planting them in attenuation ponds.

13.0 Taking the most appropriate opportunities

Introduction

- 13.1 For many matters which are considered as part of determining a planning application, it is not just a matter of **whether** something is provided (such as affordable housing, play areas, community facilities) but also **where** it is provided and **how** it will be looked after in the long term. These issues equally apply to the provision of natural environment infrastructure.
- 13.2 For example, provision of natural environment infrastructure in the wrong location could result in:
- Long term management problems
 - Encroachment into people’s property, causing a nuisance
 - Facilitate anti-social behaviour
 - Be contrary to designing out crime principles
 - Have highway safety issues
 - Impact on generation of renewable energy
- 13.3 In addition, even if provision does not result in one of the above negative issues, some locations within a site offer a much better solution to maximise the benefits. For example, the provision of new natural environment infrastructure which helps connect two existing habitat-rich areas would result in far more overall gains than the same infrastructure provided in an isolated, unconnected location.
- 13.4 To help find opportunities, Cambridgeshire & Peterborough Habitat Opportunity Mapping work undertaken by Cambridgeshire and Peterborough Biodiversity Group, have published the following information – <http://www.cpbiodiversity.org.uk/opportunity-mapping>. We are hoping to make some of the data from this work available in a more accessible form on our own website.
- 13.5 The following policy therefore applies:

Policy SPD.NE10: Taking the most appropriate natural environment opportunities

In meeting wider national and local policies relating to the natural environment, developers should demonstrate that the provision of new natural environment infrastructure has taken the most appropriate opportunities for delivering such infrastructure.

Whilst the following list is not prescriptive, the most appropriate opportunities could be:

- Provision which assists in connecting existing habitats
- Provision which reduces risk of future nuisance (such nuisance could be property encroachment, opportunities to facilitate anti-social behaviour or highway safety)
- Provision which is easy to maintain (via accessibility and low maintenance costs)
- Provision which is likely to assist in supporting priority or protected species known to be present in the local area
- Provision which assists in reducing or preventing flooding

14.0 Information to be submitted and making use of Toolkits

Introduction

- 14.1 This chapter sets out what is expected in order for the council (or other decision maker) to make a decision on a planning application in terms of its implications for the natural environment.

Submitting a planning application

- 14.2 At paragraph 6.8.2 of the Local Plan, it explains that:
“Development proposals should be accompanied by sufficient information to enable effects to be assessed, such as a Phase 1 habitat survey or other appropriate ecological report. The Natural Environment and Rural Communities Act 2006 imposes a legal duty on local authorities to protect and enhance biodiversity”

- 14.3 Separately, the NPPF (footnote 56) refers the reader to Circular 06/2005 which provides further guidance in respect of statutory obligations for biodiversity and geological conservation and their impact within the planning system. For example, that circular (Paragraph 99) states:

“it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted”.

- 14.4 The NPPF itself does not explicitly refer to a requirement for an ecology report to be submitted. The NPPG however, does state:

“An ecological survey will be necessary in advance of a planning application if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate.”

- 14.5 It also advises that:

“Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.”

- 14.6 Elsewhere, there is a wealth of national advice which should be taken into account prior to submitting a planning application, and then appropriate information included with the planning application. For example:

- Ecosystem services www.gov.uk/guidance/ecosystems-services
- Protected species (including Standing Advice): www.gov.uk/guidance/protected-species-how-to-review-planning-applications

- 14.7 Overall, it is worth remembering that ECDC, as a public body, has a legal duty⁹ to have regard to conserving biodiversity as part of its policy or decision making. Thus, in order to fulfil this duty, an applicant must provide the appropriate information.

Policy SPD.NE11: Provision of sufficient, suitable and robust information

Development proposals must be accompanied by sufficient, suitable and robust information to enable the effects on biodiversity to be assessed, such as a Phase 1 habitat survey, a completed toolkit or other appropriate ecological report.

Proposals which have insufficient information in order for the Council to make an informed decision will be refused. Before a refusal is considered, however, the Council will endeavour to seek, within a reasonable timeframe, such information from the applicant.

⁹ S40 of Natural Environment and Rural Communities Act 2006

Toolkits

- 14.8 An easy and consistent way of helping to assess the impacts of a proposal is through the use of toolkits.
- 14.9 The submission of a completed toolkit is not compulsory in either national or Local Plan policy, though they can be extremely helpful in order to help comply with the policy requirement to provide 'sufficient information' (Policy ENV7 and the above Policy x) to assess proposals.
- 14.10 A number of toolkits are available, and we recommend the use of the following:

Cambridgeshire Biodiversity Checklist

- 14.11 The County Council has produced both a checklist and a guidance note, available via our website (www.eastcambs.gov.uk/planning/ecology-and-biodiversity) or (for a Word version) via the County Council website: www.cambridgeshire.gov.uk/business/planning-and-development/planning-applications/submitting-a-planning-application/

Developing with Nature Toolkit

- 14.12 This recent toolkit has been prepared by Natural Cambridgeshire Local Nature Partnership (LNP). The Toolkit is primarily intended for major developments requiring an Environmental Impact Assessment (new settlements, major urban extensions, housing developments above 100 dwellings, commercial developments greater than 1 Ha or 1,000m² floor space, mixed use developments greater than 2 Ha, or major transport infrastructure projects). It should be used at the very outset of planning new developments, and ideally at the time of selecting sites to acquire for development. It is available here:

naturalcambridgeshire.org.uk/projects/developing-with-nature-toolkit/

Wildlife Assessment Check

- 14.13 Whilst the above two checklists are locally based and produced, a useful new national checklist has been developed by the Partnership for Biodiversity in Planning. This checklist is aimed at smaller scale development schemes:

www.biodiversityinplanning.org/wildlife-assessment-check/

Biodiversity Calculators

- 14.14 There are a number of biodiversity calculators available for use. The Defra Biodiversity Metric 2.0 is one option that is currently being tested and continually refined (see chapter 10). An alternative is the biodiversity impact assessment calculator developed by Warwickshire County Council. This has been operational for a number of years, is tried and tested, and local partners in Cambridgeshire have adapted the list of habitats so they are appropriate for Cambridgeshire. The template for this biodiversity calculator is available from the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire,

Appendix 1: Details of the Designated Natura 2000 sites

Devil's Dyke SAC

Designation and Code: Special Area of Conservation (SAC) – UK0030037

Location: The site is located within East Cambridgeshire district and also extends into Forest Heath district in Suffolk

Area: 8.02 ha

1. Characteristics of the Natura 2000 site

a) Site Description:

- This section is the most species rich of the Devil's Dyke which as a whole stretches for approximately 7.5 miles from the Fen Edge at Reach ending at Ditton Green. The section that is identified as a SAC is adjacent to Newmarket Heath. Devil's Dyke consists of a mosaic of CG3 *Bromus erectus* and CG5 *Bromus erectus* – *Brachypodium pinnatum* calcareous grasslands.
- It is the only known UK semi-natural dry grassland site for lizard orchid *Himantoglossum hircinum*. Lizard orchid is nationally rare (i.e. occurring in 15 or fewer 10x10 km squares) and is vulnerable in Great Britain. It is restricted to calcareous grasslands and dunes in southern England.
- The Dyke is in private ownership. There is a Devil's Dyke Restoration Project set up which is a partnership scheme involving Natural England, English Heritage, Cambridgeshire Wildlife Trust and the Cambridgeshire County Council working with landowners and managers and local people. The aim of the project is to restore the Dyke and there is an agreed management plan. The species rich calcareous grassland requires active management without which it rapidly becomes dominated by rank grasses which leads to the encroachment of scrub over time. Traditional management is by grazing.
- The Pasque flower is a speciality of the dyke and a Local Species Action Plan has been produced for this plant.

b) Access: The site is in private ownership. There is a public right of way running along the Dyke. Parking is available at the July Racecourse, Newmarket. As grazing has declined in the early part of the twentieth century, scrub has encroached onto many areas of the dyke.

c) Primary Reason for Designation:

Supports Annex I Habitats, supporting the priority habitat type "orchid rich sites". Devil's Dyke consists of a mosaic of CG3 *Bromus erectus* and CG5 *Bromus erectus* – *Brachypodium pinnatum* calcareous grasslands. It is the only known UK semi-natural dry grassland site for lizard orchid *Himantoglossum hircinum*.

d) General Site Characteristics

Dry grassland. Steppes (100%)

Soil and geology – Basic, Limestone.

Geomorphology and landscape – Lowland

2. Qualifying Features

Not applicable

3. Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats;
- The structure and function (including typical species) of qualifying natural habitats; and
- The supporting processes on which qualifying natural habitats rely.

4. Current Site Condition

In the SAC area there had been some scrub encroachment on the southern part of the site and some clearance work has been undertaken. A survey carried out by Natural England in September 2007 assessed this section of the dyke as being in favourable condition. The site is meeting 100% of its PSA targets.

SSSI Condition Summary for Devil's Dyke SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable – No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	39.77	19.71	20.06				
Percentage	100	49.57	50.43	0	0	0	0

5. Site Vulnerability (including current pressures and threats):

- Inappropriate Scrub Control: Scrub encroachment is damaging some parts of the site and is likely to cause grassland to deteriorate;
- Risk of atmospheric nitrogen deposition: nitrogen deposition exceeds the site-relevant critical local for ecosystem protection and hence there is a risk of harmful effects, but the sensitive features are currently considered to be in favourable condition on the site.

Sources:

Devil's Dyke Site Improvement Plan: [file:///H:/Downloads/SIP141223FINALv1.0%20Devils%20Dyke%20\(1\).pdf](file:///H:/Downloads/SIP141223FINALv1.0%20Devils%20Dyke%20(1).pdf)

SAC: <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0030037>

Conservation objectives: <file:///H:/Downloads/UK0030037-Devil%60s-Dyke-SAC-V2.pdf>

Fenland SAC

Designation and Code: Special Area of Conservation (SAC) – UK 0014782

Wicken Fen – UK 11077, Chippenham Fen – UK 11014, Woodwalton Fen – UK 11078

Location: Wicken Fen and Chippenham Fen are in East Cambridgeshire; Woodwalton Fen is in Huntingdonshire.

Area: 618.64 ha

1. Characteristics of the Natura 2000 site

a) Site Description:

There are three fens together that make up the Fenland SAC: Wicken Fen, Chippenham Fen, Woodwalton Fen. Fenland contains, particularly at Chippenham Fen, one of the most extensive examples of the tall herb-rich East Anglian type of M24 *Molinia caerulea* – *Cirsium dissectum* fen meadow. It is important for the conservation of the geographical and ecological range of the habitat type, as this type of fen-meadow is rare and ecologically distinctive in East Anglia.

The individual sites within Fenland hold large areas of calcareous fens with a long and well-documented history of regular management. There is a full range from species poor *Cladium*-dominated fen to species rich fen with a lower proportion of *Cladium* and containing such species as black dog-rush *Schoenus nigricans*, tormentil *Potentilla eetcta* and meadow thistle *Cirsium dissectum*. There are good transitions to purple moor-grass *Molinia caerulea* and rush pastures, all set within a mosaic of reedbeds and wet pastures. Considered to be rare as its total extent in the UK is estimated to be less than 1,000ha.

b) Primary Reason for Designation:

Supports Annex I Habitats:

Molinia meadows on calcareous, peaty or clayey-silt-laden soils (*Molinia caerulea*),
Calcareous fens with *Cladium mariscus* and species of the *Caricion davallianae*

d) General Site Characteristics:

Bog Marshes. Water fringed vegetation. Fens. (70%)

Broad-leaved deciduous woodland (20%)

Inland water bodies (standing water, running water) (5%)

Other arable land (5%)

2. Qualifying Features

Annex II Species:

Cobitis taenia (Spined loach), for which the area is considered to support a significant presence.

Triturus cristatus (Great crested newt), for which the area is considered to support a significant presence.

3. Conservation Objectives

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying species;
- The supporting processes on which qualifying natural habitats rely.
- The populations of qualifying species; and
- The distribution of qualifying species within the site.

4. Current Site Condition:

See Chippenham Fen, Wicken Fen and Woodwalton Fen.

5. Site Vulnerability (including pressures and threats):

- Water pollution: nutrient enrichment of Chippenham Fen component, fed from a mixture of groundwater, rainfall and surface runoff.
- Hydrological changes related to public water supply abstraction
- Air pollution impact of atmospheric nitrogen deposition.

Sources:

Fenland Site Improvement Plan: <file:///H:/Downloads/SIP141006FINALv1.0%20Fenland%20SAC.pdf>

SAC: <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0014782>

Conservation objectives: <file:///H:/Downloads/UK0014782-Fenland-SAC-V2.pdf>

Description of each site that together forms the Fenland SAC (Excluding Woodwalton Fen)

Wicken Fen Ramsar

Designation and Code: Ramsar UK11077

Location: East Cambridgeshire

Area: 254 ha

1. Characteristics of the Natura 2000 site

a) Site Description:

- This site is a marginal remnant of the original peat fenland of the East Anglian basin. It has been preserved as a flood catchment area, and its water level is controlled by sluice gates.
- The original peat fen lies to the north of Wicken Lodge. The site here supports fern communities of carr and sedge. The carr scrub is largely of alder buckthorn *Frangula alnus*, buckthorn *Rhamnus catharticus* and willow over a sparse vegetation of fen plants and including marsh fen *Thelypteris palustris*. The more open areas of sedge fen are typically of tall grasses, saw sedge *Cladium mariscus*, purple moor grass *Molina caerulea*, sedges *Carex* spp and rushes *Juncus* spp. Nationally important higher plants include *Viola persicifolia*, *Lathyrus palustris*, *Myriophyllum verticillatum*, *Oenanthe fluviatilis* and milk parsley *Peucedanum palustre*.
- To the south of the Wicken Lode, the area is of rough pasture land, reedbed and pools which are attractive to breeding wetland birds and to wintering wildfowl, the area being subjected to winter flooding.
- The dykes, abandoned claypits and other watercourses carry a great wealth of aquatic plants. Many, such as greater spearwort *Ranunculus flammula* and lesser water-plaintain *Baldellia ranunculoides* are now uncommon elsewhere.

b) Management and ownership:

The site is owned by the National Trust and managed by a local management committee, which reports to the East Anglian Regional Office of the National Trust. The continuation of the historic systems of management and the effective monitoring and maintenance of water levels underlies the Fen's ecology and are crucial for the success of all other management practices. The Fen is artificially protected from drying out by a water-retaining membrane.

c) Access:

There is a visitor centre and shop, nature trails, three hides and 16km of walking routes. Entry is by permit only to help control visitor numbers. Visitors are also managed by 'zoning' parts of the Fen near the entrance, leaving the more remote parts of the site relatively undisturbed. The Fen is open throughout the year from dawn to dusk.

d) Primary Reason for Designation:

Meets Ramsar Criteria

- Criterion 1: One of the most outstanding remnants of East Anglian peat fens. The area is one of the few, which has not been drained. Traditional management has created a mosaic of habitats from open water to sedge and litter fields.
- Criterion 2: The site supports one species of British Red Data Book plant fen violet *Viola persicifolia* which survives at only two other sites in Britain. It contains eight nationally scarce plants and 121 British Red Data invertebrates.

e) General Site Characteristics:

- Soil and geology: neutral, clay, peat
- Geomorphology and landscape: lowland
- pH: acidic, alkaline
- Wetland: 100% peatlands (including peat bogs swamps, fens)

2. Qualifying Features

Not applicable

3. Conservation Objectives:

Not applicable

4. Current Site Condition:

SSSI Condition Summary for Wicken Fen SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable – No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	254.49	119.53	134.96				
Percentage	100	46.97	53.03	0	0	0	0

5. Site Vulnerability (including pressures and threats):

The reason for the adverse conditions is related to inappropriate water levels in the fen, marsh and swamp areas. Work carried out in the nearby river system to prevent flooding in the 1960s means that the site no longer receives the amount of winter water as it did in the past. This has brought about a lowering of the water table over the past 40 years (Ramsar Report 5.5.06).

Sources:

Fenland Site Improvement Plan: <file:///H:/Downloads/SIP141006FINALv1.0%20Fenland%20SAC.pdf>

Ramsar: <http://jncc.defra.gov.uk/pdf/RIS/UK11077.pdf>

Chippenham Fen Ramsar

Designation and Code: Ramsar UK11014

Location: East Cambridgeshire

Area: 112 ha

1. Characteristics of the Natura 2000 site

a) Site description:

- The site comprises areas of tall and often rich fen, fen grassland and basic flush that have developed over shallow peat soils. The site also contains calcareous grassland, neutral grassland, woodland, mixed scrub and open water.
- The site is in a shallow peat-filled depression underlain by a thick layer of marl which rises to the surface in places. The fen is fed by rainfall and springs from the chalk aquifer. There are several ponds on the site and a system of dykes take water from the springs, in the south of the reserve, to the Chippenham River, near its northern boundary.
- The areas of tall fen are dominated by a mosaic of saw sedge *Cladium mariscus* and reed *Phragmites australis* are present with abundant purple moor grass *Molinia caerulea*. A rich fen has developed in mown areas supporting the nationally rare *Selinum carvifolia*. In one area this merges into a species rich basic flush where black bog rush *Schoenus nigricans* becomes abundant. Dense and scattered scrub has developed. There are areas of chalk grassland that grade into the fen grassland. The damp neutral grassland meadows are developing a fen meadow flora. The ditches support a rich aquatic flora.
- The water level is controlled within a series of ditches.
- Because the fen contains such a wide range of habitats it supports a wide variety of breeding bird species, including hobby, short-eared owl, nightingale and several species of warbler. It also forms the winter roosting for hen harriers.

b) Management and ownership:

Both the site and surrounding areas are privately owned. Part of the site is under unspecified tenure. The site is mainly used for nature conservation. The site is actively managed by Natural England through regular cutting and grazing with cattle. Encroaching scrub is being removed to restore fen where appropriate. A water compensation scheme has been instituted to ameliorate the effects of water abstraction. The Environment Agency monitors groundwater changes in the aquifer.

c) Access:

There are rights of way across the site. Access away from the paths is by permit only. The nearest car parking is in the villages of Fordham or Chippenham. There is a low level of usage by local inhabitants using the rights of way through the middle of the site according to the Ramsar information sheet. Few people apply for permits for recreational purposes, they are mainly requested by naturalists.

d) Primary Reason for Designation:

Meets Ramsar Criteria:

- Criterion 1: Spring-fed calcareous basin mire with a long history of management which is partly reflected in the diversity of the present-day vegetation.
- Criterion 2: The invertebrate fauna is very rich partly due to its transitional position between Fenland and Breckland. The species list is very long, including many rare and scarce invertebrates, characteristics of ancient fenland sites in GB.
- Criterion 3: the site supports diverse vegetation types, rare and scarce plants. The site is the stronghold of Cambridge milk parsley (*Selinum carvifolia*).

e) General Site Characteristics:

- Soil and geology: peat, limestone/chalk
- Geomorphology and landscape: lowland, valley, pools
- pH: alkaline
- Inland Wetland: 48.8% peatlands (including peat bogs swamps, fens); 35.5% forested peatland; 12.4% shrub-dominated wetlands; 1.7% canals and drainage channels; 0.8% freshwater marshes and; 0.8% rivers, streams, creeks.

2. Qualifying Features

Not applicable

3. Conservation Objectives:

Not applicable

4. Current Site Condition:

For reporting purposes the SSSI is divided into 15 units. Chippenham Fen has suffered from a changed hydrological regime due to abstraction from the underlying chalk aquifer. This problem is being addressed through supply of supplementary water together with a programme of vegetation and invertebrate population monitoring. Natural England, the Environment Agency and Anglian Water Group are taking this project forward.

SSSI Condition Summary for Chippenham Fen SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	155.87	140.73	15.14				
Percentage	100	90.29	9.71	0	0	0	0

5. Site Vulnerability (including pressures and threats):

- Hydrological changes: There is considerable pressure in the region from the water abstraction that may affect the local springs and aquifer. Persistent drought is a potential threat as 7 of 9 years in the recent past have received well below average rainfall for the regions (Report dated 2002).
- The habitats within the site are highly sensitive to inorganic fertilisers and pesticides, applications of which should be avoided both within the site itself and in adjacent surrounding areas.
- Chippenham Fen is affected by high nutrient water reaching the fen from a mixture of groundwater, rainfall and run off. In periods of low flow, poor quality water may have a more dramatic effect on the site's vascular plant assemblages.

Sources:

Fenland Site Improvement Plan: <file:///H:/Downloads/SIP141006FINALv1.0%20Fenland%20SAC.pdf>

Ramsar: <http://jncc.defra.gov.uk/pdf/RIS/UK11014.pdf>

Ouse Washes SAC, SPA, Ramsar

Designation and Code: Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar Site – UK0013011. The boundaries of the Ramsar site as extended are coincident with those of the Ouse Washes SSSI.

Location: East Cambridgeshire, Fenland and West Norfolk

Area: 2,403 ha (Ramsar site and SSSI site), 311.35 ha (SAC site)

1. Characteristics of the Natura 2000 site

a) Site description:

- The Ouse Washes represent spined loach populations within the River Ouse catchment. The Counter Drain with its clear water and abundant macrophytes is particularly important and a healthy population of spined loach is known to occur.
- The site is an area of seasonally flooded washlands habitat managed in a traditional agricultural manner. The washlands support nationally and internationally important numbers of wintering waterfowl and nationally important numbers of breeding waterfowl. The site is also of note for the large area of unimproved neutral grassland communities, which it holds, and for the richness of the aquatic flora within the associated watercourses.

b) Management and ownership:

Given the extent of the Ouse Washes there are a number of management techniques that need to be carried out in the washes. Wetland grassland requires active management if it is to retain its conservation interest. This has traditionally been done by grazing. Partial winter flooding is required to maintain suitable habitat conditions for wintering birds. A mosaic of winter flooded grassland and permanently un-flooded grassland is desirable. Ditches are artificial habitats created by land drainage – if left unmanaged silt accumulates in the bottom of the ditches leading to the loss the range of aquatic plants and animals colonising the ditches. There needs to be a rotation undertaken on ditch management. Also the level of water in the ditches and its quality needs to be regulated to maintain the optimum level for the plant and animal community. All the habitats are highly sensitive to inorganic fertilisers and pesticides.

c) Access:

There is a network of public rights of way in the Washes. The RSPB manage a nature reserve at Welches Dam where there is a visitor centre and a number of bird hides. The WWT manage a nature reserve at Welney, Norfolk also with a centre and hides.

d) Primary Reason for Designation:

Ramsar:

- **Ramsar Criterion 1a:** The site qualifies by being a particularly good representative example of a natural or near-natural wetland characteristic of its biogeographical region. It is one of the most extensive areas of seasonally flooding washland of its type in Britain, and the wetland has high conservation value for many plant and animal groups.
- **Ramsar Criterion 2a:** The site qualifies by supporting a number of nationally rare species of plants and animals, including the whorled water-milfoil *Myriophyllum verticillatum*, greater water parsnip *Sium latifolium*, river water-dropwort *Oenanthe fluviatilis*, fringed water-lily *Nymphoides peltata*, long stalked pondweed *Potamogeton praelongus*, hair-like pondweed *Potamogeton trichoides*, grass-wrack pondweed *Potamogeton compressus*, tasteless water-pepper *Polygonum mite*, small water-pepper *Polygonum minus* and marsh dock *Rumex palustris*.

Invertebrate records indicate that the site holds a good relict fenland fauna for several groups, reflecting the diversity of wetland habitats. Two rare Red Data Book insects have been recorded, the large darter dragonfly *Libellula fulva* and the riffle beetle *Oulimnius major*.

The Ouse Washes also qualifies by supporting a diverse assemblage of rare breeding waterfowl associated with seasonally flooding wet grassland. This includes breeding migratory waders of lowland wet grassland: oystercatcher *Haematopus ostralegus*, redshank *Tringa totanus*, snipe *Gallinago gallinago*, ruff *Phodomachus pugnax*, lapwing *Vanellus vanellus*, and black-tailed godwit *Limosa limosa*, and a diverse assemblage of breeding wildfowl with mute swan *Cygnus olor*, shelduck *Tadorna tadorna*, gadwall *Anas strepera*, teal *A. crecca*, mallard *A. platyrhynchos*, pintail *A. acuta*, garganey *Anas. querquedula* shoveler *A. clypeata*, pochard *Aythya ferina*, tufted duck *Aythya fuligula*, moorhen *Gallinula chloropus* and coot *Fulica atra* occurring regularly. Many of these species are rare and much restricted in Britain and the European Community owing to habitat loss and degradation. The site thus has an important role in maintaining the ranges of several of these species, which have been affected by changes in habitat elsewhere in Britain.

Breeding gadwall, mallard, garganey *Anas. querquedula*, shoveler and bar-tailed godwit are all present in nationally important numbers.

- **Ramsar Criterion 5** - The Ouse Washes qualifies as a wetland of international importance by virtue of regularly supporting over 20,000 waterfowl, with an average peak count of 60,950 birds recorded in the five winter periods 1986/7 to 1990/91.
- **Ramsar Criterion 6** - The Ouse Washes also qualifies by supporting, in winter, internationally important populations of the following species (figures given are average peak counts for the five winter period 1986/87 - 1990/91): 4,980 Bewick's swan *Cygnus columbarius bewickii* (29% of the north-west European wintering population); 590 whooper swans *Cygnus Cygnus* (3% of the international population); 38,000 wigeon *Anas penelope* (5% of the north-west European population); 4,100 teal *A. crecca* (1% of NW European); 1,450 pintail *Anas acuta* (2% NW European); and 750 shoveler *Anas clypeata* (2% of NW European). Also notable are the following nationally important wintering populations: 270 cormorant *Phalacrocorax carbo* (2% of the British wintering population); 490 mute swan *Cygnus olor* (3% of British); 320 gadwall *Anas strepera* (5% of British); 2,100 pochard *Aythya ferina* (4% of British); 860 tufted duck *Aythya fuligula* (1 % of British); and 2,320 coot *Fulica atra*.
- During severe winter weather elsewhere, the Ouse Washes can assume even greater national and international importance as wildfowl and waders from many other areas arrive, attracted by the relatively mild climate, compared with continental European areas, and the abundant food resources available. The continued international importance of this site is dependent on the maintenance of a winter flooding regime and a high, but controlled summer water table. Over the past 25yrs it has also been noted that there has been an increase in summer flooding as well as high water levels in winter. This has adversely affected both the breeding birds and the traditional washland management regime. It also results in Glyceria grass (sweet rush) competing with the other grasses and herbs, which may affect food availability for wintering waterfowl. Persistence of high water levels in the winter also reduces available area of grazing for species such as wigeon.

SPA:

Supports species referred to in Article 4 of the Wild Birds Directive and Annex II Species:

- The Ouse Washes Ramsar site and the Special Protection Area is a wetland of major international importance comprising seasonally flooded wash lands, which are agriculturally managed in a traditional manner. It provides breeding and winter habitats for important assemblages of wetland bird species, particularly wildfowl and waders.
- The boundaries of the Special Protection Area are coincident with those of the Ouse Washes SSSI, apart from the exclusion of a section of the Old Bedford River in the north of the SSSI.
- The Ouse Washes qualifies under **Article 4.1** of the EC Birds Directive by supporting, in summer, a nationally important breeding population of ruff *Philomachus pugnax*, an Annex 1 species. In recent years an average of 57 individuals have been recorded, a significant proportion of the British population.
- The site also qualifies under Article 4.1 by regularly supporting internationally or nationally important wintering populations of three Annex 1 species. During the five year period 2012/13 to 2016/17, the following average peak counts were recorded: 2,073 Bewick's swan *Cygnus columbarius bewickii* and 6,720 Whooper swans *Cygnus Cygnus*.
- The site further qualifies under **Article 4.2** as a wetland of international importance by virtue of regularly supporting over winter: cormorant *Phalacrocorax carbo*, mute swan *Cygnus olor*, wigeon *Anas penelope*, gadwall *Anas strepera*, teal *A. crecca*, pintail *Anas acuta*, shoveler *Anas clypeata*, pochard *Aythya ferina*, tufted duck *Aythya fuligula* and coot *Fulica atra*.
- The site also qualifies under **Article 4.2** by virtue of regularly supporting, in summer, a diverse assemblage of the breeding migratory waders of lowland wet grassland including: oystercatcher *Haematopus ostralegus*, redshank *Tringa totanus*, snipe *Gallinago gallinago*, Ruff *Philomachus pugnax* lapwing *Vanellus vanellus*, and black-tailed godwit *Limosa limosa*; and a diverse assemblage of breeding wildfowl with mute swan *Cygnus olor*, shelduck *Tadorna tadorna*, gadwall *Anas strepera*, teal *A. crecca*, mallard *A. platyrhynchus*, pintail *A. acuta*, garganey *Anas. querquedula*, shoveler *A. clypeata*, pochard *Aythya farina*, tufted duck *Aythya fuligula*, moorhen *Gallinula chloropus* and coot *Fulica atra* occurring regularly.

Many of these species are rare and much restricted in Britain and the European Community owing to habitat loss and degradation. The site thus has an important role in maintaining the ranges of several of these species, which have been affected by changes in habitat elsewhere in Britain.

SAC:

- Supports Annex II species Spined loach (*Cobitis taenia*) – The Ouse Washes represents spined loach populations within the River Ouse catchment. The Counter Drain is particularly important and a healthy population of spined loach is known to occur.

e) General Site Characteristics:

- Inland water bodies (standing water, running water) (50%)
- Bogs Marshes. Water fringed vegetation. Fens (20%)
- Improved grassland (30%)

2. Qualifying Features

Not applicable

3. Conservation Objectives:

Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features (SAC), or the aims of the Wild Birds Directive (SPA), by maintaining or restoring:

- The extent and distribution of the habitats of qualifying species/features;
- The structure and function of the habitats of qualifying species/features;
- The supporting processes on which qualifying species/features rely.
- The populations of qualifying species/features; and
- The distribution of qualifying species/features within the site.

4. Current Site Condition:

Assessment work was carried out in 2003 and at this time many of the units that comprise the Washes were in an unfavourable state. Only 13% of the site meets the PSA target. 87% is in an unfavourable condition as surveyed in September 2007 but this had not changed from the previous survey in August 2003. The water quality regularly fails to meet total Phosphorus target of 0.1mg/l. Until this can be remedied the site will continue to remain unfavourable.

SSSI Condition Summary for Ouse Washes SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	480.79	391.13	89.67	2,032.76			
Percentage	19.13	15.56	3.57	80.87	0	0	0

5. Site Vulnerability (including pressures and threats):

- Two independent and parallel rivers comprise the SAC. The Counter Drain / Old Bedford (known also as the outer river) drains adjacent farmland. The New Bedford / Delph (known also as the inner river) is sourced by the River Great Ouse. During the winter and increasingly during the spring and summer months as well, the inner river takes flood-water from the Great Ouse, and therefore has an important flood defence function. Issues of concern relate to water quantity, water quality, salinity, turbidity and sediment.
- The need to ensure there is sufficient water for the rivers is addressed through the Water Level Management Plan agreed by the Environment Agency and partner organisations. The outer river is also a source of water for nearby arable land forming spray irrigation, but this abstraction is unmetered for the most part. Abstraction of water from the Great Ouse system to Essex via the Ely-Ouse Transfer Scheme is monitored through the Denver License Variation. Other proposals for water abstraction, e.g. to Rutland Water by Anglia Water, have been the subject of assessment, but there are no current proposals.
- Water quality is a major issue of concern. Increases in two plant nutrients - nitrogen and particularly phosphorus (thought to be derived from sewage treatment works) - are leading to changes in the macrophyte communities, shown by a decline in species diversity and the loss of species together with an increase in species tolerant of eutrophic conditions. This is particularly apparent in the inner river. There is evidence that agricultural inputs are a minor component. In addition, blanket-weed (aquatic algae) poses problems to navigation and angling, leading to issues of timing and frequency of aquatic weed-cutting. Water quality issues are currently the subject of debate between the Environment Agency and Natural England. Three

sewage treatment works in the Great Ouse will be covered by the Urban Waste Water Directive, but there remain more than 90 smaller works. These will be subject to the Review of Consents to be undertaken by the Environment Agency within the next four years. A case could be prepared and submitted to OFWAT and the Water Industries AMP 4 Programme commencing 2005, in order to strip phosphates from all relevant sewage treatment works in the system.

- In addition, floodwater draining off the adjacent Ouse Washes into the inner river can be of a very poor quality (particularly in warm weather) leading to problems of deoxygenation with resultant fish-kills. The frequency of increased spring and summer flooding on the Ouse Washes is currently being studied to ascertain ways of ameliorating its effects.
- Saline intrusion through the northernmost tidal lock gate may be contributing to an increase in salinity levels of the outer river.
- Conditions must be applied to planning permissions for gravel extraction from quarries near to the SAC, to ensure that drainage water from de-watering and washings does not affect the turbidity and sediment levels in the outer river.

Sources:

Ouse Washes Site Improvement Plan:

[file:///H:/Downloads/SIP141009FINALv1.0%20Ouse%20Washes%20\(2\).pdf](file:///H:/Downloads/SIP141009FINALv1.0%20Ouse%20Washes%20(2).pdf)

SAC: <http://jncc.defra.gov.uk/protectedsites/sacselection/sac.asp?EUCode=UK0013011>

Conservation objectives: <file:///H:/Downloads/UK0013011-Ouse-Washes-SAC-V2.pdf>

SPA: <http://jncc.defra.gov.uk/pdf/SPA/UK9008041.pdf>

Conservation objectives: <file:///H:/Downloads/UK9008041-Ouse-Washes-SPA-V3.pdf>

Ramsar: <http://jncc.defra.gov.uk/pdf/RIS/UK11051.pdf>

Breckland SPA, SAC

Designation and Code: Special Protection Area (SPA) – UK9009201, Special Area of Conservation (SAC) – UK0019865

Location: Forest Heath and Kings Lynn and West Norfolk

Area: Although covering much of the same land, the boundary of the SAC is not contiguous with that of the SPA. SPA – 39433.65ha, SAC – 7543.64ha

1. Characteristics of the Natura 2000 site

a) Site description:

- Wangford Warren and adjoining parts of RAF Lakenheath are included in the Breckland site as the only occurrence of this habitat type in the UK. The site has one of the best-preserved systems of active inland sand dunes in the UK. The habitat type, which is in part characterised by the nationally rare grey hair-grass *Corynephorus canescens* occurring here at its only inland station, is associated with open conditions with active sand movement. The site shows the colonisation sequence from open sand to acidic grass-heath
- The Breckland meres in Norfolk represent natural eutrophic lakes in the east of England. They are examples of hollows within glacial outwash deposits and are fed by water from the underlying chalk aquifer. Natural fluctuations in groundwater tables mean that these lakes occasionally dry out. The flora is dominated by stonewort – pondweed *Characeae* – *Potamogetonaceae* associations.
- The dry heaths of Breckland are representative of European dry heaths in East Anglia, in eastern England, developed under a semi-continental climate. Breckland has an average annual precipitation of only 600mm, relatively hot summers and cool winters. Frosts can occur in any month of the year. The dry acidic heath of Breckland represents H1 *Calluna vulgaris* – *Festuca ovina* heath in the SAC series. The sand sedge dominated *Carex arenaria* sub-community (H1d) is typical of areas of blown sand – a very unusual feature of this location.
- The highly variable soils of Breckland, with underlying chalk being largely covered with wind-blown sands, have resulted in mosaics of heather-dominated heathland, acidic grassland and calcareous grassland that are unlike those of any other site. In many places there is a linear or patterned distribution of heath and grassland, arising from fossilised soil patterns that formed under peri-glacial conditions. Breckland is important for rare plants, such as perennial knawel *Scleranthus perennis* ssp. *Prostrates*, and rare invertebrates.
- Breckland in East Anglia is the most extensive surviving area of the rare grassland type CG7 *Festuca ovina* – *Hieracium pilosella* – *Thymus praecox* grassland. The grassland is rich in rare species typical of dry, winter-cold, continental areas, and approaches the features of grassland types in central Europe more than almost any other semi-dry grassland found in the UK. The terrain is relatively flat, with few physical variations, but there are mosaics of calcareous grassland and heath/acid grassland, giving rise to patterns of structural variation.

b) Primary Reason for Designation:

SAC

Annex I Habitats:

Inland dunes with open *Corynephorus* and *Agrostis* grasslands; natural eutrophic lakes with *Magnopotamion* or *Hydrocharition*-type vegetation; European dry heaths; semi-natural dry grasslands and scrubland facies on calcareous substrates; alluvia forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Pdion*, *Alnion incanae*, *Salicion albae*), Great crested newt *Triturus cristatus*

SPA

Article 4.1, Annex I Species:

During the breeding season the area regularly supports: Stone Curlew *Burhinus oedicephalus* - 60.1% of the GB breeding population, Nightjar *Caprimulgus europaeus* - 12.2% of the GB breeding population, and Woodlark *Lullula arborea* - 28.7% of the GB breeding population.

c) General Site Characteristics:

SAC

Inland water bodies (0.5%)
Bogs. Marshes. Water fringed vegetation. Fens (1%)
Dry grassland (59.4%)
Heath. Scrub. Maquis and garrigue. Phygrana (20%)
Improved grassland (0.2%)
Other arable land (0.1%)
Broad-leaved deciduous woodland (9%)
Coniferous woodland (4%)

Inland rocks. Scree. Sands. Permanent snow and ice (0.5%)
 Other land (0.3%)

SPA

Heath. Scrub. Maquis and garrigue. Phygrana (0.9%)
 Dry Grassland. Steppes (19.7)
 Humid grassland. Mesophile Grassland (1.3%)
 Improved grassland (0.3%)
 Other arable land (31.5%)
 Broad-leaved deciduous woodland (1.4%)
 Coniferous woodland (44.7%)

2. Qualifying Features

SAC:

Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior* (*Alno-Padion*, *Alnion incanae*, *Salicion albae*) -priority feature.

The area is considered to support a significant presence of *Triturus cristatus* (Great crested newt).

3. Conservation Objectives:

SAC

Ensure the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:

- The extent and distribution of qualifying natural habitats and habitats of qualifying species;
- The structure and function (including typical species) of qualifying natural habitats;
- The structure and function of the habitats of qualifying features;
- The supporting processes on which qualifying natural habitats and habitats of qualifying species rely;
- The populations of qualifying species;
- The distribution of qualifying species within the site.

SPA

Ensure that the integrity if the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:

- The extent and distribution of the habitats of the qualifying features;
- The structure and function of the habitats of the qualifying features;
- The supporting processes on which the habitats of the qualifying features rely;
- The population of each of the qualifying features;
- The distribution of the qualifying features within the site.

4. Current Site Condition:

SSSI Condition Summary for Breckland Farmland SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	13,392.36	13,392.36					
Percentage	100	100	0	0	0	0	0

SSSI Condition Summary for Breckland Forest SSSI (compiled 4 October 2017)

	% meeting area of favourable or unfavourable recovering	Favourable	Unfavourable - Recovering	Unfavourable - No change	Unfavourable - Declining	Partially Destroyed	Destroyed
Area (ha)	18,125.83	16.22	18,109.61				
Percentage	100	0.09	99.91	0	0	0	0

6. Site Vulnerability (including pressures and threats): ¹⁰

- Grazing by sheep/cattle is essential to the maintenance of habitats. Problems include nutrient deposition from the atmosphere and adjacent arable land, invasion by self-sown trees/shrubs, and uncontrolled and inappropriate recreational activities. Local ground water abstraction has a deleterious impact on the natural eutrophic lakes, the Breckland meres, and is the subject of active liaison between English Nature and the Environment Agency.
- Disturbance: Stone-curlew are largely reliant on arable land for nesting and are thus vulnerable to disturbance and nest destruction from agricultural operations. A recovery project operates to find nests, advise landowners on their operations which might affect Stone-curlews, and to ring chicks. Management agreements are in place to provide nest plots and thus safeguard the population. Agreements have been extended to cover the coming two breeding seasons, after which it is hoped that Higher Level Scheme agreements will be in place.
- Recreational pressure: Recreational and other activities have the potential to impact both SAC and SPA features. The impacts of increased recreational activity are uncertain. Recreational growth in Thetford Forest may impact on Woodlark and Nightjar. SAC features may be affected through eutrophication (dog fouling, unauthorised fires) and disturbance of soils, in particular on commons and heaths.
- Predation: Stone-curlew, Nightjar and Woodlark are vulnerable to predation from corvids and foxes and to disturbance caused by human activity, including dog-walking. In 2005, new public access was introduced on heaths by legislation. Safeguards to protect stone-curlew have been included but the situation will require monitoring to determine how successful restrictions have been in preventing additional disturbance.
- Air pollution: Breckland heathlands and acid grasslands supporting stone-curlew, nightjar and woodlark are fragile in terms of the high background levels of air pollution in the area, particularly high nitrogen loads causing undesirable habitat changes. Research on this topic is ongoing, and measures to export the nutrients off heaths (such as night time sheep folding or topsoil stripping) to counter the effects of pollution are potential management options.
- There are development pressures on the area, particularly for housing, roads and renewables infrastructure, which an impact on SPA species (Stone Curlew, Woodlark, Nightjar) and which requires substantial discussion and mitigation in some cases. This is achieved through Natural England commenting on planning applications and providing input to structural and local plans.
- Woodlark and nightjar benefit from clear-fell forestry rotational management. The appropriate management is currently taking place in the forests.
- Habitat fragmentation: some heaths are relatively small and the connectivity between these and the larger heaths too, is poor. In some cases, the individual heaths are physically isolated and the landscape in between is hostile to species dispersal.
- Collecting of eggs of Stone-curlew, and to some extent Nightjar and Woodlark, is believed to be a serious threat to individual birds and to population size. The loss of eggs to this illegal activity is unknown. There is a police-based alert system in place in Breckland to try and reduce this type of crime, and landowners are vigilant.
- Water pollution: there has been a considerable loss of aquatic species in Ringmere and nutrients are impacting the mere.

¹⁰ Site Improvement Plan Breckland (Natural England, January 2015)

Appendix 2: Natural England Standing Advice (as at March 2020)

Natural England guidance for assessing and mitigating the recreational pressure impacts of residential development to SSSIs within Cambridgeshire.

The advice below is to highlight key points that Natural England would expect to be considered through the ecological impact assessment process for relevant development triggering the Cambridgeshire SSSI Recreation Pressure IRZs, available to view via www.magic.defra.gov.uk. The relevant SSSIs are listed in Annex B.

Please note that this is not intended to provide comprehensive guidance to the Ecological Impact Assessment (EclA) process. Our advice seeks to encourage the application of a robust and proportionate approach to assessing and mitigating recreational pressure impacts in accordance with CIEEM best practice guidelines³.

3 CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

Relevant planning applications

Natural England advises that for the purpose of assessing recreational pressure impacts relevant planning applications could include the following types of development where they fall within Natural England's Cambridgeshire Recreational Pressure IRZs:

- New dwellings (excluding replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Student accommodation
- Residential care homes and residential institutions (excludes nursing homes)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots

Screening and assessing potential impacts

Natural England is unable to specify development thresholds; however, taking a proportionate approach we believe it should be possible for most proposals below 50 dwellings to be screened out for likely significant effect. If, in the opinion of the LPA, a smaller proposal closer to a SSSI(s) is considered likely to have significant effect, impacts should be assessed.

Adequate justification should be provided to inform any decision to screen out potential recreational pressure impacts. Factors such as lack of formal car parking facilities or the availability of existing open space should be supported by appropriate evidence.

The detailed assessment should take a proportionate but robust approach in accordance with CIEEM EclA guidelines. This will be particularly influenced by the scale and nature of the proposed development and opportunities to avoid recreational pressure impacts. Assessment of recreational pressure impacts should preferably be based on recent visitor survey data, to establish the baseline and to enable prediction of the likely increase in visitor levels associated with the development. The need for visitor surveys to inform the assessment will be dependent on a range of factors including the scale of development and the availability and reliability of any existing data. Natural England's advice is that a visitor survey should be undertaken for larger residential developments, particularly where significant cumulative impacts are likely, unless alternative evidence is available to adequately inform the assessment.

Specific regard should be given to the SSSI special interest features and conservation objectives which can be found here. Natural England strongly recommends that the assessment is informed by advice from site managers regarding current visitor pressures to the SSSI(s) and the availability of habitat management and access control measures to manage existing and future levels of pressure.

For SSSIs also designated as European sites the assessment will need to consider the sensitivity of the site qualifying features to the effects of recreational pressure. Reference should be made to the sites' Conservation Objectives and advice obtained through discussion with site managers.

Avoidance and mitigation measures

In accordance with the ecological mitigation hierarchy priority should be given, wherever possible, to implementing avoidance measures to address adverse impacts. Mitigation to address adverse recreational pressure impacts generally requires a package of avoidance and mitigation measures comprising delivery / contribution towards delivery of alternative greenspace to maximise avoidance of impacts by diverting new visitors away from the sensitive SSSI, together with SSSI access management measures, where required / available. However, appropriate mitigation measures should be determined by the findings of the assessment.

Many accessible SSSIs across Cambridgeshire and Peterborough are already at recreational carrying capacity with limited potential for additional access management measures to deal with any increase in visitors. However, any opportunities for this should be discussed with site managers. With this in mind provision of sufficient quantity and quality of alternative accessible natural greenspace within or close to the development boundary is likely to be key to alleviating recreational pressure on SSSIs. Such provision can help minimise any predicted increase in visitors to designated sites by containing the majority of recreational activity within and around the development site boundary away from more sensitive sites, thus avoiding adverse impact.

We advise that reference should be made to Natural England's Suitable Alternative Natural Green Space (SANGS) guidance which requires a quantum of SANGS at a rate of 8ha per 1000 population. Whilst this guidance is specific to the SANGS creation for the Thames Basin Heaths Special Protection Area (SPA) the broad principles are more widely applicable. We recommend that the design and layout of accessible green space should seek to accord with Natural England's Accessible Natural Greenspace Standards (ANGSt) as far as possible. As a minimum, we advise that alternative accessible greenspace should include:

- High-quality, informal, semi-natural areas in accordance with SANG and ANGSt where possible;
- Circular dog walking routes within the site and/or with links to surrounding public rights of way (PRoW) – the average requirement is ~ 2.7 km;
- Dedicated 'dogs-off-lead' areas and dog waste bins;
- On-site signage and/or information leaflets to promote these areas for recreation;
- A commitment to the long term maintenance and management of these provisions.

Green infrastructure / SANGS should be designed to absorb significant proportions of the day to day recreational needs of new residents, such as walking, dog-walking, jogging / exercise, children's play facilities, and other informal recreation including enjoyment of the countryside. It should also aim to provide a semi-natural character, with significant proportion of semi-natural grassland, woodland, scrub and wetland habitat. Dependent upon a range of factors, including the scale of development, consideration could be given to the provision of other amenities such as café / refreshment and toilet facilities.

The following additional or possible alternative measures to mitigate recreational pressure impacts may also be appropriate:

- SSSI Site Access and Management Measures (SAMMs);
- Improvement of existing green space and recreational routes;
- Monitoring the impacts of new development on designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures.

Developers wishing to seek substantive advice on recreational pressure impacts and mitigation relating to SSSIs should be directed to Natural England's Discretionary Advice Service (DAS). It may also be prudent to seek the advice of the Wildlife Trust in relation to SSSIs managed as CWSs.

Cambridgeshire Recreational Pressure IRZ Component SSSIs

Natural England's Cambridgeshire SSSI Recreational Pressure IRZ identifies a recreational pressure 'zone of potential risk' of 5km (Higher) or 2km (Lower), for those sites known to be at risk. This is a best estimate of the distances people are travelling to access these sites regularly based on currently available information and anecdotal records, together with evidence 'in the field' of damage or disturbance to site notified features.

SSSI Name	Zone of potential risk: Higher (H) / Lower (L)	District
Barnack Hills and Holes SAC	H	Peterborough
Berry Fen	L	Huntingdonshire
Brackland Rough	L	East Cambridgeshire
Brampton Wood	H	Huntingdonshire
Cam Washes	H	East Cambs, South Cambs
Castor Flood Meadows	L	Huntingdonshire
Castor Hanglands	L	Peterborough
Cherry Hinton Pit	L	Cambridge City
Dogsthorpe Star Pit	L	Peterborough
Devil's Dyke (parts also designated as SAC) Fleam Dyke Roman Road	H	East Cambridgeshire South Cambridgeshire South Cambridgeshire
Ely Pits and Meadows	L	East Cambridgeshire
Eversden and Wimpole Woods SAC	H	South Cambridgeshire
Fowlmere Watercress Beds	H	South Cambridgeshire
Fulbourn Fen	L	South Cambridgeshire
Grafham Water	L	Huntingdonshire
Great Wilbraham Common	L	South Cambridgeshire
Gamlingay Wood Hardwick Wood Hayley Wood Buff Wood Waresley Wood Overhall Grove Papworth Wood	H	South Cambridgeshire South Cambridgeshire South Cambridgeshire South Cambridgeshire Huntingdonshire South Cambridgeshire South Cambridgeshire
Houghton Meadows	L	Huntingdonshire
Hemingford Grey Meadow	L	Huntingdonshire
Orwell Clunch Pit	L	South Cambridgeshire
Ouse Washes SAC, SPA and Ramsar	L	East Cambridgeshire
Portholme SAC	H	Huntingdonshire
Nene Washes SAC, SPA and Ramsar	L	Fenland, Peterborough
Southorpe Meadow	H	Peterborough
Southorpe Paddock	L	Peterborough
Shepreth L-Moor	L	South Cambridgeshire
Thriplow Meadows	L	South Cambridgeshire
Upwood Meadows	H	Huntingdonshire
Wansford Pasture	H	Peterborough
Warboys and Wistow Woods	L	Huntingdonshire
Wicken Fen SAC, Ramsar	(See Note below)	East cambridgeshire
Woodwalton Marsh	L	Huntingdonshire

Note: The above list is subject to change, for example through any evidence obtained through a specialist visitor study. Natural England proposes to amend the IRZ to incorporate a zone of influence for Wicken Fen SSSI, SAC, Ramsar site, based on the findings of the recent Footprint Ecology Visitor Survey*, in liaison with the National Trust. The study predicts significant increases in recreational pressure to Wicken Fen and the Vision Area associated with nearby development The

National Trust manage Wicken Fen as a National Nature Reserve hence their advice should be sought regarding potential recreational pressure impacts and appropriate mitigation measures.

** Saunders P., Lake S., Lily D., Panter C., (2019) Visitor Survey of the National Trust's Wicken Fen 100 Year Vision Area. Unpublished Report by Footprint Ecology.*



East Cambridgeshire
District Council

**Natural Environment
Supplementary
Planning Document
(SPD) – Reg 12(a)
Consultation
Statement**

Version 2 – adoption stage -
September 2020

1. Introduction

- 1.1. The Town and Country Planning (Local Planning) (England) Regulations 2012 requires the Council to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD). Regulation 12(a) requires a Statement to be prepared setting out who has been consulted while preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the final SPD. Regulation 12(b) requires that Statement to also be published as part of the formal consultation on the SPD.

2. Consultation Undertaken up to and including 17 February 2020

- 2.1. In preparing this SPD, internal consultation within the Council took place and this resulted in the drafting and refining of the content of the consultation draft SPD. The draft was subsequently considered by Finance and Assets Committee of the Council on 6 February 2020, where it was approved for the purposes of public consultation. The papers for that meeting (including a copy of the draft SPD) were publicly available on the Council's website seven days prior to the meeting taking place.
- 2.2. No external consultation took place on or before 17 February 2020.

3. Public consultation, from 18 February to 30 March 2020

- 3.1. Public consultation started on 18 February 2020 and ended on 30 March 2020. Only comments made during this period were considered.
- 3.2. A copy of the draft SPD was made available for public inspection, free of charge:
- On the Council's website at; <http://www.eastcamb.gov.uk/local-development-framework/supplementary-planning-documents>
 - and at the District Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am to 5pm from Monday to Thursday, and 8.45am – 4.30pm on Friday;
- 3.3. An email was sent out to all consultees (except to one consultee who was sent a letter with the same information). A copy of the email is attached at appendix A. Nearly 480 emails were sent out. These included statutory consultees, local businesses, local organisations, individuals who wish to be informed of planning documents consultations and other stakeholders (see full list at Appendix B). All the comments we received were via email.

4. Representations received

- 4.1. We received 222 comments from 23 separate organisations and individuals to the Natural Environment SPD. All the comments received are recorded in the table below. The Council has responded to each comment and this is recorded in the Council's Response column. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the Action Column of the table below. These changes are then included in the adopted version of the SPD.
- 4.2. While most of the comments were seeking changes to the SPD, there were considerable support to the policies in the SPD. Some comments are seeking policies to be more prescriptive requiring developers to provide nature friendly environment while, for example, developers are seeking changes to policies to make them less rigid.

5. Issues Raised during consultation and how they have been addressed

- 5.1 A number of issues were raised in the representations received. The main issues raised (in the order of the document) and changes made are summarised below.
- Overall, lots of supporting representations
 - General updating of the policy and statutory background
 - Adjustment in several places to acknowledge that trees should only be planted in the right places and of the right species, with more harm than good if this is not the case.
 - Significant adjustment to the text relating to 'recreational pressure' on protected sites. This pressure arises from an increase in people in local areas through new development. These changes have been done to the SPD to reflect the latest advice from Natural England. The draft SPD was based on advice from 2018-19 and that advice has subsequently moved on in a significant way. There is now a Cambridgeshire wide approach to dealing with recreational pressure, as adopted by Natural England. The SPD has been adjusted to be consistent with that new position. This includes deleting draft policy SPD.NE3 'Recreational pressure on the designated sites of Devil's Dyke and Breckland' and replacing it with a new Appendix setting out Natural England's standing advice across Cambridgeshire.
 - Addition of a new policy on Soham Commons (SPD.NE4), reflecting their unique character and the fact that a recent detailed Enhancement Study has been prepared for the Commons. The Policy is that which was intended to be included in the recently withdrawn Local Plan.
 - Adjusting Policy SPD.NE7 (doubling land for nature), removing the phrase 'must achieve' what it sets out. Instead, the policy is now setting out a suggested way of meeting Local Plan Policy Env4. As pointed out by some representors, requiring the policy to be met went beyond the scope of what an SPD could do.
 - Removal of the requirement, in policy SPD.NE10 for developers to use the Opportunity Data. First, the SPD could not 'require' this, due to constraints on SPD scope, but secondly that data is not quite ready to be published yet. We can do this separately, on our website, post adoption of the SPD.
 - More generally, several adjustments to policies and supporting text, for clarity and consistency.

Comment ID	Consultee Name Chapter/ Para. No./ Policy No. Support/ Object/ Observation	Comments	Council's Response	Action
NEV-01	BSG ecology 6.29 Observation	<p>Page 22 of the draft Natural Environment SPD considers the Swan and Goose IRZs that you have been advised by Natural England to use as a tool when considering the need for HRA of plans and projects .</p> <p>That IRZ is backed by an evidence base but that evidence base is not accessible to interested parties either within your planning policy document library (https://www.eastcambs.gov.uk/local-development-framework/document-library) nor as part of the submissions published as the [now withdrawn] draft Local Plan went through public consultation and Hearing.</p> <p>My comment (and it should be interpreted as a request) is that the evidence base from which the IRZ was derived should be published alongside the SPD on your website.</p> <p>From paragraph 6.29 of the draft SPD I am presuming that evidence base consists of, as a minimum, the BTO Research Project referred to (highlighted on the screenshot) and it may also consist of the advice from Natural England on how the information contained in the BTO Research Report was interpreted to create the IRZ that now forms part of the SPD.</p> <p>My view is that it is not appropriate for ECDC to include such a matter as an area on a map defining the application of policy without also including as part of its consultation access to the evidence from which the area was derived.</p>	Comments noted. The IRZs are owned by NE. ECDC does not have the ability to publish the evidence behind those IRZs.	No change to SPD
NEV-02	Crime Prevention Design Team Observation	Routes for pedestrians, cyclists and users of the outdoor environment should be integrated and assist easy, intuitive wayfinding through the application of inclusive design by increasing activity and therefore natural surveillance, a proven deterrent to crime and anti-social behaviour. Our office is always happy to be advised and comment as necessary in this regards.	Comment noted.	No change to SPD
NEV-03	Maureen Munks Object	It is welcoming to see East Cambs having real concerns about improving our natural environment and therefore I don't want to sound negative but I do think that the 'net gain' in biodiversity pushing forward for planning approval a bit of a worry.	Comments noted. National policy requires ECDC to pursue 'net gain' in biodiversity and so this objective cannot be excluded from the SPD.	No change to SPD

NEV-04	Maureen Munks Object	I would think that most farmers fields at present would be considered having a net gain in biodiversity if built on, with a lot of fields having not having a lot of wildlife, either from having poor hedgerows or none at all and years of pesticides and chemicals sprayed on the land. Having said that, I would rather see fields than a load of houses and the tide is turning in that farmers are becoming more aware of the need to balance cultivating the land but also making things easier for nature and wildlife to flourish. Also, I cannot see the 'net gain' in biodiversity would be a true picture once housing is built in that with housing comes people disturbing wildlife, cars making more traffic on the roads and pollution etc.	Comments noted. National policy and guidance continues to emerge as to how to fully quantify net gain.	No change to SPD
NEV-05	Maureen Munks Observation	Here in Bottisham it is a nightmare for workers trying to get into Cambridge for work, it can take 40 minutes just to get to Quy roundabout!! Some people leave their house at 7am using the A14 to try and beat the traffic. To allow the building of houses and a school next to Newmarket Park and Ride is just ridiculous making this situation even worse. Surely it is better for the natural environment if developers build on brownfield sites and therefore making a real gain for biodiversity by enriching a site that was already covered in concrete. Campaign for Rural England did a survey in the UK on the amount of brownfield land available and CPRE's annual State of Brownfield report shows that there is enough suitable brownfield land available in England for more than 1 million homes across over 18,000 sites and over 26,000 hectares. View the data from our research here. Of course we know brownfield sites are not the easy option for developers but with Climate Change, flooding and the pressure on land for housing and growing crops to feed us the easy option should no longer be the first option.	Both national policy and Local Plan encourage development on brownfield sites before developing greenfield sites. However, some brownfield sites can be very nature rich, so it is not as simple as it sounds.	No change to SPD
NEV-06	Maureen Munks Observation	We already have acts to protect the natural environment but when you see recent developments such as in Bottisham there is no evidence of habitats being protected, we just have the usual housing squashed together and concrete and tarmac and quite often the Developers make promises that don't materialise and then it is too late or too difficult to bring them to task.	The purpose of the SPD is to make all aware, including developers, of their responsibilities to the natural environment.	No change to SPD
NEV-07	Maureen Munks Object	Finally, re the Cambridgeshire plan the aim to increase the natural environment by 50% by 2050 is of course a fantastic idea but I hope this doesn't mean that these extra natural areas are just pockets of land surrounded by new developments. We need to keep large areas of Cambridgeshire for farming and nature so that when we go out of our urban areas we really feel like we are in the countryside and give wildlife the space it needs to be truly wild.	The Council has endorsed Natural Cambridgeshire Vision to double the area of rich land in wildlife habitat and	No change to SPD

			natural greenspace. Draft Policy NE7 in the SPD outlines how this will be helped to be achieved.	
NEV-08	Becky Lockyer Support	<p>Please find below my response to the current consultation on the draft Natural Environment SPD.</p> <p>I am a resident living within East Cambridgeshire. I take a keen interest in ecological conservation and follow the planning process closely. I would like to see improvements made to the process whereby proposed developments are assessed in terms of impacts upon biodiversity and the delivery of biodiversity enhancements. This is critical in a District where there is considerable pressure on the land for housing and economic development which poses a threat to local biodiversity. This means going beyond a 'bare minimum' approach where, for example, planning permission for a greenfield site may simply require some very basic and perfunctory mitigation measures set out in the ecology report, (such as the retention of existing hedgerows or provision of bat boxes) which are then secured by a compliance planning condition.</p>	Comments noted, and the government approach of 'net gain' is along the lines which you suggest.	No change to SPD
NEV-09	Becky Lockyer NE7 Observation	To address any potential concerns about the impacts of policy NE7 upon development viability, a similar approach could be taken to securing affordable housing provision – where the obligations render a scheme unviable, there shall only be a relaxation of the policy requirements where a developer has submitted a full viability assessment which should then be checked and verified by the Council. Viability considerations are not therefore a problem for the requirements set out in policy NE7.	Comments noted, and viability appraisals do cover the whole spectrum of developer contributions (not just affordable housing)	No change to SPD
NEV-10	Becky Lockyer NE6 Support	I therefore strongly support the adoption of the Natural Environment SPD, which sets a proper commitment to securing biodiversity net gain in line with the requirements of the NPPF and the objectives set out in the Environment Bill. Biodiversity net gain can only be effective if the enhancements are fully implemented and then maintained in perpetuity. Whilst policy NE6 sets a requirement for an 'ongoing management strategy', the policy should clearly state that this will be secured by way of a planning condition or, perhaps more effectively, s106 obligation which can then be enforced.	Noted	No change to SPD
NEV-11	Becky Lockyer NE6 Comments	The SPD sets a number of appropriate policies which I support. I would like to make some comments and suggestions on specific sections or policies as follows:	Comments notes, and ideally this should be pursued, but in	No change to SPD

		<p>Policy SPD.NE6 Biodiversity Net Gain</p> <p>I support the policy, which sets appropriate measures to secure net gain. However, the policy should encourage where possible that biodiversity enhancements seek to offset the loss of the specific habitat types found on the original site. As currently worded, for example, the policy could allow a development to result in the loss of species rich grassland habitat but still on paper achieve a net gain through providing an alternative replacement habitat, such as species rich native hedgerows. Arguably from an ecology point of view the loss of the grassland habitat is the most concerning issue. Therefore, in this instance the policy should require the development to mitigate this as much as possible by replacement meadow planting within the landscaping.</p>	<p>practice it is extremely difficult to precisely replace, like for like, something which is lost. Yes, a like for like would be a starting point, but it may be that the best overall deliverable outcome is for the replacement to be of something different. Or, if the loss is too great, development not proceeding at all, even if a 'gain' can be demonstrated.</p>	
NEV-12	Becky Lockyer NE7 Support	<p>Policy SPD.NE7: Contributing to the strategic target of doubling land for nature</p> <p>I strongly support this policy, which should help to ensure a genuine net gain can be achieved and help to move away from the 'bare minimum' approach.</p>	Comments Noted	No change to SPD
NEV-13	Becky Lockyer NE9 Support	<p>Policy SPD.NE9: Landscaping and Biodiversity</p> <p>I support this policy. I would suggest some additions:</p> <ul style="list-style-type: none"> • Areas of open space which are not intended for recreational purposes (such as a paths or sports pitches) should be sown and managed as species rich wildflower meadow (to resist the tendency for such spaces within developments to be laid as plain turf with limited diversity). • Bird boxes or bricks should be installed on all houses, particularly for birds or local conservation concern such as swifts. • More wildlife ponds should be encouraged within open spaces this is something which is rare to see on new development schemes but would serve as a highly effective biodiversity enhancement. 	<p>Comments noted, however:</p> <p>The first and third bullets are considered covered by the policy, and the best solution may not always be wildflower meadow. The second bullet is explicitly covered in SPD.NE6</p>	No change to SPD
NEV-14	Becky Lockyer NE10 Observation	<p>Policy SPD.NE10: Taking the most appropriate natural environment opportunities</p>	Noted, and generally speaking the policy covers these asks.	No change to SPD

		Where the policy states 'provision which assists in connecting existing habitats' this could go further to state that applicants should be encouraged to consult with the local Wildlife Trust to understand how the site sits links within the 'opportunity maps' network of local habitats and specific measures the development should adopt to help support habitat recovery across the County.	We can't explicitly say consult the Wildlife Trust, as other bodies / companies are equally competent.	
NEV-15	Becky Lockyer Observation	Further general comments Whilst the current Local Plan (2015) does have a policy (ENV7) which promotes opportunities to create, restore and enhance habitats, this policy has not been updated to reflect the latest national planning policy on biodiversity net gain or the provisions set in the Natural Environment SPD. When the Local Planning Authority come to prepare a new Local Plan, this should present an opportunity to update the Local Plan so that the key policy objectives of the SPD have development plan status.	Noted, and agreed, but this is a matter for a future Local Plan, not this SPD	No change to SPD
NEV-16	Becky Lockyer NE7 Comments	Strategic scale developments or 100 dwellings or more or 5ha or more for non-dwellings proposals are normally expected to deliver open space and green infrastructure for good place-making, recreation and wellbeing; therefore, doubling up the use of such spaces for providing wildlife habitat should be perfectly achievable and should not be viewed by applicants and developers as an onerous requirement. Furthermore, in most cases it can be expected that such schemes are of a scale where the delivery of green infrastructure should be viable. In many cases, setting aside 20% of the application site for wildlife habitat will have the effect of reducing the developable area and may therefore have a negative effect on the land value for the developer or land owner. Similarly, if contributions are required for offsite enhancements this may also have a negative effect on land value. However, this should not be an excuse for a relaxation of the policy requirements. Without larger scale developments delivering the requirements of policy NE7, the current decline in local biodiversity will not be reversed and the District will likely fail to meet national policy and statutory requirements.	Comments noted	No change to SPD
NEV-17	Little Thetford Parish Council Comments	Little Thetford Parish Council considered the draft 'Natural Environment' SPD at their meeting on 11th March and have asked me to pass their comments to you. These comments are as follows: <ul style="list-style-type: none"> Councillors feel that this document should apply to all applications 	Comments noted. The SPD will be applied to all applications, including reserved matter applications for sites with outline	No change to SPD

		<ul style="list-style-type: none"> • They would like to know if outline permission has been granted 3 years ago, will the new SPD be applied to this application and how will it be checked it is being adhered to or ? • How can the parish council look at a biodiversity study for the whole village? • Members would like the village's conservation area and pond to be a candidate towards the wildlife rich area as detailed on page 38. 	permission. The Council is not presently in a position to support local studies as described. The candidate site is noted, and the matter of establishing and maintaining such a list is still an ambition but not yet established.	
NEV-18	Witcham Parish Council Comments	The above consultation documents were considered at our meeting on Wednesday. Witcham Parish Council had no comments to make.	Comments noted	No change to SPD
NEV-19	Ely Group of Internal Drainage Board Preface and Section 1 Comments	<p>Preface Page 2: Would recommend that at some point the duty of ECDC with regard to biodiversity (as detailed in the <i>NERC Act 2006</i> and the forthcoming <i>Environment Act 2020</i> is highlighted).</p> <p>Section 1 – Introduction Paragraph 1.2: The point above should be inserted here.</p>	Agreed, it would be helpful to add something in para 1.2, but not page 2 which is a brief simple guide to some of the issues raised in the SPD.	Add at end of 1.2: “The SPD also touches upon issues coming forward in the Environment Bill, January 2020”.
NEV-20	Ely Group of Internal Drainage Board Paragraph 2.2 Comments	After the last two words ‘Principal Importance’ add ‘, otherwise known as Priority habitats and species’ so as to provide the basis for the use of the term later in the document.	Agreed	Add ‘add “otherwise known as Priority habitats and species” within para 2.2
NEV-21	Ely Group of Internal Drainage Board Paragraph 2.3 Comments	Badgers are protected by separate legislation <i>Protection of Badgers Act 1992</i> and this should be included.	Agreed	Add Protection of Badgers Act 1992 to para 2.3.
NEV-22	Ely Group of Internal Drainage Board Paragraph 2.4 Observation	The 2017 Regulations consolidate the <i>Conservation of Habitats and Species Regulations 2010</i> with subsequent amending instruments (including the 2012 Regulation), and make minor modifications reflecting changes to related legislation. Effectively therefore these 2012 Regulations are obsolete.	Agreed	Add to end of para 2.4 “though these regulations are somewhat

				superseded by the 2017 Regulations as described at para 2.6”
NEV-23	Ely Group of Internal Drainage Board Paragraph 2.10 Comments	A point is that this Bill will also strengthen the biodiversity duty of public bodies from ‘conserve’ under the <i>NERC Act 2006</i> to ‘conserve and enhance’. This should be added.	Agreed	In 2.11, cross reference to the NERC Act 2006
NEV-24	Ely Group of Internal Drainage Board Paragraph 3.1 (box) Comments	Suggest amending ‘priority habitats’ to ‘Habitats of Principal Importance as listed under the NERC Act 2006’.	Agreed	Add in (a) of para 3.1: “(especially Habitats of Principal Importance as listed under the NERC Act 2006)”
NEV-25	Ely Group of Internal Drainage Board Table 1 Step 3 Comments	Should include species and habitats of Principal Importance under the NERC Act 2006.	Agreed	Add in Step 3 same text as above for para 3.1
NEV-26	Ely Group of Internal Drainage Board Table 1 Step 5 Comments	A point that should be included is that care should be taken not to reduce the value of existing habitats by planting trees.	Agreed.	In Step 5, at end of first bullet, add: “Also, for trees, care should be taken not to reduce the value of existing habitats by planting trees. New tree planting should be avoided on peat soils, as it is likely to cause

				more harm than good to biodiversity and net carbon emission.”
NEV-27	Ely Group of Internal Drainage Board Table 1 Step 6 Observation	If SUDS are colonised by protected species e.g. great crested newts then this may severely compromise their management so as to achieve appropriate flood and drainage criteria.	Comments noted	No change to SPD
NEV-28	Ely Group of Internal Drainage Board Table 1 Step 7 Comments	It will not be possible to provide the ‘full range’ of breeding sites, shelter and year-round food resources. Suggest amending to ‘an appropriate range’	Agreed	Amend Step 7 to ‘an appropriate range’
NEV-29	Ely Group of Internal Drainage Board Paragraph 6.1	Suggest amendments in red: Most nature sites are identified as falling within a hierarchy of importance, with international (SAC, SPA or Ramsar) sites and then nationally important sites (SSSIs and National Nature Reserves) being at the top of the hierarchy. These sites usually contain rare habitats or species (often both), and are heavily protected through international and national legislation. Comment – they always contain rare habitats and species, legislative protection is what it is – it protects, heavily is irrelevant and implies that other protection can be ignored	Agreed	Amend 6.1 as per suggestion.
NEV-30	Ely Group of Internal Drainage Board Paragraphs 6.4 – 6.6 suggest rewrite as follows for clarity and precision.	<p>6.4 Some nationally designated (SSSI) sites receive additional protection as a ‘Natura 2000 site’. Natura 2000 is a Europe-wide network of sites of international importance for nature conservation established under the Habitats Directive⁵. The network comprises Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are designated under the European Directive 79/409/EEC ‘on the Conservation of Wild Birds’ (the Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species). SACs are designated under the Habitats Directive and target particular habitats (Annex 1) and/or species (Annex II) identified as being of European importance.</p> <p>6.5 Some SSSIs may (separately or additionally) receive additional protection due to their designation Ramsar sites, under the Ramsar Convention on Wetlands of International Importance, especially as Waterfowl Habitat 1971. (which are separate to Natura 2000 EU related sites, albeit often overlap in terms of designation, where applicable) support as</p>	Agreed, whilst the sentiments are the same, the suggested wording is clearer.	Amend 6.4-6.6 as per suggestion

		<p>internationally important wetland habitats, and are listed under the Convention (Ramsar Convention, 1971).</p> <p>6.6 Activities within East Cambridgeshire may affect the following sites which hold international designations, some multiple. Full details are given in Appendix 1.</p> <table border="1"> <thead> <tr> <th>International Designation</th> <th>Legally under pinned by</th> </tr> </thead> <tbody> <tr> <td>Devil's Dyke SAC</td> <td>Devil's Dyke SSSI</td> </tr> <tr> <td>Fenland SAC</td> <td rowspan="2">Wicken Fen SSSI</td> </tr> <tr> <td>Wicken Fen Ramsar</td> </tr> <tr> <td>Fenland SAC</td> <td rowspan="2">Chippenham Fen component of Chippenham Fen and Snailwell Poor's Fen SSSI</td> </tr> <tr> <td>Chippenham Fen Ramsar</td> </tr> <tr> <td>Fenland SAC</td> <td rowspan="2">Woodwalton Fen SSSI* (located outside ECDC boundary)</td> </tr> <tr> <td>Woodwalton Fen Ramsar</td> </tr> <tr> <td>Ouse Washes SAC</td> <td rowspan="3">Ouse Washes SSSI</td> </tr> <tr> <td>Ouse Washes SPA</td> </tr> <tr> <td>Ouse Washes Ramsar</td> </tr> <tr> <td>Breckland SPA</td> <td>Multiple SSSIs located outside ECDC boundary, buffer zone within ECDC</td> </tr> <tr> <td>Breckland SAC</td> <td>Multiple SSSIs located outside ECDC boundary.</td> </tr> </tbody> </table> <p>*Although Woodwalton Fen is outside the ECDC district, it is part of the Fenland SAC and as such needs to be considered during any assessment of the impact of any plan or project.</p>	International Designation	Legally under pinned by	Devil's Dyke SAC	Devil's Dyke SSSI	Fenland SAC	Wicken Fen SSSI	Wicken Fen Ramsar	Fenland SAC	Chippenham Fen component of Chippenham Fen and Snailwell Poor's Fen SSSI	Chippenham Fen Ramsar	Fenland SAC	Woodwalton Fen SSSI* (located outside ECDC boundary)	Woodwalton Fen Ramsar	Ouse Washes SAC	Ouse Washes SSSI	Ouse Washes SPA	Ouse Washes Ramsar	Breckland SPA	Multiple SSSIs located outside ECDC boundary, buffer zone within ECDC	Breckland SAC	Multiple SSSIs located outside ECDC boundary.		
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NEV-31	Ely Group of Internal Drainage Board Paragraph 6.6:	Consideration needs to be given to whether a short summary for the reason for designation needs to be given here.	Not considered necessary, especially as the appendices provide commentary on why they are designated.	No change to SPD																					
NEV-32	Ely Group of Internal Drainage Board Paragraph 6.8:	Suggest: First sentence, after 'process' insert '(a Habitats Regulations Assessment). After 1 st sentence insert 'This process is identified in the Habitats Regulations 2017.' Comment: the process does not determine what the effects might be, it determines, in the first instance whether there will be a likely significant	Agreed	Add to 6.8 as per suggestion.																					

		effect on a designated site, alone and in-combination with other plans or projects. This paragraph needs revisiting.		
NEV-33	Ely Group of Internal Drainage Board Paragraph 6.11:	<p>IMPORTANT This should be revisited. The wording of the policy does not reflect the legislation and to avoid potential appeals and judicial reviews it should do. In particular, (Paragraph 1) should ECDC be minded to grant planning permission then the government must be notified, and it is for the government to allow the project to proceed and to secure compensatory measures (para 64 of the Habitats Regulations 2017).</p> <p>Paragraph 3- it is an adverse effect on the integrity of the site. It is not clear that para 3 is correct as any appropriate assessment undertaken should be within reasonable scientific doubt as to the absence of adverse effects and it is therefore unlikely that mitigation will be informed by monitoring.</p>	The wording of the first three paragraphs of this policy replicates that found in the recently adopted Peterborough Local Plan, a policy which was negotiated with Natural England and found sound by an Inspector. The end list of (i)-(v) were agreed with Natural England as part of the now withdrawn emerging East Cambridgeshire Local Plan. Nevertheless, some tweaks to the policy are advocated by Natural England, below.	No change to the SPD
NEV-34	Ely Group of Internal Drainage Board Paragraph 6.12:	Inaccurate information provided here. The correct legislation is the Habitats Regulations 2017 . ECDC is the competent authority for this process.	Agreed, the para is in need of updating. NPPG provides suitable text to use.	Update para 6.12, in line with NPPG ID: 65-001-20190722
NEV-35	Ely Group of Internal Drainage Board Paragraph 6.13:	Inaccurate information provided here. Habitats Regulations Assessment (HRA) is a process formed of 4 stages for each international designation. <u>All</u> projects and plans go through the first screening stage – this may be via the biodiversity check list which clearly shows no likely significant effect or formally by a more detailed assessment. It is for ECDC to determine that this has been properly carried out. Essentially this is the ‘should we check’ stage to go on to the more detailed Appropriate Assessment stage.	Disagree. Para’s 6.13-6.15 are written in simple language to help explain the process to non-experts. It is not ‘policy’ or attempting to summarise in legal terms what the law requires. The rest of	Amend 6.13 in line with proposed changes suggested by Natural England (NEV 159).

			the SPD provides the framework for what needs to be done.	
NEV-36	Ely Group of Internal Drainage Board Paragraph 6.16:	There may be proposals for e.g. a pumping station moving water into or out of the Ouse Washes which would need an approval.	Noted, and agreed, but the para itself is accurate.	No change to SPD
NEV-37	Ely Group of Internal Drainage Board Paragraph 6.17.	This is confusing and needs rewording. Suggest: 'For example, increasing development near a protected site may increase visitor pressure leading to adverse effects on vegetation or disturbance to birds. Another example is that it might lead to a loss of important foraging grounds used by birds from a designated site some distance away.'	Agreed, the suggested wording is clearer, shorter and more effective	Amend 6.17 as per suggested text.
NEV-38	Ely Group of Internal Drainage Board Table 2:	This table needs a summary of the features for which it was designated to provide context to the vulnerability. This will be different for each designation and thus the threats may be different for each designation.	Not necessary, as such information is in the appendix	No change to SPD
NEV-39	Ely Group of Internal Drainage Board Paragraph 6.19:	Suggest new last sentence. 'These Impact Risk Zones refer to the SSSIs which underpin the international designation.' Comment: They are not however effective in assessing changes in, e.g., hydrology where effects on an aquifer some miles distant may adversely affect a SAC or for air pollution. Natura England provide further guidance on this. Thus, IRZs are not definitive.	Agreed	Add sentence as per suggestion to 6.19
NEV-40	Ely Group of Internal Drainage Board Paragraph 6.20:	Inaccurate. See comments above.	Agree the paragraph could be improved, and therefore text in 6.20 to be updated in line with Natural England "SSSI Impact Risk Zones User Guidance", June 2019 (namely paras 2-4 of that guidance) ¹ ,	Amend para 6.20 in line with Natural England published text (see footnote below).

¹ "The Impact Risk Zones (IRZs) are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The IRZs also cover the interest features and sensitivities of European sites, which are underpinned by the SSSI designation and "Compensation Sites", which have been secured as compensation for impacts on European/Ramsar sites.

Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated. The IRZs do not alter or remove the requirements to consult Natural England on other natural environment impacts or other types of development proposal under the Town and Country Planning (Development Management Procedure) (England) Order 2015 and other statutory requirements - see the gov.uk website for further information.

NEV-41	Ely Group of Internal Drainage Board Paragraph 6.25:	Confusing, perhaps combine with para 6.27 and simplify to say. 'Land may be covered by more than one IRZ and the potential for damage and its severity may be different.'	Agreed that the situation is not straight forward, but disagree the suggested text is better, and is probably too simplistic.	No change to SPD
NEV-42	Ely Group of Internal Drainage Board Paragraph 6.29:	Perhaps start by saying what the Goose and Swan IRZ is. The single long sentence is confusing and needs to be broken down.	Agree the sentence is too long and needs breaking down.	Amend 6.29 as per NEV 164 suggested text.
NEV-43	Ely Group of Internal Drainage Board Paragraph 7.3:	Needs rewording as inaccurate. Sentence 1 - the reverse is true – the SSSIs are also designated as international sites. Sentence 2 the boundaries are not the same, e.g. only Chippenham Fen component of Chippenham and Snailwell Poor's is part of the SAC. Last sentence – SSSIs are often notified for a wider range of features than those in the international designation and thus the effects may be different. As with multiple designations e.g. SAC, SPA and Ramsar where the receptors are different and so each designation needs to be assessed separately, so the SSSI needs to be separately addressed.	Agreed.	Amend 7.3 to as follows: "As can be seen from above, a numbers of sites have numerous designations, and the boundaries are not always the same for each designation. Where multiple designations exist, each designation needs to be assessed separately."
NEV-44	Ely Group of Internal Drainage Board Paragraph 7.6:	Can this be checked – our understanding is that the NPPF has precedence.	It is believed that para 7.6 is an accurate interpretation of the law.	No change to the SPD.

The SSSI IRZs can be used by developers, consultants and members of the public, who are preparing to submit a planning application. They will help them to consider whether a proposed development is likely to affect a SSSI and choose whether to seek pre-application advice from Natural England. This will allow any potential impacts to be taken into account within the planning application and so minimise the risk of delays at the formal planning stage. Further information on Natural England's preapplication Discretionary Advice Service (DAS) is available on the gov.uk website". Source: https://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf

NEV-45	Ely Group of Internal Drainage Board Paragraph 8.9:	Agree.	Comments noted	No change to SPD
NEV-46	Ely Group of Internal Drainage Board Section 9 - Species	Title needs amending to cover Species of Principal Importance which are on the NERC list but which may not be protected.	Agree	Amend section to "Protected Species (Species of Principal Importance)"
NEV-47	Ely Group of Internal Drainage Board Paragraph 9.2:	Current list was updated on 14 th May 2014 on the Natural England web site.	It is understood that the list of habitats of principal importance remains as 2010, but it is agreed that the species list was updated in 2014.	Amend sentence within 9.2 as follows: "The current list contains 56 habitats of principal importance (updated 2010) and 943 species of principal importance (updated 2014)."
NEV-48	Ely Group of Internal Drainage Board Paragraph 9.3:	A desk search via the CPERC is usually required.	Comments noted	No change to SPD
NEV-49	Ely Group of Internal Drainage Board Paragraph 9.6:	Is there a policy for S41 species?	SPD.NE5 covers protected species	No change to SPD
NEV-50	Ely Group of Internal Drainage Board General:	It is important that this is followed as, from an IDB view, it cannot give consent for works that may affect protected species that have not properly been taken into account at the planning stage. This could lead to a situation where the consent is unimplementable.	Comments noted	No change to SPD

NEV-51	Ely Group of Internal Drainage Board Paragraph 10.2:	State of Nature report was updated in 2019 and the figures are different. Those quoted are not quite quoted correctly e.g. the dates were from 1970 to 2013 not 50 years.	Agree, text needs updating	Replace 10.2-10.3 with text in footnote. ²
NEV-52	Ely Group of Internal Drainage Board Paragraph 10.6:	Even though it comes later, the Environment Act 2020 – to be a legislative requirement should be quoted.	Disagree, as there is no certainty such an Act will exist.	No change to SPD
NEV-53	Ely Group of Internal Drainage Board Paragraph 10.9:	Might be better in an appendix.	This is such important text, that considered best to retain where it is.	No change to SPD
NEV-54	Ely Group of Internal Drainage Board Paragraph 10.16:	Clumsy wording, could be clarified	Whilst complex, wording is considered acceptable	No change to SPD
NEV-55	Ely Group of Internal Drainage Board Paragraph 10.17:	There may be a temptation to use public open space or SUDS features to comply with this policy. This should be resisted as the management that is required for these features is likely to be contrary to that required for the creation of rich wildlife habitat. Additionally, the use of the bylaw strip along IDB ditches must not be used for this purpose.	Comments noted	No change to SPD
NEV-56	Ely Group of Internal Drainage Board NE7:	The creation of rich wildlife habitat is contingent on its long-term management over decades. This policy does not fully consider this.	Agree.	Amend NE7 (A) by replacing 'maintenance' with 'long-term management'.

² Amend to: “The UK’s wildlife continues to decline according to the State of Nature 2019 Report. As a summary, the latest findings show that since rigorous scientific monitoring began in the 1970s there has been a 13% decline in average abundance across wildlife studied and that the declines continue unabated. The Report also reveals that 41% of UK species studied have declined, though 26% have increased since 1970, while 133 species assessed have already been lost from our shores since 1500.

Butterflies and moths have been particularly hard hit with numbers of butterflies down by 17% and moths down by 25%. Species that require more specialised habitats have declined by more than three quarters. The UK’s mammals also fare badly with greater than 26% of species at risk of disappearing altogether.”

NEV-57	Ely Group of Internal Drainage Board Paragraph 11.7:	Planting trees can also destroy habitat. For example, planting trees adjacent to a watercourse may reduce vegetation within channel thus affecting invertebrate species and abundance, potentially reducing fish populations and can render banks unsuitable for water voles. It can destroy grasslands and reduce the suitability of land for some species of feeding birds. A further principle should be added to the text to ensure that trees are only planted in the right place. It will be tempting to link watercourses with trees and this may affect satisfactory flood risk management.	Agree	Amend 11.7 to 'six' Tree Planting Principles, and add a new bullet: "Avoid any tree planting where it has the potential to cause harm, such as: harm to existing important habitat; harm to peat soils; or harm to property or infrastructure"
NEV-58	Ely Group of Internal Drainage Board Policy SPD NE8:	There is no justification for the number of replacement trees as given. The value of bigger trees is structure proving habitat for e.g. birds and invertebrates and landscape character, neither of which is covered by the planting of new trees. Denser planting or more extensive planting may damage other areas and is likely to lead to a reduction in the shape and development of those tree planted. On bigger development sites, it may lead to unsuitable planting e.g. by IDB watercourses.	Disagree, and such replacement targets were adopted in the recent Peterborough Local Plan.	No change to SPD
NEV-59	Ely Group of Internal Drainage Board Paragraph 12.3/12.4:	The IDB is concerned about the possibility for green corridors along watercourses to be planted with trees. It will not normally issue consent for planting within 9 metres of an IDB maintained watercourse nor around SUDS features that it is to manage (also see 12.8).	Comments noted, but these are matters for specific applications	No change to SPD
NEV-60	Ely Group of Internal Drainage Board NE9:	Insufficient consideration has been given to the management of landscapes to provide biodiversity gain. There is no gain in creating habitat without this provision and this is a major omission.	Disagree. The second paragraph refers to this point.	No change to SPD
NEV-61	Ely Group of Internal Drainage Board Paragraph 12.8:	See comments on Paragraphs 12.3/12.4. Contrary to the statement on management, willows require regular management and due to cost, this usually lapses. If willows are planted in attenuation ponds, then they will colonise it into wet woodland. This, and difficulty of access will preclude management and the attenuation ponds will cease to function. This policy on willows should be revisited.	Comments noted, but, as an example scenario, the text box at 12.8 is considered to remain sound (but not necessarily	No change to SPD

			appropriate in all circumstances)	
NEV-62	Ely Group of Internal Drainage Board Paragraph 13.1:	Agree	Comments noted	No change to SPD
NEV-63	Ely Group of Internal Drainage Board Paragraph 13.2:	Add flooding.	Flooding could be added, but not strictly necessary	No change to SPD
NEV-64	Ely Group of Internal Drainage Board NE10:	Add flooding	Agree, flooding could usefully be added in the Policy itself	Add a fifth bullet to NE10 as follows: "Provision which assists in reducing or preventing flooding"
NEV-65	Ely Group of Internal Drainage Board Paragraph 14.2 and 14.7:	Will need to be updated to follow the Environment Act 2020. The quote is not correct.	The SPD may well need updating, if/once the Act is in place.	No change to SPD
NEV-66	Persimmon Homes Ltd. NE6 Object	<p>Policy SPD.NE6 of the Natural Environment SPD relates to biodiversity net gain. In effect, it seeks to set out an interim policy to be used prior to the Environment Bill coming into law where new development must provide measurable and "significant" gains in biodiversity. "Significant" is not defined but it is stated that a small "net gain" would not be acceptable. Once the Environment Bill becomes law, the provisions of Policy SPD.NE6 fall away.</p> <p>This policy retrofits via SPD a dated local plan policy based on an approach set out in emerging legislation. The need to provide "significant" net gains in biodiversity is not a feature of current development plan nor national planning policy. Whilst Policy SPD.NE6 stops short of specifying a certain factor by which biodiversity should be improved on any given site, it clearly intends to go much further than current development plan policy and the National Planning Policy Framework.</p> <p>Policy SPD.NE6 cannot be lawfully adopted as an SPD. It is not expanding on an existing policy but providing a quantifiably more onerous approach to securing biodiversity net gains thus acting as a development management policy in its own right.</p>	Disagree. The NPPF requires a net gain. The SPD simply clarifies that 'insignificant' gains would not pass the requirements of the NPPF.	No change to SPD

		Persimmon strongly objects to Policy SPD.NE6.		
NEV-67	Persimmon Homes Ltd. NE7 Objection	<p>Policy SPD.NE7 states that all development proposals of 100 or more dwellings must set aside a minimum of 20% of the application site area as land for rich wildlife habitat. In the alternative, the proposed development must contribute towards off-site rich wildlife habitat broadly equivalent in size to the land area of the application site.</p> <p>Persimmon strongly objects to this policy being introduced via a supplementary planning document. To do so is plainly unlawful. The policy clearly falls within the scope of Regulation 5(1)(a)(i),(ii) and (iv) of the Town and Country Planning (Local Planning) (England) Regulations 2012 and thus can only be properly adopted as part of a development plan document (DPD).</p> <p>Firstly, it relates to the development and use of land which the local planning authority wishes to encourage – i.e. 5(1)(a)(i). The policy requires 20% of any given site’s area comprising residential development of 100 dwellings or more to be dedicated towards biodiversity enhancement measures. In the alternative, off-site contributions must be provided in lieu of those measures. This clearly relates to “development” (i.e. all development within the stated threshold) and is tantamount to encouraging a use of land (i.e. for biodiversity enhancement).</p> <p>Secondly, Policy SPD.NE7 allocates sites for a particular development or use – i.e. 5(1)(a)(ii). In this case, the sites in question are those of a certain size and the allocation is for 20% of the gross area for biodiversity enhancement or off-site contributions in lieu of.</p> <p>Thirdly, Policy SPD.NE7 is a site allocation and development management policy intended to guide the determination of applications for planning permission – i.e. 5(1)(a)(iv). It sets out criteria which are attempts to deliver the Council’s nature conservation vision thereby regulating development to occur in a particular way. This is a further characteristic of a DPD.</p>	Agree to a certain degree, though it must be remembered that the Local Plan already includes policy ENV7. Nevertheless, and reflecting the legislative restrictions placed on SPDs, amending the opening sentence to make it clear that the requirements in NE7 are options only.	Amend opening line of NE7 to: “A strategic scale development proposal* could, as an option, help demonstrate that it meets Local Plan Policy ENV7 (and in turn demonstrate a contribution to the Local Nature Partnership’s vision to ‘doubling land for nature’) if it achieved either (A) or (B):”
NEV-68	Persimmon Homes Ltd. NE7 Object	<p>In addition to the above, Policy SPD.NE7 would introduce new burdens on development which were not examined as part of the local plan adoption process. Such burdens would have significant impacts on viability which can only be appropriately tested through the local plan process. There is nothing within the SPD to indicate that viability impacts have been tested or considered. Because the viability impacts of such a policy would be quite considerable, this is a further indication that Policy SPD.NE7 is a de facto local plan policy.</p> <p>William Davis Ltd & Ors v Charnwood Borough Council [2017] EWHC 3006 (Admin) is relevant. The judgement held that adopting policies with clear viability implications without having fully considered those implications via the DPD process was unlawful. The judgement stated:</p>	See comments above	See amendments above, under NEV 67. The amended wording removes any ‘requirement’ (and hence any possible new burden) on developers.

		<p>“...economic viability as an issue gets more broad brush once one leaves a particular site and seeks to argue the issue more generally. But as NPPF shows, issues such as demand, market conditions and sustainability are all relevant to Local Plan preparation. It is otiose to set housing targets, or seek to encourage the housebuilding industry to provide homes, without addressing whether the policies one seeks to put in place would frustrate those objectives.” [Emphasis Added]</p> <p>For the above reasons, Policy SPD.NE7 cannot be lawfully applied in planning decision-making as it is a local plan policy which has not gone through the appropriate process. It should be removed.</p>		
NEV-69	Persimmon Homes Ltd. NE9 Object	<p>Persimmon strongly objects to Policy SPD.NE9 relating to landscaping and biodiversity. The proposed policy specifies a level of prescription which would be onerous even for a development plan policy and it is noteworthy that it goes considerably further in this regard than the corresponding draft policy (Policy LP20) of the now withdrawn East Cambridgeshire Local Plan Proposed Submission dated November 2017. The details and appropriateness of various landscape treatments will vary from site to site depending on constraints of that particular site having regard to the technical evidence gathered.</p>	<p>Disagree. The Policy is clearly sensible and appropriate practice, which any developer ought to be able to (indeed, want to) positively respond to. It is not prescriptive or onerous.</p>	<p>No change to SPD.</p>
NEV-70	Persimmon Homes Ltd. NE10 Object	<p>Persimmon strongly objects to Policy SPD.NE10 as it is overly vague and is not clear how it would operate in practice or what its purpose is. The policy refers to the need to avoid putting natural environment infrastructure in the “wrong location” and the possible corresponding management problems, facilitation of anti-social behaviour, and highway safety issues this would cause, but clearly these risks can be considered and avoided through the wider urban design process rather than requiring a separate policy. The policy also restates the provisions of SPD.NE9 in relation to ensuring that green infrastructure is connected up in order to maximise benefits. This is unnecessary.</p>	<p>Disagree. The policy is intend to assist developers, and avoid those scenarios whereby developers simply want to ‘tick a box’ in terms of providing natural environment space in their scheme, but with little thought as to whether the most appropriate landscape/open space location or scheme within their site has been chosen.</p>	<p>No change to SPD</p>
NEV-71	Persimmon Homes Ltd. NE10	<p>The last clause of Policy SPD.NE10 refers to the need to consider the Council’s opportunity mapping data. The data is not available as part of this consultation exercise nor is it clear what the data will comprise or how developers will be</p>	<p>Agree, the last paragraph of NE10 (opportunity mapping</p>	<p>Delete the last para of NE10</p>

	Comments	expected to consider this data as part of formulating applications. Whilst it is appropriate to take available opportunities to improve green infrastructure where it is feasible and viable to do so, understanding how best to exploit those opportunities should be considered in a joined-up way and set out as part of a wider strategic planning exercise through a local plan rather than trying to achieve this on an application by application basis via a supplementary planning document.	data) is potentially beyond the scope of SPDs, and, in any event, the Council is not presently able to provide such opportunity mapping data in an easy to use and accessible way	
NEV-72	Historic England Comments	<p>Thank you for your e-mail inviting Historic England to respond to the Supplementary Planning Documents on Custom and Self Build Housing and The Natural Environment.</p> <p>Unfortunately, due to our capacity, we regret that we are unable to comment specifically at this time.</p> <p>We do however recommend that the advice of your local authority conservation and archaeological staff is sought as they are best placed to advise on local historic environment issues and priorities, including access to data, indicate how historic assets may be impacted upon by the Supplementary Planning Documents, the design of any required mitigation measures and opportunities for securing wider benefits for the future conservation and management of the historic environment. If you have specific questions relating to the historic environment that cannot be answered by your local conservation and archaeological specialists, please contact Historic England's regional Development Advice Team, who can be reached on 01223 582749.</p> <p>Although we have not been able to provide a substantive response at this stage, this does not mean that we are not interested in further iterations of the document. Please note that we may still advise on, and potentially object to, any specific development proposal(s) which may subsequently arise from this or later versions of the documents subject to the consultation.</p>	Comments noted	No change to SPD
NEV-73	Professor Peter Landshoff Comments	I do have a comment on your SPD. Can the planning system prevent people covering large areas of their gardens with hard cover?	If the surface to be covered is more than five square metres planning permission will be needed for laying traditional, impermeable driveways that do not provide for the water	No change to SPD

			to run to a permeable area.	
NEV-74	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Comments	Thank you for consulting the Wildlife Trust on East Cambridgeshire's draft Natural Environment SPD. The Wildlife Trust welcomes the council's stated commitment to the Natural Environment and the production of this document. There is much to commend about the draft SPD, though there are a number of areas where we believe the document might be improved. The Wildlife Trust's comments are set out below, chapter by chapter. <u>Underlined text</u> represents suggested additional or alternative wording and strikethrough text represents text to delete.	Comments noted	No change to SPD
NEV-75	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Comments	<p>3. Overarching Vision The Wildlife Trust fully supports the vision. The only minor comment we have is that under bullet point 3.1a where the limestone in calcareous (limestone) grasslands should be deleted, as the grasslands in the district are on chalk not limestone geology.</p>	agreed	Change 3.1 a as per suggestion
		<p>4. Step by Step Guide The step by step guide set out in Table 1 is extremely helpful. The Wildlife Trust would only make the following relatively minor changes to improve what is otherwise an excellent guide. STEP 2: Amend the main bullet point as follows: <input type="checkbox"/> Complete a suitable Biodiversity Checklist <u>and / or a biodiversity net gain assessment using an appropriate Biodiversity Calculator</u>, which is highly recommended for all applications other than: - householder applications; and - most applications which create no additional floor space (though it is recommended for barn conversions). Without <u>these</u>, it may be hard to demonstrate how you can meet the "net gain" national policy requirements. <i>For many smaller developments, the County Council biodiversity checklist should suffice. However, other checklists are available and may be more suitable for your particular proposal. It should be possible for a non-specialist member of the public, planning agent, or developer to complete the County Council checklist. <u>Where a biodiversity calculator is required, this will need to be filled in by a competent ecological professional.</u></i></p>	agreed	Change step 2 as per the suggestion
NEV-76	Bedfordshire Cambridgeshire Northamptonshire	STEP 8: Amend the main bullet point as follows:	agreed	Change step 8 as per the suggestion

	re Wildlife Trusts	<input type="checkbox"/> Submit completed Biodiversity Checklist <u>and / or Biodiversity Calculator</u> along with additional protected species survey reports as required (and any EIA reports if necessary).		
NEV-77	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts	<p>5. What sort of nature conservation measures will decision makers look for? The Wildlife Trust fully supports the inclusion of this section as a helpful aide memoir for applicants and only have two minor suggestions for improvements as follows: Bullet point 5 – split into two bullet points to separate out recreational pressures into its own separate bullet point <input type="checkbox"/> Wildlife disturbance and damage through construction, recreation and increased risks of unlawful activities... <input type="checkbox"/> <u>Human recreational pressures resulting in wildlife disturbance and / or damage to the integrity of habitats and their management.</u></p>	Agree	Amend the table at 5.3 as per the suggestion
NEV-78	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts	<p>Bullet point 9 – amend as follows: <input type="checkbox"/> Effects of pet predation <u>and disturbance</u> on important <u>and sensitive</u> species. Add new bullet point as follows: <input type="checkbox"/> <u>Impacts from increased air pollution on designated sites.</u></p>	Agree	Amend the table at 5.3 as per the suggestion
NEV-79	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE1, NE2 and NE3 Support	<p>6. Protecting the Most Valuable Sites: Internationally Designated Sites The Wildlife Trust fully supports this section and policies SPD.NE1, SPD.NE2 and SPD.NE3.</p>	Comments noted, though see NEV-167 comments	No change to SPD
NEV-80	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE3 Comment	<p>The only changes we recommend is the addition of specific mention of Wicken Fen to Policy SPD.NE3 as follows: Policy SPD.NE3 For major housing related development (as defined by legislation), and especially any such proposal within an assumed 8km zone of influence of <u>Wicken Fen (Fenland SAC)</u>, Devil's Dyke SAC and Breckland SPA... In order for the decision maker to consider the potential recreational effects of a proposal, the following bullet points apply:</p>	Comments noted, though see NEV-167 comments.	No change to SPD

		□ For residential major development...that there would be no significant adverse effect arising from the development via recreational pressures <u>on Wicken Fen, Devil's Dyke or Breckland SAC / SPA</u> (as applicable).		
NEV-81	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Para 6.37	We suggest that Diagram 4 is renamed <u>Figure 2</u> for consistency	Agree, but superseded by NEV 167	No change to SPD
NEV-82	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts	7. Protecting the Most Valuable Sites: Nationally Designated Sites The Wildlife Trust fully supports this section. However, Chettisham Meadows SSSI has been omitted from the list. The only change we recommend is the correct spelling of Ely <u>Pits</u> and Meadows, in the list of SSSIs.	Agree	Amend text as per suggestion
NEV-83	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts	8. Protecting the Most Valuable Sites: Locally Designated Sites The Wildlife Trust fully supports this section. The only change we recommend is the addition of a specific section on the Soham Commons, using the text from Policy Soham13 in the recent (now withdrawn) East Cambridgeshire Local Plan. Policy Soham13 could become Policy SPD.NE5. If so all subsequent policies will need to be re-numbered.	Agree, though only the half of the policy which related to Soham Commons. Whilst introducing a new policy at this stage, post SPD consultation, would not normally be	Add a new policy (SPD.NE4(B)) and supporting text at end of section 8 as per footnote below ³

³ Soham Commons

Soham has a unique landscape setting, being surrounded by Commons to the east and west. The Commons cover a significant area, and consists of grazing land and meadows, with a number of ponds and waterways. The Commons are a haven for wildlife – but also provide an excellent green network and recreational facility for the people of Soham. As Common land, they are protected against loss or re-use. However, it is also important that development proposals adjoining or close to the Commons respect its character and setting, and do not adversely affect biodiversity or access. Development proposals will also be expected to explore opportunities to enhance biodiversity and access to the Commons. The following policy therefore is included:

Policy SPD.NE5:Soham Commons: The wildlife, landscape and recreational quality of the Soham Commons should be protected and enhanced. Development proposals should demonstrate no significant adverse impact on the quality, character, accessibility and biodiversity value of the Commons. Development proposals in the vicinity of the Commons should explore opportunities to improve biodiversity, access and landscape improvements on the Commons. To assist the preparation of proposals, and the exploration of opportunities, applicants should have regard to the Soham Commons Recreational and Biodiversity Enhancement Study, as endorsed by Natural England and the Wildlife Trust, and, where necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind, make an appropriate and proportionate contribution to the implementation of the actions identified.

			considered appropriate, the policy has been consulted upon and refined via the Local Plan process, with no outstanding objections to this particular policy remaining at the point the Local Plan was withdrawn.	
NEV-84	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Para 9.4	9. Protected Species The Wildlife Trust fully supports this section. The only changes we recommend are minor revision to paragraph 9.4, 9.5 and a new paragraph on great crested newt district licencing as follows: 9.4 Developers are advised to make use of government guidance...The Cambridgeshire and Peterborough Biodiversity partnership has published lists of <u>which</u> priority species are found in Cambridgeshire and <u>as well as</u> additional species of interest that are locally important...	Agreed	Amend para 9.3 (not 9.4) as suggested.
NEV-85	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Para 9.5	9.5 ...In certain parts of the district, protected species which are related to wetland habitats, <u>including water vole and otter</u> , may occur...	Agreed	Amend para 9.4 (not 9.5) as suggested.
NEV-86	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts New para 9.9	<u>Natural England are planning to role out their District Level Licencing scheme for Great Crested Newts to Cambridgeshire in 2020. If developers enter into this scheme the approach set out in Policy SPD.NE5 will not apply. However, the choice of whether to use the Natural England District Level Licencing scheme or to use the traditional licencing approach for great crested newts lies with the developer. If a developer continues with the traditional licencing approach, then policy SPD.NE5 will still apply.</u>	In principle, agreed, but a simple cross reference to our website would work better	Add a new para 9.7 along the lines as suggested
NEV-87	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE6, NE7 Support	10. Reversing the Decline – A “Net Gain” in Biodiversity The Wildlife Trust strongly supports the inclusion of this chapter and policies SPD.NE6 and SPD.NE7. We do however have a number of suggestions for improvements to this chapter and these are set out below.	Comments noted	No change to SPD

NEV-88	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Paras 10.12 to 10.15 Comments	Amend to reflect the fact that the Environment Bill has been published.	Agreed	Amend 10.12 slightly to reflect latest situation with the Environment Bill
NEV-89	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE6 Comments	Para 6 – Demonstrating the value of the habitat (pre and post development) will be the responsibility of the applicant, and the information to be supplied will depend on the scale and <u>type degree</u> of proposals being submitted. The Council strongly recommends the use of available toolkits <u>or biodiversity calculators</u> (see section 14 of this SPD) and / or ecology surveys.	Agreed	Amend as per suggestion
NEV-90	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE7 Comments	<p>Policy SPD.NE7 - re-write as below All strategic-scale development proposals* must either achieve (A) or (B) as part of the development's contribution to making the Local Nature Partnership's vision to "double nature" a reality:</p> <p>A. Achieve a minimum 20% biodiversity net gain as measured through a recognised biodiversity calculator.</p> <p>OR</p> <p>B. Achieve a minimum 10% biodiversity net gain and set aside a minimum of 20% of the application site area as land for rich wildlife habitat. Such set aside land must have clear proposals for its creation and maintenance. Where the application site already contains rich wildlife habitat which is to be protected as part of the development proposals, then the 20% requirement for rich wildlife habitat applies to land which is not presently rich wildlife habitat.</p> <p>Where the biodiversity net gain requirements cannot be achieved on-site, the applicant will, via an appropriate legal agreement, create sufficient new rich wildlife habitat off-site to achieve the required % biodiversity net gain. Such off-site land must not presently be rich wildlife habitat, and such land must have clear proposals for its creation, maintenance for a period of at least 30 years, and where appropriate details of future public access. East Cambridgeshire will produce either alone or with neighbouring authorities a local Nature Recovery Strategy with a list of priority biodiversity opportunity areas. In the absence of such a published list, off-</p>	<p>Partially support, though note NEV-67, and also the need to avoid conflict or confusion with NE6.</p> <p>Preparation of a local Nature Recovery Strategy is a matter separate to this SPD.</p>	Amend NE7 to incorporate the principle of hierarchy identified in the representation.

		<p>site land should be located according to the following sequential hierarchy. Applicants will need to demonstrate how they have followed the hierarchy:</p> <ol style="list-style-type: none"> 1. Land within East Cambridgeshire district adjacent to strategically important biodiversity areas as identified in the Cambridgeshire Green Infrastructure Strategy (2011). These strategic areas include the Wicken Fen vision area, the Ouse Washes, Chippenham Fen, and Devil's Dyke. 2. Extensions to other nature-rich sites within East Cambridgeshire district, ideally within the parish or town where the development is located. 3. Land within East Cambridgeshire providing new habitats as stepping-stones between existing nature-rich sites, ideally within the parish or town where the development is located. 4. Land outside East Cambridgeshire, if it is within 5km of the development site, in the same landscape character area, and represents the closest or best opportunity to the development site. <p>For all other development proposals not covered by the above, the council will give considerable weight in favour of proposals which create new rich wildlife habitat but only if such provision forms part of delivering a wider net gain for biodiversity. <i>*defined as 100 dwellings of more, or 5ha of more for non-dwelling proposals</i></p>		
NEV-91	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts New Para 10.20	<p>Add <u>The strategically important biodiversity areas in East Cambridgeshire are shown in Figure 3.</u></p> <p>Add a map showing the strategically important biodiversity areas, possibly a map from the Cambridgeshire Green Infrastructure Strategy (2011), or a modified version of the map used in the Developing with Nature Toolkit, which the Wildlife Trust would be pleased to advise East Cambridgeshire DC about.</p>	Not strictly necessary, but potentially something which could be added to the website in due course	No change to SPD
NEV-92	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE8 Support	<p>11. Trees and Woodlands</p> <p>The Wildlife Trust supports this chapter and policy SPD.NE8, and in particular the references to ancient woodland, veteran trees and the 5 principles for new tree planting.</p>	Comments noted	No change to SPD (though changes proposed to this section via other comments)
NEV-93	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts Chapter 12 Support	<p>12. Landscaping and Biodiversity</p> <p>The Wildlife Trust fully supports this chapter and policy SPD.NE9, which aims to integrate nature friendly practices into the urban environment, including provision of breeding, foraging and sheltering habitat features to support a range of species that use the urban environment alongside people. We also fully support the inclusion of the example of the value of willow trees within a SUDs system.</p>	Comments noted	No change to SPD

NEV-94	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts NE10	<p>13. Taking the most appropriate opportunities</p> <p>The Wildlife Trust supports this chapter and policy SPD.NE10. We do however suggest that the policy wording is amended as follows, to reflect our suggested wording in chapter 10 and policy SPD.NE7:</p> <p>Policy SPD.NE10 – re-write third paragraph as below</p> <p>For strategic-scale developments* the applicant must consider the opportunity mapping data available on our website**, <u>the strategically important biodiversity areas as identified in the Cambridgeshire Green Infrastructure Strategy (2011) (the Wicken Fen vision area, the Ouse Washes, Chippenham Fen, and Devil's Dyke)</u> and if an opportunity area is highlighted which <u>one of these strategically important biodiversity areas</u> is on or near the application area, demonstrate how the proposal has <u>considered contributing to these areas</u> such an opportunity, to the degree it is reasonably able to do so.</p>	Whilst the Council has sympathy with the intentions suggested, it is considered that it would go beyond the legal ability of an SPD. As such, this suggestion will be reserved for any future Local Plan or other appropriate document. See also NEV 71	No change to SPD
NEV-95	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts	<p>14. Information to be submitted and making use of Toolkits</p> <p>The Wildlife Trust supports the inclusion of this chapter, which is helpful to potential applicants. We do however suggest that an additional section is added at the end covering the use of biodiversity calculators.</p>	Comments noted	No change to SPD
NEV-96	Bedfordshire Cambridgeshire Northamptonshire Wildlife Trusts New Para 14.14	<p>Biodiversity Calculators</p> <p>14.14 <u>There are a number of biodiversity calculators available for use. The Defra Biodiversity Metric 2.0 is one option that is currently being tested and continually refined (see chapter 10). An alternative is the biodiversity impact assessment calculator developed by Warwickshire County Council. This has been operational for a number of years, is tried and tested, and local partners in Cambridgeshire have adapted the list of habitats so they are appropriate for Cambridgeshire. The template for this biodiversity calculator is available from the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire.</u></p>	Agree	Amend text as per suggestion
NEV-97	Huntingdonshire District Council Comments	Huntingdonshire District Council are pleased to note that both SPDs take a very proactive stance to support the natural environment and encourage custom and self-build housing. Huntingdonshire look forward to working with East Cambridgeshire on any cross boundary projects that may arise.	Comments noted	No change to SPD
NEV-98	Reach Parish Council Support	Both supplementary planning documents, approach to the natural environment and, the Custom and Self-build housing SPD, were discussed at the Reach Parish Council meeting on the 4 th March 2020. The outcome of these discussions were that the council is in support and endorses both documents.	Comments noted	No change to SPD

NEV-99	National Trust Comments	The Trust has previously commented on the East Cambridgeshire Local Plan 2016-2036 (withdrawn) and related EiP Matters. Our concern at that time focused on Wicken Fen Nature Reserve and whether emerging Local Plan policy for biodiversity and green infrastructure took adequate account of cross boundary issues. Following the decision to withdraw the submission draft Local Plan those concerns remain in relation to the adopted Local Plan.	Comments noted	No change to SPD
NEV-100	National Trust Comments	We therefore welcome the publication of the draft Environment and Nature SPD which sets out current and emerging nature conservation priorities for East Cambridgeshire and will ensure that planning guidance supports the Council's vision for the natural environment. In commenting on the draft document we have used italicised text to highlight specific issues which in our view are not fully addressed, and where additional guidance would be helpful.	Comments noted	No change to SPD
NEV-101	National Trust Comments	By way of background, Wicken Fen National Nature Reserve is a designated SSSI, and an internationally designated SAC and Ramsar. It has been in the care of the National Trust since 1899 and comprises a mosaic of undrained fen, known as the Ancient Fen, reed bed and wet grassland. Today, the Trust owns and manages some 250 ha of land which supports nationally important populations of wetland birds, including large numbers of waterfowl, breeding waders and other scarce species such as bittern and marsh harrier, as well as many rare plant and insect species. The Trust's long term management plans for the Wicken Fen Vision Area extend southwards across a further 5,300 ha of land and will bring opportunities for access and habitat creation closer to proposed growth locations around Cambridge, including the planned New Town at Waterbeach and Cambridge East.	Comments noted	No change to SPD
NEV-102	National Trust Paras 1.2 – 1.4 Comments	We welcome the inclusion within the SPD of guidance relating to the recently adopted Local Nature Partnership (LNP) vision to 'double land for nature' by 2050 across Cambridgeshire, however we question whether it is sensible to exclude provision for green infrastructure from the scope of the SPD. In our view, it would be more helpful if the SPD took account of the wider benefits of habitat creation, and the relationship between access to multi-functional greenspace, place-making, and wellbeing. We note that the SPD includes several references to green infrastructure, and comment further on related issues below.	Comments noted, but in an attempt not to over complicated the SPD, green infrastructure is not included. Such infrastructure remains, of course, important, but the Local Plan and the 2011 Strategy referred to remain in place.	No change to SPD
NEV-103	National Trust Paras 2.19 – 2.21	It would be helpful to include reference to the Cambridgeshire Green Infrastructure Strategy (2011). The Strategy recognises the inter-relationship between biodiversity, well-being, and green infrastructure, and has been agreed by the	Comments noted – see above.	No change to SPD

		<p>Green Infrastructure Forum, of which East Cambridgeshire District Council and LNP partner organisations are all members. Emerging initiatives may in due course supersede the 2011 Strategy, nevertheless it ‘provides a valuable framework for considering strategic green infrastructure in East Cambridgeshire’ (paragraph 7.6.2, East Cambridgeshire Local Plan).</p> <p>The Green Infrastructure Strategy aims amongst other things to reverse the past decline in biodiversity and identifies a number of key strategic projects, one of which is the Wicken Fen Vision Area. Adopted Local Plan policies GROWTH 3 identifies the Wicken Fen Vision as a key infrastructure requirement and policy COM 5 (Strategic Green Infrastructure) supports projects which are consistent with the Green Infrastructure Strategy.</p> <p><i>This section of the SPD should take account of the Cambridgeshire Green Infrastructure Strategy (2011) and Local Plan Policies GROWTH 3 and COM5 as providing relevant policy context.</i></p>		
NEV-104	National Trust Para 3.1	<p>The Overarching Vision should set clear and ambitious targets for biodiversity and nature recovery and we welcome the commitment in draft policy to promoting an effective, functioning ecological network that links to wildlife rich sites in adjoining local authority areas. The Vision should also identify strategic priorities for nature conservation in East Cambridgeshire. In part, this should reflect priorities identified in the Cambridgeshire Green Infrastructure Strategy, referenced above, but it should also reflect emerging partnership initiatives which offer cross-boundary opportunities to deliver land-scale biodiversity gain for Cambridgeshire.</p> <p>We note that page 2 of the draft SPD highlights the importance of parts of the district for wildlife and protected sites, stating that ‘Wicken Fen is probably the best known, and home to all kinds of rare plants and animals’ and welcome recognition of Wicken Fen and its significance. We believe that a joint cross boundary approach is needed to bring forward the Wicken Vision Area and we support the work of Cambridge Past Present and Future (CPPF) and the Wildlife Trust aimed at creating a Nature Recovery Network for Cambridge within a 10km radius of Cambridge; details can be found here: https://www.cambridgeppf.org/Blog/a-nature-recovery-network-for-cambridge.</p> <p><i>The SPD Vision should support initiatives which build on the Cambridgeshire Green Infrastructure Strategy and promote a co-ordinated approach to help deliver a strategic cross-boundary Nature Recovery Network for the Cambridge sub-region.</i></p>	<p>Comments noted – see above.</p> <p>Preparation of a local Nature Recovery Strategy is a matter separate to this SPD.</p>	No change to SPD
NEV-104	National Trust Step by Step Guide (Table 1)	<p>The Recommended Approach to planning applications provided at Table 1 is helpful. We would endorse in particular the need for design to take account of context and wider landscape and ecological networks, and for applicants to implement appropriate management and monitoring measures, as advised at Steps</p>	<p>Comments noted, but the council prefers to avoid s106 off site contributions as much as possible.</p>	No change to SPD

		<p>4 and 9 respectively. We also welcome recognition that management and monitoring may require a long-term approach.</p> <p>However, we question whether the use of Section 106 contributions to assist in the delivery of a nearby project should be considered 'exceptional'. In our view, contributions to appropriate off-site projects can be a very effective way to achieve biodiversity gain and can deliver significant benefit to local communities, indeed draft policy SPD.NE7 makes provision for this.</p> <p><i>S106 off-site contributions may be justified where development impacts on SSSIs, CWSs and future Nature Recovery Network sites and should not be regarded as an 'exceptional' measure.</i></p>		
NEV-105	National Trust Para. 5.3	<p>Development inevitably gives rise to a range of off-site impacts and these often include visitor related impacts on wildlife habitats and biodiversity. We note that the potential impacts listed at paragraph 5.3 is not comprehensive, and that policy SPD.NE1 addresses this issue at internationally designated sites, however, recreation impacts are not confined to such sites should be included as an issue which may arise elsewhere.</p> <p><i>The SPD should identify potential recreational/ visitor impacts at paragraph 5.3.</i></p>	Recreational pressure is already listed at 5.3 table	No change to SPD
NEV-106	National Trust NE1 Support	<p>We support the approach set out in Policy SPD.NE1: Conserving and Enhancing Biodiversity - Internationally Designated sites; in particular we are pleased to see the inclusion of access and visitor management measures in the list of potential impacts requiring mitigation.</p>	Comments noted	No change to SPD
NEV-107	National Trust NE3 Comments	<p>Draft Policy SPD.NE3: Recreation pressure on the designated sites of Devil's Dyke and Breckland refers to the Cambridgeshire Green Infrastructure Strategy (2011 or successor document) in setting out the Council's approach to mitigating recreation impacts from development, but this only addresses the issue at the specified sites. We are pleased to note that Table 2 (page 20) identifies Natura 2000 site vulnerabilities and includes disturbance and Recreational pressures amongst potential impacts that could arise at Wicken Fen. We welcome recognition of this vulnerability which is consistent with the findings of a recent study of recreational activity at Wicken Fen; the study was conducted by Footprint Ecology and their report is attached with this consultation response. In our view the SPD should take a consistent approach to all designated Natura 2000 sites where there is a known vulnerability.</p> <p>The Footprint study indicates that the growth in visitor numbers originating from locations in both South and East Cambridgeshire at Wicken Fen is likely to be significant. Whilst our strategy for the Reserve area makes reasonable provision for increased visitor numbers, the new car park capacity at the main entrance does not fully address the scale of predicted visitor use across the site. The comments made in respect of Wicken Fen at paragraph 6.37 are therefore misleading; it would be</p>	See NEV-167 comments	See NEV-167 comments

		<p>more correct to state that the Trust's long-term management strategy for the Vision Area aims to alleviate the growing pressure on vulnerable habitats within the SSSI, and to better protect areas at risk from the effects of trampling and other harmful activities. However, it is important to bear in mind that this remains a long term ambition and can only be delivered with the support of landowners and others.</p> <p><i>SPD policy should therefore include a policy which makes provision for mitigating potential recreation impacts at Wicken Fen arising over the Plan period. In our view developers should consider, and where appropriate contribute towards, mitigation measures which are necessary to alleviate the impact of recreational use likely to arise from development. We would welcome further dialogue with the Council and Natural England, with a view to identifying development locations likely to present a risk.</i></p>		
NEV-108	National Trust NE6 Comments	<p>We welcome the approach to securing biodiversity net gain but consider that a 'significant gain' should be defined, and that there is broad support for a measurable 20% net gain in biodiversity across Cambridgeshire.</p> <p><i>The SPD should set a target 20 % net gain requirement in policy, consistent with the LNP's Vision and the Council's support for the LNP's target of doubling land for nature by 2050.</i></p>	Comments noted, but it is beyond the scope of an SPD to be so specific.	No change to SPD
NEV-109	National Trust NE7	<p>We support the approach to ensuring that strategic scale development proposals contribute to the target of doubling land for nature set out at Policy SPD.NE7. For clarity, we suggest that a reference to Section 106 contributions is included under requirement (B).</p> <p>The National Trust is committed to working with landowners and others in driving forward delivery of the Wicken Fen Vision area as part of a 'Nature Recovery Network' and we are currently considering suitable candidate sites for inclusion under the provisions of this policy.</p>	Comments noted	No change to SPD
NEV-110	National Trust NE8	<p>We welcome the broad approach to trees and woodland set out in this policy, however we consider that policy for new trees and woodland should refer to proposals for a Nature Recovery Network and provide a stronger steer towards creating new woodland which links to existing woodland, green corridors, and similar habitat creation schemes. To optimise the carbon storage benefits of woodland planting the policy should facilitate a strategic approach to such schemes consistent with potential opportunities identified in other policies.</p>	<p>Comments noted, but the ask sought goes beyond the scope of the SPD.</p> <p>Preparation of a local Nature Recovery Strategy is a matter separate to this SPD.</p>	No change to SPD
NEV-111	National Trust NE9	<p>We welcome the approach to landscaping and biodiversity set out in this policy, however we consider that the policy should refer to district wide ambitions for nature recovery and net gain and provide a stronger steer towards creating new habitat which links to existing green infrastructure and contributes to habitat creation targets. It should also cross reference related policy, notably policies</p>	Comments noted, but the ask sought goes beyond the scope of the SPD.	No change to SPD

		SPD.NE7, 8 and 10, and facilitate a strategic approach to biodiversity gain and carbon sequestration in landscaping schemes.		
NEV-112	National Trust NE10	We welcome the approach to natural environment opportunities set out in this policy, however we consider that the policy should refer to wider ambitions for nature recovery and net gain and provide a stronger steer towards creating new habitat which links to existing green infrastructure and contributes to habitat creation targets. It should also cross reference related policy, notably SPD.NE7, 8 and 9, and facilitate a strategic approach to biodiversity gain in landscaping schemes. <i>Read together, Policies SPD.NE7, 8, 9 and 10 should facilitate a strategic approach to biodiversity requirements and developer contributions to priority habitat creation schemes.</i>	Comments noted, but the ask sought goes beyond the scope of the SPD.	No change to SPD
NEV-113	National Trust	In conclusion, we believe the publication of the draft SPD provides an opportunity to raise the scale of green space ambition for East Cambridgeshire. In responding to this consultation we have focused on the special significance of Wicken Fen SSSI and Nature Reserve, and on the Trust's long term strategy for the wider Vision area. A plan of Wicken Fen and the Vision Area is attached and further information is available if required.	Comments noted	No change to SPD
NEV-114	Gladman Developments Ltd. Comments	Gladman take the opportunity to remind the Council that SPDs cannot be used as a fast track mechanism to set policies and should not be made with the aim of avoiding the need for examination or reinventing existing planning policy which should be examined. SPDs are not subject to the same degree of examination and consultation as policies contained in Local Plans and therefore should only provide additional guidance to those bringing forward development proposals across the District. The NPPF 2019 confirms this where it defines SPDs as: "documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material planning consideration in planning decisions, but are not part of the development plan." The role of the SPDs should therefore be to provide guidance on existing planning policy contained in the adopted Development Plan. It is important to note that this does not present an opportunity to reinvent the existing planning policies contained in the local plan.	Comments noted	No change to SPD
NEV-115	Gladman Developments Ltd.	Gladman note that the relevant policy in the adopted East Cambridgeshire Local Plan is Policy ENV7 (Biodiversity and Geology). The introduction to this SPD at paragraph 4.1 notes that " <i>the rest of this SPD sets out a wide range of policy requirements, guidance, suggestions and links to other documents.</i> " Similar to comments made to the draft Self Build and Custom Build Housing SPD Gladman reiterate that whilst it is important that this SPD refers to existing policy	Comments noted	No change to SPD

		requirements it is critical that this document is not itself seeking to create policy. Instead the SPD should be providing additional guidance to policy which already exists and has been tested through the Local Plan examination process.		
NEV-116	Gladman Developments Ltd. Para.10.13	Part 10 of the draft SPD refers to biodiversity net gain and makes reference to the NPPF paragraphs in relation to this as well as guidance set out in the PPG and also the January 2020 Environment Bill. Gladman are supportive of the national policy context being provided in the SPD and the inclusion of the relevant references within this SPD. Gladman specifically note paragraph 10.13 of the consultation document which states “ <i>With some uncertainty over the Environment Bill (and the subsequent Act), the final version of this SPD will need to be updated to reflect the latest position.</i> ” Gladman agree that the final version of the SPD will need to reflect the latest position but also suggest that it should be flexible enough to respond to any changing circumstances in national policy and guidance.	Comments noted	The SPD will be updated to reflect the latest situation with the Environment Bill (it is at the time of writing at the ‘Committee’ stage, therefore some way of completing.)
NEV-117	Gladman Developments Ltd. NE6	Gladman note that within Policy SPD.NE6 the document sets out that only in exceptional circumstances, the Council may accept off site biodiversity net gain provided that: <ul style="list-style-type: none"> • it is not possible to provide significant net gains on site; • the overall net outcome is a significant net gain in biodiversity; and • a robust agreement is in place to deliver and maintain such off-site gains. Gladman welcome this exception to the general position and note that if off site mitigation provides the best opportunity for biodiversity gain, then the policy should be flexible enough to allow for this and it should not be ruled out from the planning application process.	Comments noted	No change to SPD
NEV-118	Gladman Developments Ltd.	Gladman submit that in relation to achieving biodiversity net gains that it is important that the long term impacts are considered taking into account that many of the measures provided as part of the development will need to mature beyond the build period.	Comments noted	No change to SPD
NEV-119	Cambridgeshire County Council	Geology The Cambridgeshire Geological Society is currently assessing the potential for sites across Cambridgeshire to be designated as Local Geological Sites, as well as undertaking other work streams on local geology. We therefore recommend they are consulted on this natural environment SPD to ensure that local geological interest is adequately considered.	Comments noted. The SPD consultation stage was open to all to make comments on it.	No change to SPD
NEV-120	Cambridgeshire County Council	Biodiversity Title page The photograph shows a family of Mute Swans. The Mute Swan is a very common species and therefore, we suggest it would be better to use the photo as an opportunity to showcase the important species / habitats that are found in East	Comments noted, but not deemed necessary. The SPD is not exclusively for ‘rare’ species.	No change to SPD

		Cambs. For example, East Cambridgeshire has internationally important sites for Bewick and Whooper swans (swans with yellow beaks).		
NEV-121	Cambridgeshire County Council Para. 2.6	We recommend that legal advice is sought as to the referencing of “The Conservation of Habitats and Species regulations 2017” because we understand it should be referred to as “ <i>The Conservation of Habitats and Species regulations 2017 (as amended)</i> ” in order to take account of subsequent changes.	Comments noted, but not deemed necessary.	No change to SPD
NEV-122	Cambridgeshire County Council Para. 2.11	An important aspect of achieving Biodiversity Net Gain is securing adequate management of the habitats to deliver the target condition of the habitats. Developments should therefore commit / be required to undertake management and monitoring of a BNG scheme until the target habitat conditions have been achieved. The length of time this will take will vary with the different habitats (see Defra 2.0 metric for example). There is an expectation from the government, set out in the example Environment Bill currently going through parliament, for development to undertaken at least 30 years management.	Comments noted.	No change to SPD
NEV-123	Cambridgeshire County Council Para. 2.21	Cambridgeshire County Council’s Climate Change and Environment Strategy has been adopted.	Comments noted.	Para 2.21 to be updated
NEV-124	Cambridgeshire County Council Para. 3.1	ECDC over-arching vision should include conservation (including enhancement) of non-statutory and statutory nature conservation sites and any associated function land. Paragraph 15 of NPPF requires “succinct and up-to-date plans”, and therefore we recommend that the ecological information upon which the SPD is based is also up-to-date. For example, the current County Wildlife Sites Register SPD was produced in 2010 and many sites haven’t received site assessments in the interim period – CWS should be assessed every 5 years to confirm whether or not they continue to be of county importance. The vision should also account for the conservation of species of importance, including priority species, notable species and Cambridgeshire and Peterborough Additional Species of Interest.	Comments noted, but these are matters for other documents. There is also no need for the vision to set out such species.	No change to SPD
NEV-125	Cambridgeshire County Council Para. 3.1b	The County Council recommend reference is made to the Cambridgeshire & Peterborough Habitat Opportunity Mapping work undertaken by Cambridgeshire and Peterborough Biodiversity Group, for which ECDC is a partner organisation – http://www.cpbiodiversity.org.uk/opportunity-mapping .	Agree	Add new para at 13.3, which provides a link to the opportunity mapping report.
NEV-126	Cambridgeshire County Council Table 1	Step 2 – the County Council Biodiversity Checklist is out-of-date because it doesn’t take into account Biodiversity Net Gain.	It is acknowledged that various checklists will need to be	No change to SPD (other than changes as a

		<p>We therefore recommend that ECDC develop their own Biodiversity Checklist, which is specific for the area of the plan, with specific section on Biodiversity Net Gain (or requirement to undertaken BNG assessment using Defra 2.0 metric). The following resources may be of assistance:</p> <ul style="list-style-type: none"> - CIEEM / ALGE have produced an Ecological Impact Assessment checklist, that could also be used - https://cieem.net/wp-content/uploads/2019/11/EcIA-Checklist.pdf - Biodiversity in Planning have produced a free online Wildlife Assessment Check for householders and small-med developers to check whether they will need expert ecological advice before submitting a planning application - https://www.biodiversityinplanning.org/wildlife-assessment-check/ <p>We also recommend that developments are encouraged to complete the Cambridgeshire & Peterborough Local Nature Partnership's Developing with Nature Toolkit. The document is targeted towards major developments - https://naturalcambridgeshire.org.uk/projects/developing-with-nature-toolkit/. A complimentary document for smaller-scaled developments is currently being developed.</p>	continuously renewed, but not appropriate for ECDC to 'go it alone' and prepare its own checklist. The latter two weblinks are already included in section 14	consequence form other representations)
NEV-127	Cambridgeshire County Council Table 1 Support	<p>STEP 6. We support the requirement for post-development management and ecological monitoring until the target habitat / species / green-space has achieved a satisfactory establishment. This is likely to take significantly longer than 5 years. It would be beneficial to work with the Local Nature Partnership and Local Authority ecologists across Greater Cambridgeshire to create a set of agreed management times for different habitat types etc. that can be applied consistently throughout the Cambridgeshire and Peterborough. As a starting point, the Environment Bill (currently going through parliament) demonstrates the government expectation of at least 30 years management.</p>	Comments noted.	No change to SPD
NEV-128	Cambridgeshire County Council NE1	<p>Policy SPD.NE1 is supported, particularly in relation to ensuring alternative greenspace to reduce potential impact of recreational pressure. It is recommended that a detailed assessment of recreational pressure on wildlife sites be undertaken to identify what would be deemed to be acceptable levels of increased visitor numbers on these sites and appropriate level of mitigation / compensation.</p>	Comments noted.	No change to SPD
NEV-129	Cambridgeshire County Council NE2 Support	<p>Policy SPD.NE2 is supported and welcome the requirement of HRA AA for development within Goose and Swan IRZ. Consideration should also be given to development outside of the Goose and Swan IRZ, which could potentially affect it, such as air, noise or light pollution. Reference to Conservation (of Habitats and Species) Regulations 2010 (as amended) should be updated to reflect the latest changes to legislation.</p>	Comments noted.	Regulations to be updated (as per earlier comments)

NEV-130	Cambridgeshire County Council NE3 Support	Policy SPD.NE3 is supported. We welcome consideration of recreational pressure on international sites. As previously stated, it is recommended that a detailed assessment of recreational pressure on wildlife sites is undertaken.	Comments noted. See NEV-167 comments	No change to SPD
NEV-131	Cambridgeshire County Council Para. 7.9	We support the proposal to consider recreational impact on SSSIs and, as stated above, seek that ECDC undertakes a detailed assessment of potential impact of development on all national designation sites.	Comments noted. See NEV-167 comments	No change to SPD
NEV-132	Cambridgeshire County Council NE4	Policy SPD.NE4. We are disappointed that the policy for local wildlife sits does not go further than local plan policy ENV7. There appears to be no mitigation hierarchy applied (avoid, mitigate, compensate) or mechanism to ensure any loss of adverse impact on a locally important site is compensated through ENV7. This is particularly concerning given ECDC's commitment to Natural Cambridgeshire (Local Nature Partnership's) 'doubling nature' and reversing the biodiversity decline. We therefore seek that SPD.NE4 be reviewed and require development to avoid impact on a designatory feature and where this is not possible, adequate mitigation is undertaken. Any residual impact on these local sites should be adequately compensated.	An SPD is not permitted, in law, to 'go further' than a Local Plan. The Local Plan adequately already addresses these issues.	No change to SPD
NEV-133	Cambridgeshire County Council NE5	Policy PD.NE5. We are disappointed that the policy only includes Protected Species. Given the scale of biodiversity decline, ECDC commitment to doubling nature and the LPA's statutory requirement to have due regard to the conservation of species / habitats of principle importance under NERC Act (as well as stronger requirements under the emerging Environment Bill), we would recommend that greater consideration is given to the protection of priority habitat / species and locally important habitats / species through this SPD. We therefore seek that priority species or habitats and locally important species / habitats (including red-list species and species on the Cambridgeshire and Peterborough Additional Species of Interest and local BAP habitats) be included within Policy PD.NE5. Where a development has the potential to impact on priority or locally important habitat / species, an adequate level of survey work and assessment of impact should be undertaken. New developments should seek to provide priority habitat and/or habitats that will support the entire lifecycle of priority / locally important species. As an example, we would refer ECDC to SCDC's local plan policy NE/6.	An SPD is not permitted, in law, to go further than a Local Plan.	No change to SPD
NEV-134	Cambridgeshire County Council NE6	Policy SPD.NE6 Biodiversity Net Gain is supported but we seek that further clarification is given to confirm what level of Biodiversity Net Gain is considered to be 'measurable'. In the Government's Environmental Bill (currently going through parliament) a 10% Biodiversity Net Gain is required for development. While this is a good baseline nationally, it doesn't reflect that Cambridgeshire and Peterborough have a more impoverished natural environment than most of England.	An SPD is not permitted, in law, to 'go further' than a Local Plan. Setting a 20% target would do so. ECDC hopes that	No change to SPD

		<p>Consequently local authority ecologists and Wildlife Trust agree that a 20% BNG target should be better.</p> <p>Defra's 2.0 metric for calculating BNG is weighted towards schemes that deliver strategic nature conservation benefits and therefore, it would be helpful if as part of East Cambs Natural Environment SPD that these strategic objectives are clearly set out. This will help to provide the maximum benefit of Biodiversity Net Gain to deliver high quality nature conservation habitats, rather than seeking a swathe of habitat of moderate value that is quick and easy to create (which can score higher using the metric compared to high quality habitats that are complex to create and require long management periods). Consideration should be given to:</p> <ul style="list-style-type: none"> - delivering specific habitats in as specific location / corridor, such as using Habitat Opportunity Mapping or linking with strategic sites such as Wicken Fen or Ouse Washes compensation habitat - identifying habitats that ECDC consider are priorities for restoration, enhancement or expansion - identifying habitats that will support priority / locally important species that ECDC consider are priorities for restoration, enhancement or expansion <p>We also suggest that ECDC considers a mechanism for schemes that cannot deliver 20% BNG to contribute to strategic nature conservation objections, for example through a planning obligation.</p>	the policy will be short lived, because the Environment Act will hopefully establish legal minimum net gain requirements.	
NEV-135	Cambridgeshire County Council NE7	<p>SPD.NE7 is supported and welcome the call for candidate sites for habitat creation. The schemes should include a sufficient period of monitoring and management to achieve target habitat conditions.</p> <p>It is suggested that perhaps smaller schemes are also able to contribute to biodiversity enhancement/ creation scheme, such as fund the management and monitoring of existing wildlife sites (e.g. County Wildlife Sites) or great a funding stream for local community projects.</p>	Comments noted	No change to SPD
NEV-136	Cambridgeshire County Council NE8	<p>SPD.NE:8 is supported but would like to see protection expanded on Traditional Orchards and hedgerows, which are priority habitats. Traditional orchards are particularly susceptible to being grubbed out and therefore, better protection of these sites should be secured.</p>	It is agreed that orchards are an important feature, and are at risk, but this SPD cannot in any way grant them some form of special protection.	No change to SPD
NEV-137	Cambridgeshire County Council NE9	<p>SPD.NE9. is supported. We suggest that planting schemes are designed to be resilient to climate changes.</p>	Comments noted	No change to SPD

NEV-138	F P McCann Ltd.	As an established business and a significant employer, located in Littleport, we have serious concerns with the draft supplementary policy which has recently been circulated for public comment. We are also disappointed that our Company was not directly consulted on the proposed document, particularly as we have recently submitted a planning application on lands which may be affected by the proposed policies. We would highlight that application 20/00232/FUM was received by the Council before public consultation on this document commenced. Our concerns in relation to the draft SPD are as follows:-	All individuals, business and organisations on our consultee database were consulted, and the SPD advertised so that anyone can comment. We can only directly consult those who have given us their consent to be consulted (for GDPR reasons).	
NEV-139	F P McCann Ltd. NE1	<p>This policy should be more specific on the term 'suitable alternatives'. For example does this relate to alternative sites within the administrative boundaries of ECDC only and, if so, should it only consider alternative sites which have been already allocated for the proposed use?</p> <p>The list of acceptable mitigation measures contained within this draft policy is extensive and, in our view, unrealistic. These mitigation measures place a significant emphasis on visitor access to designated site and general recreation. As the SPD seeks to protect the integrity of designated sites, we would question how the provision of new/alternative recreational routes may serve to achieve this aim. The mitigation measures proposed by this policy will require applicants to secure significant additional lands and they will also require consent from numerous third parties in most cases. These measures will be difficult, if not impossible to achieve in many instances, creating considerable difficulties for applicants. It is plausible that these mitigation requirements may ultimately preclude the development of lands which have already been assessed and deemed to be suitable within the Local Plan.</p>	It is not possible to define 'suitable alternatives' as it depends on the nature of the proposal, but it doesn't always follow that it would be confined to district boundaries. We appreciated the challenges set by the policy, but this is for the benefit of protecting land which has been designated at the highest level – internationally important.	No change to SPD
NEV-140	F P McCann Ltd. Table 2	Looking specifically at the Ouse Washes Natura Site, Table 2 identifies pressures and threats from hydrological change as a result of water pollution and flooding. It also refers to effects of flooding on the availability of food for wintering waterfowl. Critically, the table makes no reference to any impact as a result of habitat loss through the development of greenfield sites. On this basis, it would seem that there is no rational link between the identified threats and the imposition of the Swan and Goose IRZ as is proposed by SPD.NE2.	Para 6.29-6.33 addresses these points	No change to SPD

NEV-141	F P McCann Ltd. NE2	<p>Draft policy NE2 provides our primary cause for concern in relation to the SPD, simply because it does not differentiate between allocated and un-allocated lands. We have purchased a significant parcel of land adjacent to our existing operations at Littleport with a view to facilitating expansion in the years ahead. These lands were strategically acquired because they have been identified for industrial/employment uses with the Local Plan. Clearly the value of these lands is also directly linked to allocation LIT 4 of the Local Plan and a significant investment has been made by our Company on the basis of this allocation.</p> <p>Critically, the East Cambridgeshire Local Plan 2015 undertook its own detailed ecological assessment of these lands and deemed them to be suitable for employment uses. Admittedly, the Local Plan was adopted almost 5 years ago but the Natura 2000 sites listed within the SPD were recognised at that time and were given due consideration by the Plan.</p> <p>To address these concerns, we suggest that draft policy NE2 should be re-worded to exclude all greenfield sites which currently benefit from an allocation within the prevailing Local Plan.</p>	<p>This request is not possible. Whilst land is allocated for development in principle, it does not follow that such land will, in all instances, be developable. This is especially the case as evidence evolves and site specific issues become known. It would be unlawful to set (or implement) a blanket exemption from European and National habitat law, on the basis that a site was allocated for development in a Local Plan.</p>	No change to SPD
NEV-142	F P McCann Ltd. NE6	<p>Whilst the main thrust of NE6 is welcomed, a better definition of what would be considered acceptable in terms of biodiversity gain is required. The current wording of this policy is highly subjective, effectively giving the Council and its consultees no set parameters to work within. Whilst the policy lists some measures which may be considered acceptable, more detailed direction should be provided in the form of a list showing the minimum acceptable requirements for each development type.</p> <p>In our view, the proposed policy is too vague on this issue and this will lead to significant problems as applications are assessed. The policy explains that minor gains will not be acceptable and most applicants will already be aware of this. However a sizeable gap exists in the wording of this policy between the term 'minor' and 'significant'. Use of the term 'significantly' provides no ceiling or upper limit to what may be requested by the Council or its consultee on this issue. This will create major uncertainty for applicants and in some cases it will bring the validity of development proposals into question.</p> <p>The correct this, and to remove this uncertainty for applicants, this draft policy should include a concise set of acceptable parameters which are specific to development and scale. Depending on these parameters it may also be necessary</p>	<p>ECDC hopes that the policy will be short lived, because the Environment Act will hopefully establish legal minimum net gain requirements. In the meantime, a flexible policy is intended to help what is already national NPPF policy (which itself does not have clearly defined parameters as requested)</p>	No change to SPD

		to update and amend Local Plan allocations to accommodate these additional biodiversity requirements.		
NEV-143	F P McCann Ltd. NE7	<p>Draft policy NE7 is not closely aligned with Local Plan policy ENV 7 because this proposed policy relates only to development proposals which are of a strategic scale.</p> <p>At a fundamental level, the proposed requirement to set aside 20% of a strategic site's area for habitat creation was not considered in the Local Plan. It follows that the allocations within the current Local Plan have not provided for this requirement. The proposed policy, if implemented, would result in a minimum of 1Ha being removed from non-residential allocations. For residential developments, the impacts are likely to be greater still, significantly reducing the amount of land available for much needed housing.</p> <p>We wholly support the concept of providing additional land for nature but this can only be achieved by accounting for it at a more strategic level, when the Local Plan is updated. The 20% target proposed here cannot be rigidly applied to potential developments sites which are allocated under the current Local Plan. To attempt to apply this policy without first updating the Local Plan would seriously undermine the existing allocations and would prejudice the development management process for applicants of strategic development proposals.</p> <p>We submit that this policy should not be adopted until such times as the Local Plan has been updated to allow for these additional biodiversity requirements.</p> <p>Alternatively, this draft policy should be reworded to ensure that the additional 20% may be provided on lands which are beyond the boundary of the application site and outside the Local Plan allocation boundary.</p>	Agree to a certain degree, though it must be remembered that the Local Plan already includes policy ENV7. Nevertheless, and reflecting the legislative restrictions placed on SPDs, amending the opening sentence to make it clear that the requirements in NE7 are options only.	Amend SPD (see NEV-67)
NEV-144	F P McCann Ltd.	In our view, the draft SPD is not fit for purpose and in some respects it would undermine the current Local Plan as outlined above. I trust that these comments will be given due consideration but should you require any further clarification on these points then please do not hesitate to contact me at this office.	Comments noted	No change to SPD
NEV-145	Cambridge Past, Present & Future Support	<p>Cambridge Past, Present & Future has considered the consultation document and has the following comments to make:</p> <ul style="list-style-type: none"> • As a charity we do not operate across all of the East Cambridgeshire area, our main concern is the area closest to Cambridge. However we are a member of the Local Nature Partnership and support the wider efforts across the county to help restore nature. • We welcome the council's stated commitment to the natural environment and the production of this SPD in order to achieve that. • We are strongly supportive of the overarching vision and the aim of doubling nature. 	Comments noted	No change to SPD

		<ul style="list-style-type: none"> • We strongly support the step-by-step guide which we think is really good. • We strongly support policies SPD.NE1, SPD.NE2 and SPD.NE3. • We strongly support the approach set out in section 7 for nationally important sites. <p>We strongly support the approach set out in section 8 for locally designated sites, including policy SPD.NE4</p> <ul style="list-style-type: none"> • We strongly support the approach set out in section 9 for protected species, including Policy SPD.NE5 • We strongly support the approach set out in section 10 for biodiversity gain and doubling nature, including policies SPD.NE6 and SPD.NE7. <p>We strongly support the approach set out in section 11 for Trees and Woodland, including Policy SPD.NE8.</p> <ul style="list-style-type: none"> • We strongly support the approach set out in section 12 for Landscaping & Biodiversity, including Policy SPD.NE9. • We strongly support the approach set out in section 13 for taking the most appropriate opportunities, including Policy SPD.NE10. • We strongly support the approach set out in section 14 for information to be submitted and toolkits, including Policy SPD.NE11. 		
NEV-146	Natural England Support	Natural England is strongly supportive of the preparation of this comprehensive SPD and its commitment to producing a document with strong ambitions for the natural environment to support the adopted local plan policies. We welcome recognition of the importance of East Cambridgeshire’s valuable wildlife resource and the need to protect and enhance the ecological network to enable wildlife to flourish, particularly in light of climate change. It would be helpful if this could highlight that biodiversity decline, through habitat loss and fragmentation, requires significant enhancement of the ecological network, and the wider green infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.	Comments noted, and agree such text would be helpful in section 3.1	Add additional text at start of the box at 3.1, as per for the footnote below ⁴
NEV-147	Natural England Support	We also support the key aims of the SPD to provide guidance on policy requirements to deliver biodiversity net gain and meet Habitats Regulations Assessment (HRA) requirements and to set the Council’s position on the Cambridgeshire Local Nature Partnership (LNP) vision to Double Nature by 2050.	The issues and benefits identified are not disputed, but to keep this SPD	No change to SPD

⁴ Insert into the box at page 12, under para 3.1: “East Cambridgeshire District Council recognises the importance of East Cambridgeshire’s valuable wildlife resource and the need to protect and enhance the ecological network to enable wildlife to flourish, particularly in light of climate change. It is acknowledged that biodiversity decline, through habitat loss and fragmentation, requires significant enhancement of the ecological network, and the wider green infrastructure network, to repair and re-connect habitats, to buffer more sensitive sites and to make these more resilient to growth and development pressures.”

		<p>However, we feel that this should be promoted in the context of the need for a more robust and resilient green infrastructure network. Paragraph 1.3 indicates that the SPD is not intended to address green infrastructure, noting that this may be addressed through a future document. This being the case it is crucial nonetheless that the ecological network is seen as part of the wider green infrastructure network. Creation and maintenance of a high quality and multi-functional strategic green infrastructure (GI) network is essential to the maintenance of a robust and resilient ecological network through:</p> <ul style="list-style-type: none"> • Habitat creation to buffer, enhance and connect habitats including designated sites; • Creation of new and enhanced accessible open space to meet people's recreational needs and to divert pressure away from more sensitive habitats and designated sites. <p>The SPD should reference this and set out the multi-functional benefits that protecting and enhancing the natural environment will deliver, in addition to wildlife enhancement. The SPD should include policy requirements for relevant development to deliver green infrastructure including BNG that will contribute towards the strategic and target areas of the Cambridgeshire Green Infrastructure Strategy (Cambridgeshire Horizons, 2011). Protecting and enhancing the existing green infrastructure network, including designated sites and supporting habitat, will deliver a wide range of environmental services including landscape enhancement, protection of soils including peatlands, climate change mitigation and adaptation including carbon storage, increasing recreational and health and wellbeing opportunities for people, increased flood risk management, water resources and water quality.</p>	<p>manageable, GI was excluded. GI issues are an extensive and complex matter, and are not to be inserted into this SPD. The Council also has a desire that the Cambs wide GI be updated, rather than individual districts 'going it alone',</p>	
NEV-148	Natural England Comments	<p>Key issues for East Cambridgeshire's natural environment include the loss and degradation of peat soils and the need for accessible open space to meet people's recreational needs and reduce pressure on more sensitive designated sites. The SPD should highlight the importance of the district's peat soils as a significant carbon store, in helping to improve air quality and mitigate against climate change. We have provided further advice on this below. Natural England's advice on addressing the effects of recreational pressure on the natural environment is detailed and in Annexes A and B.</p>	<p>We are aware that the Cambridgeshire Climate Commission has a particular focus on exploring the issue in respect of peat, as at present the evidence is not clear. Introducing a policy on peat, in an SPD, without it being regarded as a burden on development is</p>	No change to SPD

			also difficult. That said, the Council is aware of the issues and very much wants to act, where it can, to protect and regenerate peat soils. See also NEV-167 comments	
NEV-149	Natural England	Based on the above our key recommendation is that protection and enhancement of the natural environment should be set out in the context of the wider green infrastructure network and the strategic and target areas of the Cambridgeshire Green Infrastructure Strategy (Cambridgeshire Horizons, 2011). These should be included on a map within section 10 of the SPD. It would be helpful if the SPD could promote the need for a review and update of the Strategy in light of new information emerging through studies such as Cambridgeshire Biodiversity Partnership's Mapping Natural Capital and Opportunities for Habitat Creation in Cambridgeshire (May 2019).	For reasons above, this SPD is not focussing on GI, but the points raised in the representation are noted and something which the Council supports, in principle.	No change to SPD
NEV-150	Natural England	The SPD also provides an excellent opportunity to highlight the application to create a Cambridgeshire Fens Biosphere Reserve which will seek to reconcile the conservation of biodiversity with its sustainable use, for example by promoting development which results in net positive gain for nature. Cambridgeshire ACRE are working under the guidance of a multi-partner Steering Group, to submit an application to UNESCO for the fens to become a Biosphere. With the global status a UNESCO Biosphere would bring to the area and the wide partnership coordination it can enable, the future Fens Biosphere will add considerable value to LPA's key work in tackling climate change (through e.g. promoting best-practice, low-carbon farming and land- and water-management options); economic development (by increasing links between innovative research and local businesses, and helping to coordinate visitor-focused assets and promotion of fenland identity, its produce and products); creating community resilience (by providing Parish Councils and community groups with the tools to become climate resilient, water-wise and greener) and becoming more environmentally sustainable (the Fens Biosphere is identified as a key implementation mechanism for 'Doubling Nature;' as indicated in the Natural Cambridgeshire LNP's vision document, July 2019, adopted by East Cambridgeshire District Council and other LPAs in the area).	It is understood that such a designation would have no impact on planning matters. As such, it is not appropriate to emphasise it within this SPD. The merits or otherwise of the Biosphere are for separate discussion.	No change to SPD
NEV-151	Natural England Para. 2.4	Section 2.4, and subsequent reference to the Conservation of Habitats and Species Regulations, should be amended as follows:	Partially agreed, though the 2012	No change to SPD, other than

		The Conservation of Habitats and Species Regulations 2012 2017 (as amended)	Regulations do exist (albeit mostly superseded)	as per earlier change to update legislation
NEV-152	Natural England Para. 2.8	Section 2.8 – We suggest this section includes a note on the role of Competent Authorities, perhaps along the following lines: <i>“The Council has a legal duty as the ‘competent authority’ under the Habitats Regulations to protect European protected sites from the effects of development (both individually and in combination). The Council is the body that is responsible for undertaking a Habitats Regulations Assessment of its Local Plan and any individual planning applications. It is a legal requirement for the Council to consult Natural England for its views under regulation 64(3) when they are carrying out an appropriate assessment and to ‘have regard’ to any representations that Natural England may make. The Council makes a decision on whether individual planning applications can be lawfully granted”</i>	Agreed	Add a new para, after 2.8., as per suggested wording.
NEV-153	Natural England Para. 3.1 Support	Overarching Natural Environment Vision Natural England supports the Council's aims through planning, as set out in this section, to protect and enhance the ecological network including priority habitats and helping nature adapt to climate change. We welcome the proposed partnership approach to supporting delivery of strategic ambitions including the LNPs doubling nature vision and the emerging nature related objectives of the Ox Cam Arc project.	Comments noted	No change to SPD
NEV-154	Natural England Para. 3.1 Comments	Our only significant comment is that the vision should take a wider approach to the natural environment and incorporate additional aspirations to protect and enhance green infrastructure, geodiversity, local landscape and Best and Most Versatile land. Protecting and enhancing the remaining peat resource across the district, is particularly important as it provides a significant carbon store, in helping to mitigate against climate change, and the imminent threat to the fenland (including Cambridgeshire's) peat soils due to current land management practices, identified in Defra's 25 Year Environment Plan and the UK Peatland Strategy 2018 - 2040. Natural England advises that the policy requirements should promote the sustainable use and management of peat soils, to ensure their protection and minimise production of carbon emissions through their loss and degradation. Policy requirements should ensure that relevant development contributes to the enhancement of degraded fenland peat soils to deliver a wide range of environmental services including biodiversity, open space, flood risk and drainage benefits, in addition to helping to mitigate climate change. Useful reference could be made to the findings of the East Anglian Fens Peat Pilot Study when they emerge.	Comments noted, and the principles agreed, but see response to NEV-148	No change to SPD

NEV-155	Natural England Table 1 Comments	<p>Step by Step Guide Section 4 – Natural England supports the inclusion of the Step by Step Guide to make the process and information requirements clear to developers and applicants. We have the following suggestions:</p> <ul style="list-style-type: none"> • Step 1 – we suggest considering the inclusion of a hyperlink to the Developer Guidance on the GOV.UK website which includes useful guidance and links including to Natural England’s Discretionary Advice Service (DAS); • Step 2 – this should identify that relevant applications will need to be accompanied by an Ecological Impact Assessment (EclA) undertaken by a professional ecologist in accordance CIEEM guidelines1; • Step 3 – biodiversity net gain (BNG) will require surveys to be undertaken and a biodiversity calculator submitted with the application –perhaps this could be flagged in either Step 2 previously or as a specific requirement under Step 3; • With respect to BNG it would also be helpful to explain that planning applications should identify the habitats which are currently present and that the DEFRA Biodiversity Metric should be used to calculate losses and the biodiversity units required to demonstrate BNG. It would also be helpful if there was a hyper link provided to the Defra 2.0 metric; • Step 3 – we suggest that applicant’s should refer to Natural England’s Standing advice for protected species; • Step 6 – could refer to multi-functional Sustainable Drainage Systems (SuDS). 	<p>Step 1 – agreed</p> <p>All other suggestions, whilst noted, are either covered elsewhere or would make the simple step by step guide overly long.</p>	<p>After 2nd bullet in step 1 ,add this link https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals</p>
NEV-156	Natural England Para 5.3 Comments	<p>5.0 What sort of nature conservation measures will decision makers look for? We welcome inclusion of the table under bullet point 5.3 summarising the potential impact of development proposals. We would suggest giving recreational pressure its own bullet point, given the significance of this issue across Cambridgeshire. This could explain that recreational pressure impacts can include bird disturbance, soil compaction, eutrophication from external sources (e.g. dog faeces), damage and changes to the composition of sensitive habitats. We believe air pollution should also be mentioned, particularly transport related pollution impacts where development will lead to significant increases in traffic movements on new or existing roads within 200m of sensitive habitats.</p>	<p>Agreed. See also changes at NEV-77</p>	<p>Amend as per NEV-77 Plus, amend the last bullet to “...traffic (including air pollution) once...”</p>
NEV-157	Natural England	<p>Protecting the Most Valuable Sites: Internationally Designated Sites Natural England supports this section and recognition of the hierarchy of designated sites.</p>	<p>Comments noted</p>	<p>No change to SPD</p>

NEV-158	Natural England NE1 Comments	<p><i>Policy SPD.NE1: Conserving and Enhancing Biodiversity - Internationally Designated Sites</i> – we support this policy but would suggest the following amendments:</p> <p>“The highest level of protection will be afforded to international sites designated for their nature conservation importance. Proposals having an adverse impact on the integrity of such areas, either alone or in combination, that cannot be avoided or adequately mitigated to remove any adverse effect, will not be permitted other than in very exceptional circumstances. These circumstances will only apply where a Habitats Regulations Assessment has been undertaken and it has not been possible to conclude no adverse effect on integrity (either, alone or in-combination) and:</p> <p>(a) there are no suitable alternatives;</p> <p>(b) there are imperative reasons of overriding public interest; and</p> <p>(c) necessary compensatory provision can be secured.</p> <p>Development will only be permitted where the Council is satisfied that any necessary avoidance and / or mitigation measures are included to ensure there are no adverse effects on integrity either alone or in-combination. such that, in combination with other development, there will be no adverse effects on the integrity of international sites.</p> <p>Development proposals that are likely to, or have the potential to, have an adverse effect, either alone or in-combination, on European designated sites must satisfy the requirements of the Habitats Regulations (or any superseding similar UK legislation, post the UK leaving the EU), determining site specific impacts (which could be off-site as well as on-site) and avoiding or mitigating against impacts where identified. Mitigation may involve providing or contributing towards a combination of the following measures:</p> <p>(i) Access and visitor management measures within the designated site;</p> <p>(ii) Improvement of existing greenspace and recreational routes;</p> <p>(iii) Provision of alternative natural greenspace and recreational routes;</p> <p>(iv) Remove monitoring as this cannot be considered as mitigation</p> <p>(v) Other potential mitigation measures to address air pollution impacts e.g. emission reduction measures, on site management measures.</p> <p><u>Where avoidance or mitigation measures are necessary there is likely to be a requirement to undertake monitoring of the effectiveness of such measures</u> <u>Monitoring of the impacts of new development on European designated sites</u> to inform the necessary mitigation requirements and any future refinements of any mitigation measures;</p>	Agreed	Amend NE1 as per suggested text
NEV-159	Natural England Para. 6.13	Para 6.13 – we would suggest minor amendments to wording as follows:	Agreed	Amend as per suggestion

		<p>“Theoretically, any development proposal within East Cambridgeshire could be ‘caught’ by the need to undergo a HRA. However, the purpose of preparing a HRA is to determine firstly whether or not the proposal will have a likely significant adverse effect either alone or in-combination on the Natura 2000 site. If at this screening stage there is a likely significant effect then the appropriate assessments stage must be undertaken to determine if there will be an adverse effect on integrity, either alone or in-combination. Consequently, many small scale development proposals such as (e.g. a house extension within an urban area) would clearly not result in a likely significant adverse effect, and it would be nonsensical to go through the HRA process for such proposals”. It may be helpful to provide a flow chart for the HRA process in an Appendix to the SPD.</p>		(though excluding a flow chart)
NEV-160	Natural England Para.6.18	<p>Para 6.18 – it would be helpful if this paragraph made reference to the recently updated European site Supplementary Advice Packages (SAPs) available via this link (http://publications.naturalengland.org.uk/category/6490068894089216). The SAPs give more detailed information on the sites features and conservation objectives.</p>	Agreed	Add, before the last sentence in 6.18, “The following weblink also provides useful information on each site: [add link from left]”
NEV-161	Natural England Para 6.19 – 6.28	<p>Paras 6.19 - 6.28 – Natural England supports inclusion of the information in these sections including reference and links to the SSSI Impact Risk Zones (IRZs) information. Annex A to this letter provides Natural England guidance on assessing and mitigating recreational pressure impacts to SSSIs whilst Annex B includes a list of Cambridgeshire SSSIs to which the recreational pressure IRZ relates. Perhaps this information could be referenced in the SPD or included in an Appendix.</p>	See NEV-167 comments	See NEV-167 comments
NEV-162	Natural England Para. 6.23	<p>Para 6.23 could include reference to Natural England’s Discretionary Advice Service (DAS) which is available through the hyperlink provided in this section.</p>	Comments noted, but not necessary	No change to SPD
NEV-163	Natural England Para 6.25 - 6.27 Comments	<p>Para 6.25 - 6.27 – we suggest that the IRZs may be better explained along the following lines: The IRZs define areas of potential risk around each SSSI reflecting the sensitivities of the sites notified features and the zone of influence for potential impacts, such as hydrological, air quality and recreational pressure, associated with different types of development. The extent of the zone reflects the existence of a pathway for an impact to occur based on best available evidence. The zone of influence is dependent upon a range of local environmental factors and will vary between environmental effects, for example the zone of influence for air quality impacts associated with increased traffic is likely to smaller than that for recreational</p>	Not agreed. Para 6.20 is the place to explain what IRZs are. 6.26-28 are to illustrate some of the challenges in using them. The replacement text proposed does not do this	No change to SPD

		pressure. Detailed guidance on the use of Natural England's IRZs is available here. (https://magic.defra.gov.uk/Metadata_for_magic/SSSI%20IRZ%20User%20Guidance%20MAGIC.pdf)		
NEV-164	Natural England Para 6.29	Paragraph 6.29 – we would suggest amending this to read 'Ouse Washes Goose & Swan Functional Land IRZ'. The text could be reworded along the following lines: Natural England's Goose & Swan IRZ identifies land which is potentially functionally linked to sites designated for birds, based on survey data including a British Trust for Ornithology (BTO) research project. The term <i>functionally linked land</i> is used to describe an undesignated area lying beyond the boundary of a protected site, which is nevertheless used by the designated bird populations associated with the site. Such areas typically provide habitat for foraging or other ecological functions essential to the maintenance of the designated population. The Ouse Washes 'Goose & Swan' IRZ indicates the extent of potential functionally linked land for Ouse Washes Special Protection Area (SPA) qualifying bird species, particularly Bewick's and whooper swans. Since these areas are considered to be potentially functionally linked to the European site they require appropriate consideration under the Conservation (of Habitats and Species) Regulations 2017 (as amended) (the Habitats Regulations).	Agreed	Replace 6.29 with the suggested text.
NEV-165	Natural England NE2 Support	We generally support the wording of <i>Policy SPD.NE2: Proposals within the Swan and Goose Impact Risk Zone</i> , although we suggest the policy requirements, and those of the Habitats Regulations, apply to any development with the potential to have a significant effect SPA functionally linked land and thereby the Ouse Washes European site.	Comments noted	No change to SPD
NEV-166	Natural England Para. 6.32	Paragraph 6.32 - we would suggest re-wording as follows: Should a development proposal be captured by the above policy <u>planning permission is only likely to be refused where the applicant is unable to demonstrate that any adverse impact to functionally linked land can be adequately mitigated.</u> then it does not mean that development is likely to be refused as a consequence. It is likely that most land will not, following due investigation, be regularly used by qualify species (such as swans). However, as a precautionary measure, it will be necessary for this to be tested and confirmed at the project level HRA stage, <u>to demonstrate no adverse effect on the integrity of the Ouse Washes</u> in line with the above policy <u>and the requirements of the Habitats Regulations</u> .	Agree	Amend 6.32 as per suggested text
NEV-167	Natural England Paras 6.34 – 6.37	Paras 6.34 – 6.37 - we welcome discussion of the effects of housing development on designated sites through recreational pressure. We would suggest the focus of this, and Policy SPD.NE3 should be on SSSIs, indicating those which are also designated as European sites. In addition to Devil's Dyke SAC and Breckland SPA this should also include the Ouse Washes SPA, SAC and Ramsar site and Wicken	On the basis of Natural England's representations, when taken as a whole, including the new	Delete 6.34-6.37, and Policy NE3 and Diagram 1. Replace with

		<p>Fen Ramsar site, a component SSSI of Fenland SAC. This is in light of Natural England's recent review of the Cambridgeshire SSSI recreational pressure IRZ (please see Annex A and Annex B to this letter) and the findings and recommendations of the recent Footprint Ecology Visitor Survey² commissioned by the National Trust which predicts significant increases in recreational pressure to Wicken Fen and the Vision Area associated with development in South and East Cambridgeshire districts. It should be noted that visitors are not actively managed across all parts of these sites.</p>	<p>IRZs issued by Natural England, it is inappropriate for the SPD to attempt to reinterpret such national IRZ policy requirements. As such, sections 6.34-6.37, plus policy SPD.NE3 will be removed from the SPD. In their place, text (not policy) will be included which cross refers to the new IRZs and the likely need for most developments in the district (eg over 10 homes) in most areas of the district, will require an assessment of recreational pressure on relevant SSSI(s) and measures to mitigate adverse impacts e.g. alternative open space provision.</p>	<p>suitable text to cross refer to Natural England's <i>Cambridgeshire SSSI/ Recreational Pressure IRZ</i>.</p>
NEV-168	Natural England Para. 6.36	<p>Paragraph 6.36 indicates that by applying Policy GROWTH 3 requirements most development is not likely to result in a significant increase in recreational pressure on designated sites. The requirements include delivery of green infrastructure improvements identified in the Cambridgeshire Green Infrastructure Strategy and implementation of open space in accordance with Natural England's ANGSt. Natural England agrees that these requirements could go a significant way to mitigating the adverse recreational pressure effects of housing development subject to robust policy requirements for all relevant development. Our advice is that Policy SPD.NE3 should be amended to reflect our advice above and in Annex A to this</p>	See NEV 167	See NEV 167

		<p>letter, to ensure that relevant development will deliver adequate mitigation to address recreational pressure. Our advice is that the level of provision should be proportionate to the scale of development, for example 8ha /1000 population is advocated through the Suitable Alternative Natural Green Space (SANGS) guidance.</p> <p>http://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwix8--Jr8DXAhVIVhoKHQ2JBcsQFggtMAE&url=http%3A%2F%2Fwww.threerivers.gov.uk%2Fdownload%3Fid%3D23189&usq=AOvVaw0whWTqgOBiqNOCGxBNjHK-)</p> <p>Where appropriate, strategic development should be required to contribute towards delivering the Cambridgeshire Green Infrastructure strategic and target areas as far as possible.</p> <p>Please note that Natural England's <i>Cambridgeshire SSSI Recreational Pressure IRZ</i> should replace the 'assumed 8km zone of influence' referenced in Policy SPD.NE3 for Cambridgeshire SSSIs. The exception to this is Wicken Fen; Natural England proposes to set a bespoke recreational pressure IRZ for Wicken Fen based on the findings of the recent Footprint Ecology report, in liaison with the National Trust. We will provide further advice to the Council on this in due course. Chippenham Fen Ramsar, also a component SSSI of Fenland SAC is not currently considered to be at significant risk from recreational pressure, since access to most of the site is via permit only. The policy should reference Natural England's advice with regard to assessing and mitigating recreational pressure impacts, provided in Annex A and Annex B to this letter.</p>		
NEV - 169	Natural England Pages 28 and 29	Section 7 – Natural England welcomes this section on protecting nationally designated sites. However, we would suggest reference is made to the sites in East Cambridgeshire which have been identified as being at risk to the impacts of recreational pressure, listed in Annex B. Policy requirements to protect and enhance SSSIs, including through the effects of recreational pressure, should be included with Policy SPD.NE3 and in line with our advice above.	See NEV 167	See NEV 167
NEV- 170	Natural England Pages 33-38 Support	Reversing the Decline – a 'net gain' in biodiversity Natural England strongly supports inclusion of this section in the SPD.	Comments noted	No change to SPD
NEV- 171	Natural England NE6	<i>Policy SPD.NE6 Biodiversity Net Gain</i> - we welcome this policy and suggest it would be helpful to indicate the % amount of BNG that will be required i.e. will it be the minimum 10% proposed through the Environment Bill, or more than this to help contribute towards the Combined Authority's 'Doubling Nature' target. We note that this is addressed for strategic scale development through Policy SPD.NE7; however, a specific target for all other development is more likely to achieve delivery of anything but negligible BNG. It would also be helpful if the SPD could	An SPD is not permitted, in law, to 'go further' than a Local Plan. Setting a 20% target would do so. ECDC hopes that the policy will be short	No change to SPD

		<p>identify where off-site BNG will be targeted. We note and support the Wildlife Trust's advice on this matter, detailed in their comments on Policy SPD.NE7. In particular, we support their recommendation for the Council, potentially with neighbouring authorities, to prepare a local Nature Recovery Strategy to identify priority opportunity areas for delivery of BNG and contribution to the 'doubling nature' target. This would be based on the Cambridgeshire Biodiversity Partnership's Habitat Opportunity Mapping project, Cambridgeshire GI Strategy strategic area objectives; significant opportunities also exist for habitat creation and enhancement to buffer and connect existing habitats and designated sites within and beyond the boundary of East Cambridgeshire.</p>	<p>lived, because the Environment Act will hopefully establish legal minimum net gain requirements. It is unlikely any authority, even in a Local Plan, will be permitted to exceed targets in the Act. Preparation of a local Nature Recovery Strategy is a matter separate to this SPD.</p>	
NEV-172	Natural England	<p>The SPD could include a draft example of a planning condition relating to off-site net gain – see link here from NE BNG step by step guide Appendix 5 https://www.lichfielddc.gov.uk/downloads/file/1112/supplementary-planning-document-biodiversity-and-development. Policy should make it clear that BNG is not appropriate to address loss of irreplaceable habitats. Our suggested amendments are as follows:</p> <p>"In addition to the provisions set out in the Local Plan, all development proposals should contribute to and enhance the natural and local environment by firstly avoiding impacts where possible, where avoidance isn't possible minimising impacts on biodiversity and providing measurable net gains for biodiversity. If and when a nationally mandated mechanism to secure 'net gains' is introduced, then the following policy will not be implemented.</p> <p>In the absence of any nationally mandated mechanism to secure such 'net gains', the following policy applies:</p> <p>All development proposals (except householder applications – see below) must provide clear and robust evidence setting out:</p> <p>(a) information about the steps taken, or to be taken, to avoid and minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat,</p> <p>(b) the pre-development biodiversity value of the onsite habitat based on an up to date survey and using the Defra metric,</p> <p>(c) the post-development biodiversity value of the onsite habitat using the Defra metric; and</p> <p>(d) the ongoing management strategy for any proposals.</p>	<p>Agree to the amended text, though the Council can not insist at this stage to the use of the Defra metric</p>	<p>Amend the opening paragraphs of NE6, except, in both cases, state 'ideally using the Defra metric'</p>

NEV-173	Natural England NE7	<p><i>Policy SPD.NE7: Contributing to the strategic target of doubling land for nature</i> - we support this policy and would again suggest identification of areas for delivery, as discussed above. We welcome the approach to also ask for consultees to identify sites which may be available. Perhaps this could be extended to a wider formal 'Call for (Biodiversity) Sites' consultation as Greater Cambridge has done to inform preparation of the its revised Local Plan.</p> <p>We suggest consideration be given to combining policies NE6 and NE7.</p> <p>We are aware that the Wildlife Trust has made recommendations for amendments to this policy. Natural England is supportive of these.</p>	Comments noted, though amendments to the policy are needed for reasons raised elsewhere	No (additional) change to the SPD
NEV-174	Natural England NE8	<p><i>Policy SPD.NE8: Trees and Woodland</i> – we fully support this policy but would welcome inclusion of caveat wording regarding tree planting, perhaps within 'New Trees and Woodland' along the following lines:</p> <p>Planting of trees must be considered in the context of wider plans for nature recovery which seeks to increase biodiversity and green infrastructure generally, not simply planting of trees, and protecting / enhancing soils, particularly peat soils. Tree planting should only be carried out in appropriate locations that will not impact on existing ecology or opportunities to create alternative habitats that could deliver better enhancements for people and wildlife, including carbon storage. Where woodland habitat creation is appropriate, consideration should be given to the economic and ecological benefits that can be achieved through natural regeneration. Any tree planting should use native and local provenance tree species suitable for the location.</p>	Agreed.	Add the suggested text as a new second para to the policy, in the sub heading 'new trees and woodland'
NEV-175	Natural England Pages 39-41	<p>We also advise that the policy makes reference to Natural England and Forestry Commission standing advice on ancient woodland, ancient and veteran trees. (https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences)</p>	Agreed, though not in the policy	Add the suggested weblink within the middle of para 11.4
NEV-176	Natural England NE9	<p><i>Policy SPD.NE9: Landscaping and Biodiversity</i> – Natural England fully supports this policy, and the example of multi-functional SUDS, to integrate landscaping and biodiversity into development design to benefit wildlife and people. Our advice is that this policy should also promote the incorporation of sufficient area of high quality multi-functional green infrastructure within residential development, in accordance with Natural England's Accessible Natural Greenspace Guidance (ANGSt) detailed in 'Nature Nearby'. (https://webarchive.nationalarchives.gov.uk/20140605145320/http://publications.naturalengland.org.uk/publication/40004?category=47004)</p> <p>Appropriately designed and managed green infrastructure can provide a wide range of environmental services including biodiversity and landscape enhancements,</p>	The issues and benefits identified are not disputed, but to keep this SPD manageable, GI was excluded. GI issues are an extensive and complex matter, and are not to be inserted into this SPD.	No change to the SPD

		improved health and wellbeing, climate change mitigation through urban cooling, improved flood risk and drainage and opportunities for food production.		
NEV-177	Natural England NE10	<i>Policy SPD.NE10: Taking the most appropriate environmental opportunities</i> – we support the policy requirements for developers to demonstrate that the most appropriate opportunities have been considered for delivering natural environment infrastructure, including opportunities to connect habitat, support protected species and long-term maintenance considerations. We note the requirement for applicants of strategic scale development to consider the opportunity mapping data available on the Council’s website. Our advice is that the requirement should be for applicant’s to demonstrate proportionate contribution towards delivery of any nearby strategic and targets areas of the Cambridgeshire Green Infrastructure Strategy, as far as possible.	Comments noted, but the additional requirement sought is not possible via an SPD	No change to the SPD
NEV-178	Natural England NE11	Information to be submitted and making use of toolkits We support inclusion of this section and <i>Policy SPD.NE11: Provision of sufficient, suitable and robust information</i> . Section 14 / Policy SPD.NE11 should also include a requirement for relevant applications to submit a biodiversity calculator, preferably based on the Defra 2.0 metric or very similar.	Agreed – see earlier comments on this point	No (additional) change to the SPD
NEV-179	Natural England	We welcome recognition of the Council’s duty as a public body to have regard to conserving biodiversity through policy and decision making, under section 40 of the Natural Environment and Rural Communities Act 2006.	Comments noted	No change to SPD
NEV-180	Natural England	Annex A: Natural England guidance for assessing and mitigating the recreational pressure impacts of residential development to SSSIs within Cambridgeshire. The advice below is to highlight key points that Natural England would expect to be considered through the ecological impact assessment process for relevant development triggering the Cambridgeshire SSSI Recreation Pressure IRZs, available to view via www.magic.defra.gov.uk . The relevant SSSIs are listed in Annex B. Please note that this is not intended to provide comprehensive guidance to the Ecological Impact Assessment (EclA) process. Our advice seeks to encourage the application of a robust and proportionate approach to assessing and mitigating recreational pressure impacts in accordance with CIEEM best practice guidelines3. 3 CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester. Relevant planning applications Natural England advises that for the purpose of assessing recreational pressure impacts relevant planning applications could include the following types of	See NEV 167	Add this Annex as an appendix to the SPD, linked to the new text as per NEV 167

		<p>development where they fall within Natural England's Cambridgeshire Recreational Pressure IRZs:</p> <ul style="list-style-type: none"> • New dwellings (excluding replacement dwellings and extensions) • Houses in Multiple Occupancy (HMOs) • Student accommodation • Residential care homes and residential institutions (excludes nursing homes) • Residential caravan sites (excludes holiday caravans and campsites) • Gypsies, travellers and travelling show people plots <p>Screening and assessing potential impacts</p> <p>Natural England is unable to specify development thresholds; however, taking a proportionate approach we believe it should be possible for most proposals below 50 dwellings to be screened out for likely significant effect. If, in the opinion of the LPA, a smaller proposal closer to a SSSI(s) is considered likely to have significant effect, impacts should be assessed.</p> <p>Adequate justification should be provided to inform any decision to screen out potential recreational pressure impacts. Factors such as lack of formal car parking facilities or the availability of existing open space should be supported by appropriate evidence.</p> <p>The detailed assessment should take a proportionate but robust approach in accordance with CIEEM EclA guidelines. This will be particularly influenced by the scale and nature of the proposed development and opportunities to avoid recreational pressure impacts. Assessment of recreational pressure impacts should preferably be based on recent visitor survey data, to establish the baseline and to enable prediction of the likely increase in visitor levels associated with the development. The need for visitor surveys to inform the assessment will be dependent on a range of factors including the scale of development and the availability and reliability of any existing data. Natural England's advice is that a visitor survey should be undertaken for larger residential developments, particularly where significant cumulative impacts are likely, unless alternative evidence is available to adequately inform the assessment.</p> <p>Specific regard should be given to the SSSI special interest features and conservation objectives which can be found here. Natural England strongly recommends that the assessment is informed by advice from site managers regarding current visitor pressures to the SSSI(s) and the availability of habitat management and access control measures to manage existing and future levels of pressure.</p>		
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		<p>For SSSIs also designated as European sites the assessment will need to consider the sensitivity of the site qualifying features to the effects of recreational pressure. Reference should be made to the sites' Conservation Objectives and advice obtained through discussion with site managers.</p> <p>Avoidance and mitigation measures</p> <p>In accordance with the ecological mitigation hierarchy priority should be given, wherever possible, to implementing avoidance measures to address adverse impacts. Mitigation to address adverse recreational pressure impacts generally requires a package of avoidance and mitigation measures comprising delivery / contribution towards delivery of alternative greenspace to maximise avoidance of impacts by diverting new visitors away from the sensitive SSSI, together with SSSI access management measures, where required / available. However, appropriate mitigation measures should be determined by the findings of the assessment. Many accessible SSSIs across Cambridgeshire and Peterborough are already at recreational carrying capacity with limited potential for additional access management measures to deal with any increase in visitors. However, any opportunities for this should be discussed with site managers. With this in mind provision of sufficient quantity and quality of alternative accessible natural greenspace within or close to the development boundary is likely to be key to alleviating recreational pressure on SSSIs. Such provision can help minimise any predicted increase in visitors to designated sites by containing the majority of recreational activity within and around the development site boundary away from more sensitive sites, thus avoiding adverse impact.</p> <p>We advise that reference should be made to Natural England's Suitable Alternative Natural Green Space (SANGS) guidance which requires a quantum of SANGS at a rate of 8ha per 1000 population. Whilst this guidance is specific to the SANGS creation for the Thames Basin Heaths Special Protection Area (SPA) the broad principles are more widely applicable. We recommend that the design and layout of accessible green space should seek to accord with Natural England's Accessible Natural Greenspace Standards (ANGSt) as far as possible. As a minimum, we advise that alternative accessible greenspace should include:</p> <ul style="list-style-type: none"> • High-quality, informal, semi-natural areas in accordance with SANG and ANGSt where possible; • Circular dog walking routes within the site and/or with links to surrounding public rights of way (PRoW) – the average requirement is ~ 2.7 km; • Dedicated 'dogs-off-lead' areas and dog waste bins; • On-site signage and/or information leaflets to promote these areas for recreation; 		
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		<ul style="list-style-type: none"> • A commitment to the long term maintenance and management of these provisions. <p>Green infrastructure / SANGS should be designed to absorb significant proportions of the day to day recreational needs of new residents, such as walking, dog-walking, jogging / exercise, children’s play facilities, and other informal recreation including enjoyment of the countryside. It should also aim to provide a semi-natural character, with significant proportion of semi-natural grassland, woodland, scrub and wetland habitat. Dependent upon a range of factors, including the scale of development, consideration could be given to the provision of other amenities such as café / refreshment and toilet facilities.</p> <p>The following additional or possible alternative measures to mitigate recreational pressure impacts may also be appropriate:</p> <ul style="list-style-type: none"> • SSSI Site Access and Management Measures (SAMMs); • Improvement of existing green space and recreational routes; • Monitoring the impacts of new development on designated sites to inform the necessary mitigation requirements and future refinement of any mitigation measures. <p>Developers wishing to seek substantive advice on recreational pressure impacts and mitigation relating to SSSIs should be directed to Natural England’s Discretionary Advice Service (DAS). It may also be prudent to seek the advice of the Wildlife Trust in relation to SSSIs managed as CWSs.</p>		
NEV-181	Natural England	<p>Annex B: Cambridgeshire Recreational Pressure IRZ Component SSSIs</p> <p>Natural England’s Cambridgeshire SSSI Recreational Pressure IRZ identifies a recreational pressure ‘zone of potential risk’ of 5km (Higher) or 2km (Lower), for those sites known to be at risk. This is a best estimate of the distances people are travelling to access these sites regularly based on currently available information and anecdotal records, together with</p>	See NEV 167	Add this Annex as an appendix to the SPD, linked to the new text as per NEV 167 (insert original representation)

	evidence 'in the field' of damage or disturbance to site notified features.			
	Barnack Hills and Holes SAC	H		Peterborough
	Berry Fen	L		Huntingdonshire
	Brackland Rough	L		East Cambridgeshire
	Brampton Wood	H		Huntingdonshire
	Cam Washes	H		East Cambs, South Cambs
	Castor Flood Meadows	L		Huntingdonshire
	Castor Hanglands	L		Peterborough
	Cherry Hinton Pit	L		Cambridge City
	Dogsthorpe Star Pit	L		Peterborough
	Devil's Dyke (parts also designated as SAC)	H		East Cambridgeshire South Cambridgeshire
	Fleam Dyke			South Cambridgeshire
	Roman Road			
	Ely Pits and Meadows	L		East Cambridgeshire
	Eversden and Wimpole Woods SAC	H		South Cambridgeshire
	Fowlmere Watercress Beds	H		South Cambridgeshire
	Fulbourn Fen	L		South Cambridgeshire
	Grafham Water	L		Huntingdonshire
	Great Wilbraham Common	L		South Cambridgeshire
	Gamlingay Wood	H		South Cambridgeshire
	Hardwick Wood			South Cambridgeshire
	Hayley Wood			South Cambridgeshire
	Buff Wood			South Cambridgeshire
	Waresley Wood			Huntingdonshire
	Overhall Grove			South Cambridgeshire
	Papworth Wood			South Cambridgeshire
	Houghton Meadows	L		Huntingdonshire
	Hemingford Grey Meadow	L		Huntingdonshire
	Orwell Clunch Pit	L		South Cambridgeshire
	Ouse Washes SAC, SPA and Ramsar	L		East Cambridgeshire
	Portholme SAC	H		Huntingdonshire

		<p>Nene Washes SAC, SPA L Fenland, Peterborough</p> <p>Southorpe Meadow H Peterborough</p> <p>Southorpe Paddock L Peterborough</p> <p>Shepreth L-Moor L South Cambridgeshire</p> <p>Thriplow Meadows L South Cambridgeshire</p> <p>Upwood Meadows H Huntingdonshire</p> <p>Wansford Pasture H Peterborough</p> <p>Warboys and Wistow L Huntingdonshire</p> <p>Woods</p> <p>Woodwalton Marsh L Huntingdonshire</p>		
NEV-182	Pigeon Investment Managements Comments	<p>Pigeon welcome the overall intention of the document and fully appreciate the need for all to take appropriate action in response to the climate emergency. Nonetheless, it is also important that the document can be practically applied without undue adverse implications for the Council's requirements in respect of housing delivery for instance and to ensure that Local Plan allocations and appropriate windfall development can come forward in a viable and deliverable manner whilst securing ecological/biodiversity enhancements. Given Pigeon's involvement in helping to deliver sustainable, planned development within the District we are keen to work with the Council to ensure an appropriate balance is secured and our comments should be taken in that context.</p>	Comments noted	No change to SPD
NEV-183	Pigeon Investment Managements	<p>In response to the document Pigeon has commissioned both Hopkins Ecology and Haydens Aboricultural Consultants to review and assess particular aspects of the draft DPD relevant to their area of expertise. Their individual responses are appended to this letter and are intended to supplement and be read alongside this response to assist with the Council's consideration of these particular matters further.</p>	Comments noted	No change to SPD
NEV-184	Pigeon Investment Managements Paragraph 1.9	<p>The text should also acknowledge the need for the SPD to be reviewed regularly in order to take account of, for example, new Government initiatives and legislative changes being brought forward, for instance through the Environment Bill.</p>	Comments noted, but not necessary	No change to SPD
NEV-185	Pigeon Investment Managements Paragraph 2.5	<p>The reference to the Hedgerow Regulations protecting most countryside hedgerows is not accurate – only those which meet particular criteria are deemed 'important' and covered by the Legislation. The wording should therefore be amended accordingly.</p>	Comments noted, but not necessary	No change to SPD
NEV-186	Pigeon Investment Managements Table 1 (Step 2)	<p>Pigeon would suggest that clarification is provided as to what constitutes 'strategic scale development' to avoid confusion and that this threshold should be clearly justified. Policy SPD.NE3 later suggests that this would relate to developments of 100 dwellings or more. This threshold seems arbitrary and is not clearly explained</p>	Agree	Add '(as a guide, this could be 150 dwellings or

		or justified. It is suggested that the Council instead uses a threshold of 150 dwellings or more which would accord with the relevant threshold used for Screening purposes (Schedule 2 10(b)) within the EIA Regulations.		more)' in the third column of step 2, after 'proposals'.
NEV-187	Pigeon Investment Managements Paragraph 6.3/6.4	Pigeon welcome the clarification with regard to the potential need to update the SPD to reflect changes in legislation as a result of the UK leaving the EU and the need to transpose EU legislation into UK law. Indeed the legislative context is likely to evolve significantly in the next few years as a result of this and the Environment Bill currently going through Parliament. Given the significance of this to the context in which this SPD is being drafted it is considered that this issue and its implications for the SPD should be set out clearly at the beginning of the document rather than through brief references half way through. This may affect the weight to be attached to particular policies in the SPD as matters progress. In any event, the SPD will clearly need to be updated to reflect the Environment Bill and the Council may therefore choose to consider whether to await its approval before finalising and adopting the SPD.	Comments noted, but not necessary	No change to SPD
NEV-188	Pigeon Investment Managements NE1	Policy SPD.NE1 (Conserving and Enhancing Biodiversity) – Please refer to attached response from Hopkins Ecology Ltd.	The Hopkins Ecology Ltd document, as submitted by the representor, has been reviewed. Many of the comments made are similar to those made by others. Having reviewed the document, no further significant change is considered necessary to the SPD.	No (further) change to SPD
NEV-189	Pigeon Investment Managements NE2	Policy SPD.NE2 (Proposals within the Swann and Goose Impact Risk Zones) - Please refer to attached response from Hopkins Ecology Ltd.	The Hopkins Ecology Ltd document, as submitted by the representor, has been reviewed. Many of the comments made are similar to those made by others. Having reviewed the document, no further	No (further) change to SPD

			significant change is considered necessary to the SPD.	
NEV-190	Pigeon Investment Managements Paragraph 6.35	The potential number of people that new housing developments may deliver will depend on the housing mix (and therefore household size) as well as the number of new homes provided. In any event, however, it should also be acknowledged that not all new residents will be new to the area but may be moving within the IRZ areas.	Comments noted	No change to SPD
NEV-191	Pigeon Investment Managements Paragraph 6.37	The paragraph refers to a number of discussions with Natural England in 2018 regarding recreational pressures on particular sites and notes that whilst not listed in the Site Improvement Plan for Devil's Dyke, recreational pressure is regarded by Natural England as an issue for the site. It is considered that greater clarity and transparency should be provided in respect of these discussions. It is assumed that these discussions may have taken place in the context of the now withdrawn Local Plan Review and that documents may have been provided as part of the Examination Library Documents to this effect. If this is the case, these should be referenced or further clarity and evidence provided in respect of these discussions given that this is not consistent with the latest public information for the site. Please also refer to the more detailed response in relation to this within the attached comments from Hopkins Ecology.	See NEV 167	See NEV 167
NEV-192	Pigeon Investment Managements NE3	Policy SPD.NE3 (Recreational Pressure on Designated Sites) – The draft policy refers to 'an assumed 8km zone of influence of the Devil's Dyke and Breckland designated sites and that within this zone it may be necessary to provide open space, outdoor sport and recreation facilities in excess of the Council's usual requirements. However, it is unclear from reading the document how the 8km zone of influence has been defined and why this particular threshold has been chosen. It is assumed that this has been developed with reference to the Natural England Impact Risk Zones, however, this is not clear. In any event, paragraph's 6.24-6.26 underline the difficulties of identifying and applying these IRZs. In this context, it is considered that it is important that clear explanation and justification is provided as to why this particular threshold has been chosen. In addition, it is important that there is a clear link between the potential impacts and any mitigation in terms of what the Policy requires. Given that these designations are clearly not going to be used for formal outdoor sport but for informal recreation, it would not be appropriate to seek additional outdoor sports provision as part of any proposed housing schemes within the IRZs. Notwithstanding the comments above, we nonetheless welcome the flexibility in the application of the policy to allow for both on and off-site mitigation solutions (including use of financial contributions) to be agreed. This will both enable delivery	See NEV 167	See NEV 167

		<p>on more constrained sites and also support the delivery and implementation of the Cambridgeshire Green Infrastructure Strategy.</p> <p>Finally, for the sake of clarity, the second bullet point in relation to development within Reach, Swaffham Prior, Stetchworth and Burwell should refer to 'major residential development'.</p> <p>Please also refer to the detailed response in relation to this matter within the attached comments from Hopkins Ecology.</p>		
NEV-193	Pigeon Investment Managements Paragraph 7.9	<p>This suggests that where a SSSI is vulnerable to recreational pressure, 'the sentiments of policy SPD.NE3' may need to be applied to development proposals. It is considered that the wording is ambiguous such that it could not be fairly and consistently applied. Firstly, it is considered that it would be helpful if clarification as to whether or not (at the time the SPD is approved) this applies to any of the individual sites listed at paragraph 7.2 (other than those forming part of the international designations). Secondly, it is considered that greater clarity is required as to how such a requirement would be determined to apply with reference to Local Plan Policy ENV7 and the specific aspects of Draft Policy SPD.NE3 that would apply.</p>	See NEV 167	<p>See NEV 167</p> <p>Delete para 7.9</p>
NEV-194	Pigeon Investment Managements Paragraphs 8.9-8.10	<p>The paragraphs should provide further clarity in respect of identifying PRV sites given that these are not referred to on the Local Plan Policies Maps. It is understood that the East Cambridgeshire County Wildlife Sites SPD identifies the Protected Roadside Verges (RSV's in 2010 SPD) but this should be confirmed to enable the clear and transparent application of Policy SPD.NE4.</p>	The understanding is correct	No changes to SPD
NEV-195	Pigeon Investment Managements NE4	<p>Policy SPD.NE4 (Development resulting in loss or deterioration of CWS, LNR and PRVs) – The second paragraph should specifically refer to Local Plan Policy EN7 for the sake of clarity.</p>	Agreed	Amend NE4 to '...Local Plan policy ENV7 will...'
NEV-196	Pigeon Investment Managements Paragraph 10.13	<p>Pigeon welcome clarification that Policy SPD.NE6 is likely to be subject to change given the current uncertainty in respect of the progression of the Environment Bill and any subsequent Environment Act.</p>	Comments noted	No change to SPD
NEV-197	Pigeon Investment Managements NE6	<p>Policy SPD.NE6 (Biodiversity Net Gain) – The Policy states that proposals that do not significantly exceed the pre-development biodiversity value of a site will be refused. Whilst some explanation of how 'significantly' would be defined is provided, it is considered that further clarification and guidance is required in order to help applicants determine what might be judged to qualify as 'significant' rather than 'very minor' net gains. This should have reference to the biodiversity unit scoring within the biodiversity metrics referred to in the SPD. This would help</p>	Comments noted, but it is beyond the scope of an SPD to be so specific (i.e. define and require it). The expectation for on-site provision is sound.	No change to SPD

		<p>ensure that the Policy was more consistent with paragraph 025 (Ref ID 8-025-20190721) of the PPG.</p> <p>In addition, Pigeon is concerned that the draft Policy suggests the Council would only allow off-site provision in exceptional circumstances. On a practical level (as the Council acknowledge elsewhere) no two sites are the same. Some, particularly in a more constrained urban context, will have less space and opportunity to deliver 'significant' measurable net gains. Moreover, there are many local plan allocations which have been identified several years ago before this requirement came into affect and which may have less scope to meet these requirements. There is a risk that such an inflexible approach to the application of this policy would unduly inhibit the Council's ability to meet its housing delivery and employment targets or other requirements.</p> <p>Moreover, in any event, this unduly inflexible approach is not consistent with paragraph 023 (Ref ID 8-023-20190721) of the PPG which makes it clear that biodiversity benefits can be secured on-site or by using off-site gains where necessary. It does not suggest that this should only be in exceptional circumstances.</p> <p>We therefore consider that the wording of this part of the Policy should be amended to introduce greater flexibility in accordance with the PPG. This could assist both housing delivery and the implementation of wider biodiversity strategies.</p> <p>Please also refer to the response from Hopkins Ecology Ltd.</p>		
NEV-198	Pigeon Investment Managements NE7	<p>Policy SPD.NE7 (Doubling Land for Nature) – It is noted that the Policy is intended to apply to 'Strategic scale development proposals' which the Policy defines as developments of 100 dwellings or more, or 5ha or more for non-dwelling proposals. As noted above, Pigeon consider that the threshold for residential development appears arbitrary and we would suggest that the Council instead uses a threshold of 150 dwellings or more which would accord with the threshold used for Screening purposes in respect of residential proposals (Schedule 2 10(b)) within the EIA Regulations.</p> <p>The Policy goes on to require that for such proposals a minimum of 20% of the application site area should be designated as land for rich wildlife habitat or that an equivalent amount of land is created off-site and secured through a legal agreement. Firstly, to aid interpretation of the Policy it is considered important that 'rich wildlife habitat' is clearly defined.</p> <p>Whilst Pigeon are supportive of the overall objectives behind the Policy in seeking to contribute to the strategic target of increasing land for nature, it is important to stress that the requirement for at least 20% of the site area to be given to such uses is significant, particularly when seen in the context of other site-specific requirements such as sports and other infrastructure provision and indeed</p>	See NEV 67 and NEV 68	See NEV 67 and NEV 68

		<p>biodiversity net gain. Moreover, as noted within the draft SPD, no two sites are the same and some are more constrained than others – some may have scope to deliver more than this whilst others may struggle to meet this requirement. A blanket 20% requirement does not reflect this reality and there is a danger therefore that the cumulative effect of applying such a requirement in addition to others would be to adversely effect the ability of some sites to deliver the number of homes otherwise envisaged. The inflexible application of this requirement could therefore undermine the Council’s housing delivery which is already below Government requirements.</p> <p>Moreover, the SPD provides no evidence to justify this particular requirement and why this level has been set. It is also important that the policies within the SPD are complimentary and mutually supportive to one another but it is not clear whether this blanket requirement would support or undermine the biodiversity net gain requirement which is based on a more nuanced, flexible and proportionate approach.</p> <p>Although the Policy does alternatively allow for the provision to be made off-site and secured via a legal agreement there is currently uncertainty as to how realistic this might be as an alternative given that such sites should be located within East Cambridgeshire and that there is currently no available list of candidate off-site sites. The best means to identify such sites and develop a comprehensive strategy for this would be through a review of the Local Plan which the Council is not currently pursuing.</p> <p>Pigeon are therefore concerned with the practical implications of the policy and consider that changes are necessary to ensure that the District can contribute to the Doubling Land for Nature targets without adversely affecting the deliverability of individual allocated sites within the Local Plan and the achievement of other objectives.</p>		
NEV-199	Pigeon Investment Managements Paragraph 11.5	There should not be an expectation to retain category U trees. It would be helpful if this was confirmed.	Comments noted, but not necessary	No change to SPD
NEV-200	Pigeon Investment Managements NE8	Policy SPD.NE8 (Trees and Woodlands) – The Policy sets out mitigation requirements in terms of replacement tree planting where the loss of Category A and B trees is proposed. Whilst Pigeon support the principle of mitigating any tree loss for such categories of trees it is not clear whether the ratio of replacement trees required has any particular basis. Moreover, we would stress that it is not merely about the number of trees but is also important that any replacement trees are of a reasonable quality and sufficiently spaced to enable them to thrive. Please	Comments noted, (including the attached response from Haydens Aboricultural) but no change deemed necessary, other than updating the	Amend para 2.5 to accurate summarise the Hedgerow Regulations

		refer to attached response from Haydens Aboricultural Consultants Ltd for further details.	Hedgerow Regulations commentary. Policy found sound as part of Peterborough Local Plan process	
NEV-201	Pigeon Investment Managements NE9	Policy SPD.NE9 (Landscape and Biodiversity) – Pigeon support the approach outlined and consider that carefully integrating landscape and biodiversity within the design of new developments is the best means of achieving many of the objectives of this SPD. As part of any such strategy, it is important that the Council recognises that open spaces can serve multi-faceted purposes and should be fully integrated with SUDs regimes.	Comments noted	No change to SPD
NEV-202	Pigeon Investment Managements NE10	Policy SPD.NE10 (Taking the most appropriate opportunities) – Pigeon are generally supportive of this policy, however, in the absence of the opportunity mapping data referred to it is difficult to fully appreciate the implications of the Policy for strategic scale sites in particular. It is important that this information is made publically available shortly and that this is itself available for comment. Again, we would reiterate the comments above with respect to how strategic scale developments are applied.	Comments noted	No change to SPD
NEV-203	Pigeon Investment Managements NE11	SPD.NE11 (Provision of sufficient, suitable and robust information) – Pigeon welcome confirmation that where further information is required Applicants will be given the opportunity to provide this within a reasonable timeframe. This is in the interests of positive planning and reflects the practical restrictions for ecological surveys which result from seasonal survey periods.	See NEV 71	See NEV 71
NEV-204	Pigeon Investment Managements Comments	Pigeon welcome the Council's intentions in seeking to provide additional guidance in respect of the natural environment and support the overall objective of increasing biodiversity in response to the Climate Emergency. Whilst we are supportive of much of the content of the draft DPD there a number of aspects where we consider that some amendments or clarifications should be made. In particular, it is considered that with regard to Policy SPD.NE3 the evidence base to assert that there is a recreational impact pressure on the Devil's Dyke Special area of Conservation (SAC) has not been provided and the policy is not therefore justified. With regard to Policy SPD.NE6 it is considered that the wording of the policy should be amended to allow off-site provision to achieve biodiversity net gain where necessary in accordance with the PPG. Finally, in respect of Policy SPD.NE7, it is considered that this policy is poorly defined, has the potential to introduce immense uncertainty, and potentially jeopardise the deliverability of individual schemes and wider growth. Substantial revision of this policy is recommended.	Comments noted, and discussed above	No change to SPD

NEV-206	Pigeon Investment Managements Comments	Pigeon welcome this consultation and hope that the Council will find the comments of assistance. It is suggested that the Council may wish to consider the benefits of a workshop with Developers before the SPDs are finalised as a mechanism for ensuring the documents draw an appropriate balance in seeking to secure sustainable development which both protects the natural environment and maintains requisite housing delivery including self and custom build housing. I trust that you will find our comments, which have been provided in the interests of facilitating the delivery of sustainable development, of assistance in moving forward towards adoption of these important SPDs. Pigeon are more than happy to give any assistance in clarifying or expanding on any comments made in the above text and attached documents and would be happy to meet with the Council if this was of assistance.	Comments noted	No change to SPD
NEV-207	Royal Society for the Protection of Birds	Please find below some comments from the Royal Society for the Protection of Birds on the draft East Cambridgeshire District Natural Environment SPD. The RSPB welcomes the production of this document and we feel it contains key policies that will aid achievement of the 'doubling nature' target adopted by E.Cambs District Council, as well as ensuring the protection of the many internationally, nationally and locally important sites for nature within the district. Although we do not have specific sites to contribute to a list of off-site net gain habitat creation opportunities at the moment, we would welcome the opportunity to work with the Council and neighbouring authorities, to identify areas of search for strategic habitat creation priorities (for example to complement the compensation habitats being created adjacent to the Ouse Washes), perhaps as part of a 'nature recovery' or 'green infrastructure' plan covering Cambridgeshire.	Comments noted Preparation of a local Nature Recovery Strategy is a matter separate to this SPD.	No change to SPD
NEV-208	Table 1 - RSPB	Step 1 – although it is sensible for developers to contact Natural England pre-application when proposals may impact national or international sites, Appropriate Assessment will only be required for the latter – suggest re-word to make this distinction.	Comments noted, but not deemed necessary	No change to SPD
NEV-209	NE1 - RSPB	Policy SPD:NE1 – the list of mitigation measures listed is quite limited. Mitigation will be specific to the type and location of a development proposal and the potential impacts it might have on a site. The list majors on recreational disturbance, but there are many other impact types (eg: water management, water pollution, noise disturbance etc..). We would suggest removing this list unless you want to make it much more comprehensive, as otherwise it might be taken on face value. RE: monitoring – although monitoring the efficacy of mitigation measures is important, so that adaptive management measures can be adopted if necessary, it is vital to make clear in point (iv) that monitoring of impacts is not in itself mitigation. Also, potential impacts and their mitigation need to be defined and fully addressed at the Appropriate Assessment stage so as to give certainty that no adverse effects will	Comments noted but Policy wording has been agreed with NE	No (further) change to the SPD

		occur. Case law clearly states that if uncertainty exists as to the extent of impacts and whether these can be addressed successfully by mitigation, then consent should be refused – there is no ‘suck it and see’ approach.		
NEV-210	Para.6.13 - RSPB	6.13 – although there clearly are proposals that will be ‘de minimus’, it is worth noting that consideration of cumulative/in-combination impacts is required within Appropriate Assessment, and these may well come from numerous small scale developments that in and of themselves would not have an adverse effect on a site (eg: multiple small scale housing leading to cumulative recreational disturbance around Thames Basin Heaths SPA, which has been addressed by the LPAs responsible for the site through their suitable alternative natural greenspace (SANGS) approach). Although this possibility is alluded to in subsequent paragraphs and policies, it would be worth making this clear in this paragraph.	Comments noted but revised wording has been agreed with NE	No (further) change to the SPD
NEV-211	NE21 - RSPB	Policy SPD:NE2 – the RSPB supports this policy to ensure that developments that affect functionally linked land to Ouse Washes SPA are subject to Appropriate Assessment. However, in addition, the RSPB believes that a distinction needs to be made for those areas (around Coveney, and any further areas that come on-stream) that are part of the Environment Agency’s project to provide compensatory breeding habitat for waders due to the deterioration in the conservation status of the Ouse Washes SPA due to spring flooding. As compensation areas, these will need to be designated as SPA by the UK government, and as such should be counted as ‘potential SPA’ (pSPA) for the purposes of Habitat Regulations assessments. We believe this should be reflected either in this policy or in Policy NE1 (or its reasoned justification)	Comments noted but to do so now seem premature.	No change to the SPD
NEV-212	Para. 6.37 – RSPB	The explanation here states that all four sites have been ‘listed as vulnerable’ to recreational pressure, but then goes on to say that besides Breckland and Devil’s Dyke ‘all other designated sites do not list public access and recreational pressure as a vulnerability’. It would be worth making clear here that although only Breckland and Devil’s Dyke have been specifically identified by NE for further policy action, other international sites (for example Ouse Washes) could well be affected by recreational disturbance depending on the extent and location of housing development, and that this policy does not therefore exclude consideration of this impact in Appropriate Assessments for other sites when it is warranted.	See NEV 167	See NEV 167
NEV-213	NE7 – RSPB	Policy SPD:NE7 – although we understand the desire to see off-site net gain habitat provided as close to the development proposal as possible and within East Cambs District, we would encourage the council to keep open the option of developers contributing to strategic habitat creation opportunities that may not be within the boundaries of E.Cambs. These strategic opportunities should be identified in a Nature Recovery Strategy/Green Infrastructure Plan which ideally is developed with neighbouring planning authorities. Following this approach there	Comments noted, but not deemed necessary to amend the SPD to reflect them. Preparation of a local Nature Recovery	No change to SPD

		may well be net gain strategic habitat creation opportunities within E.Cambs that developments in neighbouring authorities can contribute to.	Strategy is a matter separate to this SPD.	
NEV-214	NE11 – RSPB	Policy SPD:NE11 – Another approach might be for the Council to not register planning applications that do not include sufficient information to allow them to assess the environmental impact of the proposal, rather necessarily than processing and refusing them.	There is always a difficult balance to be had in where a planning application has sufficient information to be at least validated and considered, and where it fails even that threshold.	No change to SPD
NEV-215	Swaffham Prior Community Land Trust	<p>We are writing in respect of your Natural Environment SPD Consultation and writing on behalf of Swaffham Prior Community Land Trust working in conjunction with Cambridgeshire County Council. There are three areas on the SPD consultation on which you request commentary:</p> <ol style="list-style-type: none"> 1. Whether it is easy to understand or how it can be improved. 2. Whether you think it should include any topic or further advice that currently is not included in the document. 3. Whether you disagree with what this document is proposing. <p>We do not propose to comment on points 1 or 2 however we wish to raise an issue under point 3.</p>	Comments noted	No change to SPD
NEV-216	Swaffham Prior Community Land Trust	<p>Our community is working hard to take the whole village off oil, reducing our collective carbon footprint by 60%. The project is the first district retrofit in the country and is being closely monitored by central government and the Welsh Assembly.</p> <p>As the application is on County Council land we have to complete a Regulation 5 planning application to the County not to East Cambs. Our EIA screening has been submitted to the County Council and we await a response (disrupted due to Covid-19). We note under Step 2 on page 13 of the consultation ‘the County Council checklist should suffice’ for development proposals and as a key strategic partner we are working closely together.</p> <p>The reason for the response is that our energy centre will be housed south of the Devils Dyke in an existing barn on Heath Road Swaffham Prior and will comprise an industrial air source heat pump, 4 water storage tanks (like grain stores), approximately 18 acres for 165 close loop ground source heat pipes and network</p>	Comments noted	No change to SPD

		<p>(mostly 800mm below the ground) and a solar array. This achieves an 100% fossil fuel free system which will lead the UK in become net carbon zero.</p> <p>As part of the project, a new grainstore for the farmer will be reinstated adjacent to the farmhouse to the north of the Devils Dyke.</p> <p>Further information can be found here https://heatingswaffhamprior.co.uk/ and our latest newsletter https://heatingswaffhamprior.co.uk/wp-content/uploads/2020/03/March-Newsletter_online.pdf</p>		
NEV-217	Swaffham Prior Community Land Trust	<p>Devil's Dyke SAC - Designation and Code: Special Area of Conservation (SAC) – UK0030037</p> <p>Location: The site is located within East Cambridgeshire district and also extends into Forest Heath district in Suffolk</p> <p>Area: 8.02 ha</p> <p>The key aim for East Cambs is to ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving Favourable Conservation Status of its Qualifying Features, by maintaining or restoring:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The extent and distribution of qualifying natural habitats; <input type="checkbox"/> The structure and function (including typical species) of qualifying natural habitats; and <input type="checkbox"/> The supporting processes on which qualifying natural habitats rely. <p>We do not think in the majority that our proposals conflict with the Devil's Dyke. There is no significant adverse effect on the Dyke which is Natura 2000 site. As a village community we value highly the Dyke and the environment around the village. However looking at the list of potential impacts 5.3 we believe there could be minor disturbance through construction however this is on land adjacent not within the SAC. We are aware a method of construction report may need to be submitted to the County Council. There will be no major long-term viability of land management on the SAC. There will be no effects of traffic on the SAC once the development is complete and operational.</p> <p>The Dyke is a species rich calcareous grassland is vulnerable to vegetation succession by rank grasses and requires active management by grazing. Our proposal will not lead to any increased recreational pressure or trampling of vegetation and soil enrichment from dog excrement, antisocial behaviour such as littering, fires and other activities that will be damaging vegetation. There is no increased risk from atmospheric nitrogen deposition and our project will</p>	Comments noted	No change to SPD

		significantly decrease atmospheric nitrogen. We are installing air quality monitors in the village to monitor the before and after situation.		
NEV-218	Swaffham Prior Community Land Trust	We wanted to raise the project now to ensure that the SPD does not impose any further restriction on land adjacent to the SAC to make sure our community and environmentally changing project can continue unhindered. Indeed this project is fully aligned with the declared climate and environmental emergency declared by both County and East Cambs, and is a leading case study in the Climate Change and Environment Strategy' that was out for consultation earlier this year (see 2.21). No physical harm will come to the Devil's Dyke SAC and we too have strategic ambitions to use this project to help many more communities (10,000 homes alone in Cambridgeshire run on oil) and as in 3.1 this project responds to, and helps[us as a village] adapt to a changing climate.	Comments noted	No change to SPD
NEV-219	John Armour Comments	One point that may or may not be in the Council conditions is the working practice on site where pollutants may be deposited and indeed remain on site following construction. This sort of situation may be difficult to detect and or observe at the time.. One possible solution might be to be able to recall contractors back to the site to clean up and rectify. Equally possible indemnity insurance could be secured to cover the same possibility.	Comments noted	No change to SPD
NEV-220	John Armour	-On the matter of land having environmental benefit there might be a particular category where no development would be permitted ie flood plains. Even those areas where there may be some doubt. Rising water levels are, unfortunately, going to cause problems in the future. This category and extensions to it may already have some protection.	Comments noted	No change to SPD
NEV-221	John Armour	Derelict land, land without any discernible management structure, are another category that could be included here. Owners/occupiers could be encouraged to pursue a management plan in line with Council policy.	Comments noted	No change to SPD
NEV-222	John Armour	'Brown Field' Sites always seem to present problems - possibly because of previous pollution - also for likely reasons of location etc. Somehow if these sites could be used for house building (being made more suitable, possibly with public money) then this would relieve pressure on more rural sites and protecting the existing environment.	Comments noted	No change to SPD

Email

Draft Supplementary Planning Documents (SPD): Natural Environment and Custom and Self-Build Housing

Dear Sir/Madam

We are emailing to consult you on the above two supplementary planning documents (SPDs) and with this email, we have enclosed two consultation notices for the SPDs. This will likely be the only consultation on these SPDs. Following consultation, all comments received will be considered and appropriate amendments made. The SPDs are then scheduled to be adopted by the Council later in 2020.

The first draft SPD sets out East Cambridgeshire District Council's approach to the **natural environment**, providing advice on policy requirements relating to it, including issues such as: 'net gain' in biodiversity through development proposals; protection and provision of trees; protection of existing nature sites; and supporting the Council's position in relation to the recently adopted Local Nature Partnership vision to 'double land for nature' by 2050 across Cambridgeshire.

Separately, the **Custom and Self-build housing** SPD provides guidance to large scale developers who are obliged to meet the Local Plan policy to provide self-build plots (i.e. development consisting of more than 100 dwellings should set aside a minimum 5% of plots for self-build purposes). The SPD also provides useful advice for individuals, groups or Community Land Trusts (or similar) that may be interested in providing self-build plots. Parishes that are interested in including self-build plots in their Neighbourhood Plans may also find this SPD useful.

Copies of the draft SPDs are available for public inspection:

- on the Council's website at: <http://www.eastcambs.gov.uk/local-development-framework/supplementary-planning-documents> and
- at reception of the Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am - 5:00pm from Monday to Thursday, and 8.45am – 4.30pm on Friday.

The consultation period starts on **18 February 2020** and ends on **30 March 2020**. Only comments made during this period can be taken into account. Any comments made after the consultation period may be discarded.

You may submit your comments either by email to planningpolicy@eastcambs.gov.uk or send your comments via post to: Strategic Planning Team, East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE.

Please be aware all comments submitted on the SPDs will be made available for public inspection. As part of the process, we will also be producing a Consultation Report which will include a summary of all the comments received and the Council's response to these comments.

If you have any questions or queries regarding the draft SPDs consultation please contact the Strategic Planning Team on (01353) 665555 or email planningpolicy@eastcambs.gov.uk

Kind Regards,
Richard Kay
Strategic Planning Manager

List of all Consultees

<p>All Parish Councils Anglia Design LLP Anglian Water Services Limited Beacon Planning Ltd BGG Associates Ltd Bird & Tyler Associates Bloor Homes Bovis Homes Brand Associates BT Openreach Camal Architects Cambridge Past, Present & Future Cambridgeshire Cambridgeshire & Peterborough Combined Authority Cambridgeshire ACRE Cambridgeshire and Peterborough Clinical Commissioning Group Cambridgeshire City Council Cambridgeshire Constabulary Cambridgeshire County Council Cambridgeshire Fire and Rescue Services Cambridgeshire PCT Cambridhe Housing Group CAMRA CAMRA - Campaign for Real Ale Carter Jonas LLP Catesby Property Chatteris Town Council Chorus Homes City of Ely Council CJ Murfitt Limited Claires Chef Agency CLT East Co-Housing Network Colne Parish Council Cottenham Parish Council CPRE Cambridgeshire & Peterborough Create Buildings LLP Dalham Parish Council DC Blayney Associates Ltd DPDS Consulting Dudley Developments Eagle Home Interiors Ltd Earith Parish Council EDWARD GITTINS & ASSOCIATES LTD Huntingdonshire District Council</p>	<p>Ely Diocesan Board of Finance Ely Tool Hire Ltd Endurance Estates Strategic Land Ltd Environment Agency Exning Parish Council F.J. Pistol Holdings Ltd Feltwell Parish Council Fen Ditton Parish Council Fen Line Users Association Fenland District council Flagship Group Flavia Estates Fletcher Barton Forest Heath District and St Edmundsbury Borough Councils Forest Heath District Council Foundation East FP McCann Ltd Freckenham Parish Council Freebridge Community Housing Galliford Try Plc Gazeley Parish Council Gladman Development Limited Graham Handley Architects Granta Architects Greater Cambridgeshire Local Nature Partnership Green & Sons Land & Cattle Hanson UK Hastoe Housing Association HE Group Ltd Herringswell Parish Council Highways Agency Highways England Hilgay Parish Council Historic England Hockwold Parish Council Home Builders Federation Home Group Homes and Communities Agency Homes England Hopkins Homes Ltd Horningsea Parish Council Howes Percival LLP HPB Management Ltd RG&P Ltd</p>
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Hutchinsons	RLN (UK) Ltd
Iceni Homes	Sanctuary Group
Inland Waterways Association	Savills-Smith Gore
EE	Scotsdale Hill
Isleham Cricket Club	Scott Properties
James Mann Architectural Services	SE Cambs Liberal Democrats
JDR Cable Systems Ltd	Sentry Ltd
Jockey Club Racecourses Limited	Shaping Communities Ltd
Kennett Action Group	ShrimplinBrown Planning and Development
Kennett Community Land Trust	Simon J Wilson Architects
Kentford Parish Council	Soham CLT
Kings Lynn and West Norfolk District Council	Soham Town Council
Laragh Homes	South Cambridgeshire District Council
Lidgate Parish Council	Southery Parish Council
Lines Chartered Sureyors	Sport England
Lovell	Stow-cum-Quy Parish Council
Lyster Grillet & Harding	Straus Environmental
Manea Parish Council	Stretham and Wilburton CLT
Marine Management Organisation	Strutt and Parker
Mepal Parish Council	Strutt and Parker LLP
Ministry of Defence	Suffolk County Council
Mobile Operators Association	Sustrans East of England
Moulton Parish Council	Sutton Parish Council
National Grid	Swaffam Prior CLT
National grid	Swaffam Prior Community Land Trust
National Trust	Tetlow King
Natural England	The Coal Authority
Network Rail	The Ely Group of Drainage Boards
Newmarket Town Council	The Lady Frances Hospital Almshouse Charity
NHS England	The Wildlife Trust
NKW Design	The Woodland Trust
Norfolk County Council	Theatres Trust
Ousden Parish Council	Three
Palace Green Homes	Timothy Smith and Jonathan Taylor LLP
Pegasus Planning Group	UK Power Networks
Peter Humphrey Associates	Unex Corporation Ltd
Phase 2 Planning and Development	Universal Garage
Phillips Planning Services Ltd	Verity & Beverley
Pigeon Investment Management	Virgin Media
Places4People	Ward Gethin Archer
Plain View	Waterbeach Parish Council
Plainview Planning Ltd	Welney Parish Council
Planinfo	West Suffolk Councils
Planning Potential Ltd	Westbury Garden Rooms
Pocock and Shaw	Wildlife Trust BCN
Ragilbury Roots Ltd	Willingham Parish Council
Ramblers Association (North)	
Rapleys	
Red Lodge Parish Council	

Witchford CLT	Michael	Rose
Woods Hardwick Ltd	Andrew	Holland
WYG	Aidan and	
	Karen	Walmsley
Advance Land & Planning Ltd	Adrian	Fleet
Advance Planning	Alan	Kirk
Amec Foster Wheeler E&I UK	Alastair	Watson
Andrew Fleet MCIAT	Pamela	Joyce
Armstrong Rigg Planning	Alexa	Pearson
Ashley Parish Council	Christine	Ambrose Smith
Barton Willmore	David	Ambrose Smith
Beacon Planning Ltd	Amy	Wright
BGG Associates Ltd	Andrew	Taylor
Bidwells	Antony	Cornell
Brown & Co	Michael	Anthony
Cambridgeshire County Council	Bridget	
Carter Jonas LLP	Lesley	Audus
Cheffins	Robert	Thomson
Churchgate Property	Ian	Wright
City of Ely Council	Stephen	Butler
CODE Development Planners	Alison	Bye
Construct Reason LTD	Cary	Simpson
Deloitte Real Estate	Conor	O'Brien
Denley Draughting Limited	Phyllis	Rusk
Eclipse Planning Services	Cheryl	Jowett
Education and Skills Funding Agency	Cheryl	Cox
Edward Gittins & Associates	Clare	French
EJW Planning Ltd	Su	Field
Framptons Town Planning Ltd	Catherine	Judkins
Freemantle Developments Limited	Francesca	Wray
Gladman Development Limited	Chris	Hurrell
Haddenham Parish Council	Catherine	George
Historic England	Dale	Ingham
Hollins Strategic Land	David	Porter
Hopkins Homes Ltd	David	
Howes Percival LLP	Charles	Werner
Hutchinsons	David	Watson
Indigo Planning	Dawn	Buck
Infinity Architects	David	Chaplin
JMS Planning & Development Ltd	Diana	Ward
Juniper Real Estate	Diana	Donald
K Garnham Design	Gary	Lindsay
King West	Geoffrey	Reed
Lacy, Scott & Knight	George	Rusk
Manor Investments Ltd	Gareth	Maslen
Martindales Architects Ltd	Graham	Thompson
Mattanna Ltd	Greg	Saberton
MWS Architectural	Geoffrey	Woollard
Navigate Planning Ltd	Hilary	Threadgold
NJL Consulting	Hugo	Upton
Oxalis Planning Ltd		
Pegasus Group		
Pegasus Planning Group		
Percival and Company		
Peter Brett Associate LLP		
Pigeon Investment Management Ltd		
PlanSurv Ltd		
Pocock & Shaw		

PRP	Ian and Birgit	Boylett
Rapleys LLP	Ian	Gilbert
Redrow Homes Ltd	Jacqueline	Jones
Richborough Estates Ltd	P.J	Smith
RPS Consulting	B & V	Roberts
RPS Planning & Development	Aaron	Jacobs
Savills	James	D'Souza
Savills (UK) Ltd	Lesley Jan	Eaton
Simon Pott and Co	Jenny	Sherlock
Strutt and Parker	John	Rees
Strutt and Parker LLP	Jo	Braybrooke
Swann Edwards Architecture	John	Bridges
Sworders	John	Powell
Tetlow King Planning	John	Armour
The Design Partnership (Ely) Ltd	John	San Vicente
The Environmental Partnership	Jonathan	Cook
Third Party Delivery Ltd	John W	Smith
Town Planning Intelligence	Katharine	Cantell
Troy Planning & Design	Karl	Dunn
Turley Associates Ltd	Kevin	Arrowsmith
Unex Corporation Ltd	Laura	Ross
William H Brown	Lauren	Whitworth
Williams Griffiths Architects	Lisa	Stubbs
Wood PLC	Elizabeth	Hunter
Woolley Project Management Limited	Elizabeth	Houghton
WYG	Lorna	Dupre
WYG Planning & Environment	Mark	Inskip
Amy Richardson	Malcolm	Palmer
Andrew Boughton	Mark	Goldsack
Ben Pridgeon	Michael	Murfitt
Marilyn Strand	Edwina	Newbury
David Barker	Niki	Allsop
Ellie Zdyrko	Nigel	Cooper
Margaret Franklin	Mark	Robertson
Ian Smith	Phil	Newell
Jamie Palmer	David	Alberry-King
Jackie Ford	Christopher	Threadgold
Kate Wood	Peter &	
Meghan Bonner	Laura	Wood
Andrew Fleet	Malcolm	Malcolm Roper
Mark Baker	Bob	Joy
Mark McGovern	Rhodri	Pashley
Nina Crabb	Rachel and	
Peter Frampton	John	Rees
Rebecca Sharpe	Roger &	
Sarah Hornbrook	Jennifer	Johnson
SJK Planning	Robert	Boyle
Suzanne Nugent	Robert	Algar
Tony Welland	Robin	Threadgold
Richard Agnew	Roderick	Smith
Terry Frost		
Alison Glover / Spencer		
Lisa O'Mahony		
Tim Bonavia		
Philip Scott		
Tom Edwardes		

Anthony	Jolley	Rod	Hart
Anthony	Weston	Rodger	Germany
stygol	Stygol	Roy	Pallett
Trevor	Edwards	Angus	Runciman
Anthony	French	Ruth	Paskins Gordon
Viva Arts and Community Group		Ryan	Jones
Daniel	Pullan	Sue	Burnell
Peter	Landshoff	Frank and	
Maureen	Munks	Shirley	Broadfield
Becky	Lockyer	Stuart	Cooper
		shelagh	Monteith
		Simon	Raffe
		Selina	Boyce
		Stephen	Burgess
		Steve	Plumb
		Susan	Frankland

TITLE: Climate Change Supplementary Planning Document (SPD) – Consultation Draft

Committee: Finance and Assets

Date: 24 September 2020

Author: Richard Kay – Strategic Planning Manager
Emma Naylor – Senior Planning Officer (PCC)

[V69]

1.0 ISSUE

1.1 For Committee to determine whether to approve the Climate Change Supplementary Planning Document (SPD) for public consultation. The SPD can be found at Appendix 2.

2.0 RECOMMENDATION(S)

2.1 That Committee:

(A) Approves the draft Climate Change SPD for the purpose of public consultation (with any minor editorial or presentation improvements delegated to officers, in consultation with the Chair, prior to publication), with public consultation anticipated to be for 6 weeks over the period mid-October to end of November.

3.0 BACKGROUND

Introduction

3.1 This is a proposed new SPD, which aims to help the planning system achieve development which has a lower impact on the climate.

3.2 Preparation of this SPD was committed to in the Council's recent (June 2020) Environment Plan (available at <https://www.eastcambs.gov.uk/content/climate-change-0>).

Context and Background

3.3 Section 2 of the SPD sets the context for the SPD, and highlights the global issues in respect of climate change, and the need for local areas, such as East Cambridgeshire, to 'do their bit' to help mitigate the impacts of climate change. The Environment Plan also provides more detailed information.

Policy Review

- 3.4 Section 3 of the draft SPD provides a summary of the relevant planning legislation and national policy, as well as a review of existing Council planning policy (in its Local Plan and other SPDs).
- 3.5 What that review highlights is that the Council already has a good framework in place to seek development which has a lower impact on the environment and the climate, but that there is scope, via this new SPD, to provide further guidance and encouragement on the issue.
- 3.6 However, and as explained at section 3.8-3.11 of the draft SPD, there are limitations on what an SPD can do. Thus, this new SPD cannot seek to *require* developers to do more than what the Local Plan asks, but rather help to reinforce what the Local Plan says, help to deliver what the Local Plan is seeking, and *encourage* (rather than require) developers to go further.

Summary of SPD content

- 3.7 The relatively short SPD proposes four new Policies:
- **CC1 Reducing carbon dioxide emissions:** This policy encourages developers to submit a Sustainability Statement (or similar), and provides guidance on what that could cover. At present, developers tend to avoid submitting such information (despite the provision of the Local Plan) and often the Council has to condition any planning consent with the need for such a Statement to be subsequently submitted and approved by the Council. Ideally, we should look to turn this around so that the development proposals themselves are informed by sustainability measures in the first instance, rather than an after-thought, post permission. This new policy should help this, though it still sets out the option for conditions to be added to consents, if such Statements were not forthcoming at the application stage.
 - **CC2: Reducing energy demand in existing buildings:** This policy targets specific applications involving changes of use and extensions, and seeks the developer to look beyond just the change of use or extension, and see whether opportunities exist for wider energy efficiency improvements to the building as a whole. As this is an SPD, it cannot require a developer to do this, but the policy encourages it, and proposals will be considered positively if a developer does so.
 - **CC3: Resilient and adaptable design:** There is a general acceptance that as well as climate change mitigation, we need to accept climate change is happening and that we need to ensure development is able to adapt to a changing climate. This policy aims to do that by making development more resilient to increasing temperatures, and more adaptable to future change.
 - **CC4: Safeguarding renewable and low carbon energy sources:** This SPD does not set policies on new renewable energy proposals (as they are suitably covered in other SPDs). However, there is a gap in such

existing policies in respect of safeguarding such renewable energy infrastructure, where they exist. This policy proposes to fill that gap.

Consultation

3.8 As is legally required, prior to the adoption of this SPD, the Council must undertake appropriate consultation for a minimum of four weeks. Officers will ensure at least minimum legal requirements in this regard are met, and are recommending a 6 week consultation period. After consultation, any appropriate revisions will be made to the SPD before it is returned to this committee for adoption.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implications in preparing or adopting this SPD that cannot be covered by existing budgets. The consultation on the SPD will be carried out primarily via emails and the Council's website. Temporary legislation has been introduced, for Covid-19 reasons, meaning hard copy inspection of the SPD (for example at reception) is no longer required. As an alternative, if somebody cannot access the consultation document on our website, then arrangements will be made, on a case-by-case basis, for a hard copy to be inspected.

4.2 Equality Impact Assessment (INRA) completed – appendix 1.

4.3 Carbon Impact Assessment (CIA) completed. In summary, the CIA concluded as follows:

There are no direct significant carbon impacts arising from the recommendations of this report, because at this stage the SPD is only a draft for consultation. However, on adoption, the SPD should have a positive effect, because it seeks to deliver development which has a lower carbon impact. That positive effect will nevertheless be limited by the legal restrictions placed on SPDs, in terms of SPDs not being able to place additional burdens on developers which are not already set out in a Local Plan or set out in national policy/legislation.

5.0 APPENDICES

Appendix 1 - Completed INRA

Appendix 2 – Draft Climate Change SPD

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
East Cambridgeshire Local Plan – 2015	Room12A	Richard Kay
National Planning Policy Framework (NPPF) - 2019	The Grange Ely	Strategic Planning Manager (01353) 616245 E-mail: richard.kay@eastcambs.gov.uk

Appendix 1 - Completed INRA

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

Initial screening needs to take place for all new/revised Council policies. The word ‘policy’, in this context, includes the different things that the Council does. It includes any policy, procedure or practice - both in employment and service delivery. It also includes proposals for restructuring, redundancies and changes to service provision. This stage must be completed at the earliest opportunity to determine whether it is necessary to undertake an EIA for this activity.

Name of Policy:	Climate Change Supplementary Planning Document (SPD)
Lead Officer (responsible for assessment):	Richard Kay
Department:	Strategic Planning
Others Involved in the Assessment (i.e. peer review, external challenge):	None
Date Initial Screening Completed:	September 2020

- (a) **What is the policy trying to achieve?** i.e. What is the aim/purpose of the policy? Is it affected by external drivers for change? What outcomes do we want to achieve from the policy? How will the policy be put into practice?

The SPD is a supplementary document, in support of policy contained in the Local Plan and in support of national policy. It does not set new policy, but rather gives clarity on how to interpret existing policy, and sets out what information is needed by applicants in order to help them to deliver development which has a lower impact on the climate.

- (b) **Who are its main beneficiaries?** i.e. who will be affected by the policy?

It is primarily aimed at developers, and consequently the occupiers of new development. Developers will be helped by the clarity provided in the SPD as to how the policy in the Local Plan will be implemented.

- (c) **Is this assessment informed by any information or background data?** i.e. consultations, complaints, applications received, allocations/take-up, satisfaction rates, performance indicators, access audits, census data, benchmarking, workforce profile etc.

The draft SPD will be subject to public consultation in Autumn 2020.

- (d) Does this policy have the potential to cause a positive or negative impact on different groups in the community, on the grounds of any of the protected characteristics (please tick all that apply):

Ethnicity	No	Age	No
Gender	No	Religion or Belief	No
Disability	No	Sexual Orientation	No
Gender Reassignment	No	Marriage & Civil Partnership	No
Pregnancy & Maternity	No	Caring Responsibilities	No

Please explain any impact identified: i.e. What do you already know about equality impact or need? Is there any evidence that there is a higher or lower take-up by particular groups? Have there been any demographic changes or trends locally? Are there any barriers to accessing the policy or service?

There is no apparent reason why any of the different groups as listed above will be particularly affected, negatively or positively, as a result of the SPD

(e) Does the policy affect service users or the wider community?	NO
(f) Does the policy have a significant effect on how services are delivered?	NO
(g) Will it have a significant effect on how other organisations operate?	NO
(h) Does it involve a significant commitment of resources?	NO
(i) Does it relate to an area where there are known inequalities, e.g. disabled people's access to public transport etc?	NO

If you have answered **YES** to any of the questions above, then it is necessary to proceed with a full equality impact assessment (EIA). If the answer is **NO**, then this judgement and your response to the above questions will need to be countersigned by your Head of Service and then referred to the Council's Equal Opportunities Working Group (EOWG) for scrutiny and verification. Please forward completed and signed forms to the Principal HR Officer.

Signatures:

Completing Officer:	<i>RK</i>	Date:	<i>Sept 2020</i>
Head of Service:	<i>RK</i>	Date:	<i>Sept 2020</i>

East Cambridgeshire District Council
Climate Change Supplementary Planning Document

[Consultation Version – subject to Member approval on 24 Sept 2020)

October 2020

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1 Introduction, Purpose and Consultation Arrangements

Introduction

- 1.1. East Cambridgeshire District Council (ECDC) declared a Climate Emergency at its Full Council meeting on 17 October 2019. ECDC has joined over 200 Councils around the UK in declaring such an emergency.
- 1.2. The Council recognises that it has a significant role to play in protecting and improving the environment for future generations. In declaring a Climate Emergency, the Council committed to produce an Environment Plan, which it subsequently did so (adopted June 2020). One action within that Plan was to prepare a Climate Change Supplementary Planning Document (SPD).

Purpose of the Supplementary Planning Document (SPD)

- 1.3. In addition to responding to the declaration, and the subsequent Environment Plan, this SPD will build upon the 'Environment and Climate Change' section of the Local Plan (April 2015) as well as respond to National Planning Policy and guidance.

Consultation Arrangements

- 1.4. We are consulting on this draft SPD between [xxx October and xxx November]. We invite you to make comments on this SPD, such as (but not limited to):
 - Whether it is easy to understand or how it can be improved.
 - Whether you think it should include any additional topics or further advice.
 - Whether you agree or disagree with what this document is proposing.
- 1.5. The consultation is open to anybody to make comments, but the Council will make special efforts to seek the views of key relevant bodies and organisations, as well as developers and agents on the Council's 'agent's forum'.
- 1.6. Comments made during this consultation period will be carefully considered. We will make changes to the SPD in light of these comments where we think it is appropriate. For your comments to be considered, please ensure that they reach us before the deadline.
- 1.7. After the consultation period has expired, we will make the changes that are reasonable and necessary and then the final version of the SPD will be adopted at an appropriate meeting of East Cambridgeshire District Council.

Status of this document

- 1.8. At this consultation draft stage, it is likely that limited weight will be given to it in the decision making process. Once adopted, the SPD will become a material consideration and will need to be taken into account when planning decisions are made.

What is an SPD?

- 1.9. An SPD is a document which adds further detail to the policies in the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as, in this case, climate change. SPDs are capable of being a material consideration in planning decisions.

2 The Climate Emergency: what this means for East Cambridgeshire

- 2.1 We are facing an unprecedented climate challenge. Leading scientists from the Intergovernmental Panel on Climate Change (IPCC) have warned that if we carry on our business as usual and don't take emergency action on Climate Change, we face the gravest threats to our global environment. This includes worsening risks of drought, floods, extreme heat and poverty for hundreds of millions of people. Extreme weather events are already being seen. During a heatwave in July 2019 which saw temperatures across Europe soar, the highest temperature ever recorded in the UK was reached in nearby Cambridge (38.1 degrees Celsius).
- 2.2 The 'Special Report on Global Warming of 1.5°C' (IPCC, October 2018) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise. Furthermore, it confirms that limiting global warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.
- 2.3 East Cambridgeshire is, like most areas, a significant contributor to greenhouse gas emissions, possibly more so than average if, as some suspect, our rich peat soils continue to dry out and release CO₂ into the atmosphere (a matter presently being investigated by the Combined Authority's Climate Commission). As a district, we are also more reliant on burning oil and bottled gas for heating (which is far more harmful than being on a natural gas network); and we tend to use cars more than many areas due to the rural nature of the district and the limited public transport in many parts of the district.
- 2.4 However, acting as some balance against these emissions are the large-scale solar farms in the district.
- 2.5 Local authorities have a responsibility, both in their own activities and those undertaken with partners, as well as in the influence they can bring to bear to reduce the adverse effects of their populations on the planet. Cambridgeshire and East Cambridgeshire are growing areas; increasing populations result in increasing need for businesses, houses, health, retail and leisure outlets, transport and other supporting infrastructure, all of which (with few exceptions) lead to adverse impacts on the climate. With growth comes a responsibility to balance competing demands and mitigate the negative impacts of that growth as far as is reasonably possible.

3 Policy Review

Legislation

- 3.1 The Climate Change Act 2008 sets a legally binding target to reduce the UK's greenhouse gas emissions by at least 80% in 2050 from 1990 levels.
- 3.2 Section 19 of the Planning and Compulsory Purchase Act 2004 states that: "*Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to climate change.*"

National Planning Policy Framework (NPPF, 2019)

- 3.3 National policy places high importance on addressing climate change in plan making and decision taking, as highlighted by the paragraphs below.

Extracts of NPPF

'Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways... [including] an environmental objective... mitigating and adapting to climate change, including moving to a low carbon economy.' (para 8)

'Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for... planning measures to address climate change mitigation and adaptation.' (para 20)

'The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.' (para 148)

'Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.' (para 149)

'New development should be planned for in ways that...avoid increased vulnerability to the range of impacts arising from climate change... and can help to reduce greenhouse gas emissions, such as through its location, orientation and design...'(para 150).

'To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources...b) consider identifying suitable areas for renewable and low carbon energy sources... c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for colocating potential heat customers and suppliers' (para 151).

'Local planning authorities should support community-led initiatives for renewable and low carbon energy...'. (Para 152)

National Planning Practice Guidance (NPPG)

3.4 Further to national policy, the NPPG sets out examples of how to mitigate climate change by reducing emissions (Paragraph: 003 Reference ID: 6-003-20140612). It gives examples such as:

- Reducing the need to travel and providing for sustainable transport
- Providing opportunities for renewable and low carbon energy technologies
- Providing opportunities for decentralised energy and heating
- Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design

3.5 It also details considerations for adapting to a changing climate (Paragraph: 003 Reference ID: 6-003-20140612), such as:

- Considering future climate risks when allocating development sites to ensure risks are understood over the development's lifetime
- Considering the impact of and promoting design responses to flood risk and coastal change for the lifetime of the development
- Considering availability of water and water infrastructure for the lifetime of the development and design responses to promote water efficiency and protect water quality
- Promoting adaptation approaches in design policies for developments and the public realm

3.6 The NPPG also highlights the importance of integrating adaptation and mitigation approaches (Paragraph 004 Reference ID: 6-004-20140612):

'...local planning authorities should pay particular attention to integrating adaptation and mitigation approaches and looking for 'win-win' solutions that will support sustainable development. This could be achieved in a variety of ways, for example:

- *by maximising summer cooling through natural ventilation in buildings and avoiding solar gain;*
- *through district heating networks that include tri-generation (combined cooling, heat and power); or*
- *through the provision of multi-functional green infrastructure, which can reduce urban heat islands, manage flooding and help species adapt to climate change – as well as contributing to a pleasant environment which encourages people to walk and cycle.*

Local planning authorities should be aware of and avoid the risk of maladaptation (adaptation that could become more harmful than helpful). For example, designing buildings to maximise solar gain in winter without thinking through the implications for overheating in summer.'

3.7 The NPPG clarifies what local planning authorities can do in terms of setting higher energy performance standards than the building regulations (Paragraph: 012 Reference ID: 6-012-20190315). In summary, they:

- Can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes.
- Are not restricted or limited in setting energy performance standards above the building regulations for non-housing development.

Implementing national policy and guidance at a local level

3.8 The above national policy and guidance applies to the planning system as a whole, and it does not follow that this SPD should, or even is lawfully able, to cover it all. Much of the above is reserved (by legislation) to be matters which can only be addressed in Local Plans (or

'Development Plan Documents' (DPDs) to give them their proper legal title – and an SPD is not a DPD).

- 3.9 For example, an SPD cannot allocate land for anything, nor can it introduce a new 'burden' on development which is not already covered in a DPD.
- 3.10 Thus, and to take an example relevant to the topic of this Climate Change SPD, national policy places a restriction on the development of wind turbines: such development can only be approved if it is in an area designated in a DPD. Because SPDs are not DPDs, this Climate Change SPD cannot designate sites for wind turbine development. In turn, therefore, most wind turbine development in East Cambridgeshire should not be approved, as a matter of principle, because no such land is designated for such purposes (there are exceptions, such as small domestic wind turbines, many of which do not need planning permission at all). This SPD does not, and must not, alter that 'in principle' position.
- 3.11 To take another example, an SPD cannot 'require' development to do something, such as a higher level of energy efficiency, if the Local Plan does not already do so. An SPD could only, at most, encourage development to go beyond Local Plan policy or beyond national minimum requirements. The next section, below, reviews the relevant Local Plan policies.

East Cambridgeshire District Council Local Plan (2015)

- 3.12 The Local Plan's spatial vision, which was drafted in the years approaching April 2015, states that in 2031, *"...the challenges presented by climate change will have been embraced, with new development being located and designed to minimise resource and energy use and reduce the risk of flooding. Renewable energy production will have increased, and a proportion of all energy will be created from local renewable sources such as bio-fuels, biomass, and wind power."*
- 3.13 The Local Plan goes on to set out various strategic policies aimed at achieving the wider vision, and includes specific policies aimed at reaching the visions' goals in respect of climate change. The key policies focusing on addressing climate change are ENV 4, ENV 5 and ENV 6, replicated below.
- 3.14 However, the provisions set out in Policy ENV 5 were (due to subsequent national policy changes) never progressed post adoption of the Local Plan in April 2015, and no Allowable Solutions Framework or Community Energy Fund presently exists, or is being progressed at present.
- 3.15 Also, the provisions of Policy ENV 6 are predominantly covered in already adopted supplementary planning documents, as discussed later in this section.
- 3.16 This SPD therefore predominantly focusses on providing addition guidance to the implementation of ENV 4.

Extracts from the East Cambridgeshire Local Plan, 2015

ENV 4 Energy and water efficiency and renewable energy in construction

All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable.

Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction, as set out in the Code for Sustainable Homes (or its successor). Developments of 5 or more homes are required to achieve Code for Sustainable Homes Level 4 (or its replacement pending implementation of the zero carbon homes requirement). All non-domestic developments of 1000m² or more are required to meet BREEAM Very Good standard or equivalent.

The Council will negotiate with applicants over the most appropriate solutions for historic buildings and Conservation Areas.

ENV 5 Carbon offsetting

Where allowable solutions are required for a development scheme, the Council will be prepared to accept alternative provision in line with the national Allowable Solutions Framework.

Where a local Community Energy Fund exists, developers will be expected to provide financial contributions to this Fund to offset the difference. The contribution will be used to finance specific renewable energy projects within the local area. Financial contributions will be required into CEF where developments do not achieve the CO₂ reductions required under Policy ENV 4.

ENV 6 Renewable energy development

Proposals for renewable energy and associated infrastructure will be supported, unless their wider environmental, social and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable in relation to:

- The local environment and visual landscape impact.
- Impact on the character and appearance of the streetscape/buildings.
- Key views, in particular those of Ely Cathedral.
- Protected species.
- Residential amenity.
- Safeguarding areas for nearby airfields; and
- Heritage assets.

Renewable energy proposals which affect sites of international, national and local nature importance or other irreplaceable habitats will be determined against the relevant sections of Policy ENV 7.

The visual and amenity impacts of proposed structures will be assessed on their merits, both individually and cumulatively.

Provision should be made for the removal of facilities and reinstatement of the site, should they cease to operate.

Fit between this Climate Change SPD and other existing SPDs

3.17 The Council already has a number of adopted SPDs, including the ones briefly reviewed below. The SPDs below remain in force until they are either withdrawn or otherwise superseded. This SPD does not in any way override them. As can be seen, the following SPDs already cover significant elements relevant to the theme of climate change.

East Cambridgeshire Renewable Energy Development (Commercial Scale) SPD (2014)

3.18 The Renewable Energy Development (Commercial Scale) SPD¹ details the considerations and requirements for applicants in relation to:

- Visual landscape impact and key views
- Heritage assets
- Biodiversity and geology
- Residential Amenity
- Safeguarding areas
- Access and Public Rights of Way (PROW)
- Site restoration and continuation of agricultural use
- Wind turbines and electromagnetic transmissions

3.19 For any renewable energy proposal in the district, that SPD remains an important policy document to assist in the preparation of proposals, and their subsequent determination.

East Cambridgeshire Natural Environment SPD (September 2020)

3.20 Biodiversity and nature issues are not covered in this Climate Change SPD, but are addressed in a separate SPD- the 'Natural Environment SPD²', which was adopted in September 2020.

3.21 The Natural Environment SPD provides advice on policy requirements relating to issues such as: 'net gain' in biodiversity through development proposals; protection and provision of trees; protection of existing nature sites, including technical advice in terms of discharging Habitat Regulation Assessments (HRA) obligations, especially in relation to swan and goose foraging in designated protection zones around the Ouse Washes; and supporting the Council's position in relation to the recently adopted Local Nature Partnership vision to 'double land for nature' by 2050 across Cambridgeshire.

East Cambridgeshire Design Guide Supplementary Planning Document (2012)

3.22 The Design Guide SPD³ is a comprehensive document that includes numerous considerations which relate to climate change and sustainable development, with the most important set out below. This Climate Change SPD does not duplicate these considerations, but in some cases, it does offer additional guidance.

Extracts from the Design Guide SPD (2012)

Energy Conservation / Generation

All dwellings should be designed to reduce their carbon footprint and to be as sustainable and as self-sufficient as possible. The following issues should be considered:

- Orientation;
- Solar generation of heat and electricity;

¹ https://www.eastcambs.gov.uk/sites/default/files/Renewable%20Energy%20SPD%20Final_0.pdf

² <http://www.eastcambs.gov.uk/local-development-framework/supplementary-planning-documents>

³ https://www.eastcambs.gov.uk/sites/default/files/FINAL%20design%20guide%202012_0.pdf

- Ground source heat pumps;
- Future technologies;
- Storage and recycling of water;
- Use of sustainable urban drainage systems (SUDS). The only exception would be foul drainage, where the preference is for connection to the public drainage system;

All dwellings should be designed to the highest possible standard. This shall not be less than Code 4 of the Code for Sustainable Homes 2008.

- Buildings wrapped in insulation
- Maximum air tightness in construction
- Use of lime mortars and renders
- Organic building materials
- Sustainable timber use
- Solvent free paints
- Low water use systems (i.e. toilets, washing machines, etc)

Renewables (The Historic Environment)

Renewable energy installations on historic buildings must be carefully considered to ensure they do not have a detrimental impact. The roof-scape of historic towns and villages is distinctive, and installations should be avoided on principal elevations.

- Rear, and non-visible, roof slopes and locations are preferable for installations;
- The use of outbuildings to accommodate installations will be encouraged;
- Planning permission is always required for installations on, or within, the curtilage of a Listed Building;
- Ground source heat pumps may be acceptable in some cases. These may require planning permission and will nearly always require Listed Building Consent. They may also require archaeological investigation;

The mounting of wind turbines on buildings will not be encouraged, as this can have a dramatic impact on roof lines and views. Where possible, turbines should be located on the ground. Where the building is listed, regard must be given to the setting and context of the site/building.

Renewables – Small Scale

The following criteria must be addressed for any application to be successful:

- The individual or cumulative impact of turbines on the countryside/landscape;
- An exploration of the possibility of shared provision/use of the power generation with adjacent dwellings/buildings;
- The effect on the proposal on any designated landscape areas or historic views (e.g of Ely Cathedral);
- Whether the development achieves a net environmental gain;
- The effects of noise generation, vibration, shadow flicker and electromagnetic disturbance;
- As assessment of the chosen structure, paying particular regard to design, height, number, colour, density, positioning (particularly if on a building) and blade diameter (for turbines);
- Whether it is to serve local development or to supply the national grid;
- For roof-mounted panels, they will need to be as unobtrusive as possible. In Conservation Areas, this will generally mean positioning them on the rear elevation, or on outbuildings away from public views;
- Consideration must be given to any adverse effects on protected species and habitats, and if applicable, bird migratory routes.

Photomontages will be an important part of any submission, together with the information to deal with all of the issues indicated above, where relevant.

Renewables - Wind turbines over 15m in height

The initial criteria to be applied to wind turbine schemes will be as follows:

Recommended separation distances

Residential settlements/residential dwellings	600m
General settlements, villages, campsites, tourist development	
Isolated dwellings	600m
SSSIs or Ramsar sites	500m
Woodlands and hedgerows	50m buffer to edges of the rotor swept area
Watercourse or water body	Fall-over distance
Public highways	Blade tip height + 50m
Bridle Ways	Minimum of 200m
Footpaths	Should not oversail

Individual dwellings and groups of up to 9 dwellings should not have turbines in more than 180 degrees of their field of view for a distance of 10 km. Settlements of 10 dwellings or more should not have turbines in more than 90 degrees of their field of view for a distance of 5 km.

Landscape and visual impacts

- The siting of turbines should be determined by the direction and flow of the landscape and its contours;
- Layouts should be designed to avoid visual confusion and disordered clutter;
- There should not be 'tangles' of turbines where multiple turbines are seen behind each other;
- There should not be isolated turbines that are remote from the rest of the group;
- Within the Green Belt, turbines will only be permitted if they do not compromise the openness of the Green Belt or the purposes for which it was created;
- There should be no more than 9 turbines per square kilometre.

Other issues

Other issues that will have to be addressed in any application relate to:

- Noise levels which, in relation to residential dwellings, should not give rise to any significant increase in noise above the ambient background levels i.e. no greater 45dB LAEQ, 5 min at 1 metre from the window of a habitable room;
- The effect on heritage assets;
- Safety, particularly in relation to ice build up, where the formula $d=(D + H) \times 1.5$ should be used with 'd' being the maximum falling distance of ice in metres; 'D' being the rotor diameter in metres, and 'H' being the hub height in metres;

The effects of flicker, both on residential amenity caused by light issues, and any effects on electrical equipment.

4 Reducing carbon dioxide emissions

- 4.1 Local Plan policy ENV4, *Energy and water efficiency and renewable energy in construction*, sets out requirements for new development over the thresholds of 5 dwellings and 1000m² for non-residential.
- 4.2 CC1 below outlines how the requirements of ENV4 can help to be met, and also sets out the desired standard for development that is below these thresholds, and development that involves conversion or change of use.

CC1: Reducing carbon dioxide emissions

Energy hierarchy and sustainable design

Policy ENV4 states:

All proposals for new development should aim for reduced or zero carbon development in accordance with the zero carbon hierarchy: first maximising energy efficiency and then incorporating renewable or low carbon energy sources on-site as far as practicable.

And:

Applicants will be required to demonstrate how they have considered maximising all aspects of sustainable design and construction...

In order to demonstrate how this policy requirement is to be met, a Sustainability Statement could usefully be prepared and submitted as part of the Design and Access Statement. The Sustainability Statement could outline the applicant's approach to:

- a. Minimising demand for energy through design;
- b. Maximising energy efficiency through design;
- c. Carbon dioxide reduction achieved through items a and b above, and through incorporation of renewable and low carbon energy sources;
- d. Water efficiency (including whether, for residential development, the design intends to voluntarily incorporate the Part G Building Regulations option of estimated water consumption set at no more than 110 litres per person per day, rather than the standard 125 l/p/d);
- e. Site waste management;
- f. Use of materials (such as low carbon-embodied materials);
- g. Adaptability of the building, as the climate continues to change.

More generally, such a Statement could usefully explain where the development proposes, on any of the above themes, to go beyond what is the statutory minimum in Building Regulations.

For developments of 5 dwellings or more, the Statement could explain how the development has met the policy requirement in ENV 4, which requires such development to “achieve Code for Sustainable Homes Level 4”.

For non-residential development of 1000m², or more, the Statement could explain how the development has met policy requirement ENV 4, which requires the development “to meet BREEAM Very Good standard or equivalent.”

If a Sustainability Statement (or similar) is not submitted, and it is not evident from the application how Policy ENV4 is to be met, then, instead of a potential refusal, the Council may instead, at its discretion, apply a condition to any approval along the lines of the following template conditions:

- (Outline approvals) *Prior to or as part of the first reserved matters application, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.*
- (Full permission) *Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.*
- (non-residential permission) *The development hereby approved shall meet BREEAM Very Good standard or equivalent. If this standard cannot be achieved by virtue of the site's location then prior to above floor slab construction works it must be demonstrated by a BRE Licensed Assessor how all other BREEAM standards have been fully explored in order to meet the highest standard of BREEAM Good or equivalent and agreed in writing by the Local Planning Authority. A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the Local Planning Authority, indicating that the relevant BREEAM standard has been achieved or its equivalent within six months of first occupation of the site for written agreement by the Local Planning Authority.*

Low and zero carbon energy networks

Developers are encouraged to incorporate renewable / low carbon energy generation provision onsite, or connect into an existing nearby renewable, low or zero carbon energy generation network where they exist.

Combined heat and power (CHP)

In the case of large scale residential development and non-residential developments of 1000m sq or more, developers should consider the inclusion of Combined Heat and Power (CHP) generation or a network connection to an existing CHP facility.

However, the use of other technologies- for example solar photovoltaics or thermal systems, wind turbines, biomass heating or ground source heating – are also encouraged and may provide a better solution on a case by case basis.

5 Reducing energy demand in existing buildings

- 5.1 Whilst there is significant new development planned for the district, the vast majority of buildings that will be occupied over the coming decades will be those built in earlier times when energy and performance standards were much lower than at present.
- 5.2 An Energy Performance Certificate (EPC) provides details of the energy performance of a property and is required for properties when constructed, sold or let.
- 5.3 The Minimum Energy Efficiency Standards (MEES) Regulations require all applicable properties⁴ to achieve an Energy Performance Certificate (EPC) of E or better. Separately, the Clean Growth Strategy (2017)⁵ has set a target for as many buildings as possible to achieve an EPC of C by 2030/35 and commits to keep energy efficiency standards under review.
- 5.4 Policy CC2, below, aims to assist in improving the energy efficiency of existing buildings, and complements and builds upon Policy ENV 4 requirement that “*All proposals for new development should aim for reduced or zero carbon development.*”

CC2: Reducing energy demand in existing buildings

For all development proposals which involve the change of use of a building, or an extension to an existing building, the applicant should look at all opportunities to improve the energy efficiency of that building (including the original building, if it is being extended)*.

Proposals which do consider and take such viable opportunities will, in principle, be supported.

In particular, residential properties which, following an extension or conversion, will achieve an improved EPC rating overall will, in principle, be supported. In this instance, a pre-development EPC should be provided as part of the application, together with evidence as to how a completed development EPC is likely to be rated.

**Note: for any heritage asset, any improvements to the energy efficiency of that asset must not cause harm to, or loss of, the significance of the asset. This may limit any feasible energy efficiency improvements.*

⁴ The Minimum Energy Efficiency Standard (MEES) which came into force in England and Wales on 1 April 2018, applies to private rented residential and non-domestic property and is aimed at encouraging landlords and property owners to improve the energy efficiency of their properties by a restriction on the granting and continuation of existing tenancies where the property has an Energy Performance Certificate Rating of F and G.

[The Energy Efficiency \(Private Rented Property\) \(England and Wales\) Regulations 2015 \(Principal Regulations\)](#) as amended by [The Energy Efficiency \(Private Rented Property\) \(England and Wales\) \(Amendment\) Regulations 2016](#) and [Energy Efficiency \(Private Rented Property\) \(Amendment\) Regulations 2019](#)

⁵ <https://www.gov.uk/government/publications/clean-growth-strategy>

6 Resilient and adaptable design

- 6.1 East Cambridgeshire will need to adapt to the impacts of extreme weather and climate change. In addition to the various measures set out in the Local Plan (such as managing flood risk; promoting sustainable drainage systems; protecting and enhancing the green infrastructure network, the natural environment and biodiversity), there must be greater resilience to extreme weather conditions in the built environment.
- 6.2 Furthermore, the built environment should be built to last: buildings should be designed in a way that they are adaptable and can be fit for purpose in the long term, even if their use changes. Adaptable building design avoids, or at least minimises, waste, the use of materials, and overall emissions from the demolition and redevelopment of buildings that are no longer fit for purpose and incapable of being easily changed.
- 6.3 CC3 is aimed at supporting resilient and adaptable design, and complements Policy ENV 4 which requires that “all proposals for new development should aim for reduced or zero carbon development.”

CC3: Resilient and adaptable design

Heat resilience

In order to prevent and minimise the impacts of overheating in the built environment, proposals should, commensurate with their scale and location, demonstrate consideration of:

- a. how the design of the development minimises overheating and reduces demand on air conditioning systems, including considering:
 - orienting buildings to maximise the opportunities for both natural heating and ventilation and to reduce wind exposure; and
 - including measures such as solar shading, thermal mass and appropriately coloured materials in areas exposed to direct sunlight;
- b. the potential to incorporate a green roof and/or walls to aid cooling, add insulation and enhance biodiversity.

Adaptable design

New development should be designed to be adaptable to future social, economic, technological and environmental requirements in order to make buildings both fit for purpose in the long term and to minimise future resource consumption in the adaptation and redevelopment of buildings in response to future needs. To meet this desire, applicants should consider the following, where applicable:

- a. Allow for future adaptation or extension by means of the building's internal arrangement, internal height, detailed design and construction, including the use of internal stud walls rather than solid walls to allow easier reconfiguration of internal layout;
- b. Provision of internal space to successfully accommodate 'home working';
- c. Provision of electric car charging infrastructure;
- d. Infrastructure that supports car free development and lifestyles;
- e. Having multiple well-placed entrances on larger non-residential buildings to allow for easier subdivision; and
- f. Is resilient to flood risk, from all forms of flooding.

7 Safeguarding renewable and low carbon energy sources

- 7.1 Local Plan policy ENV 6 supports the development of renewable energy.
- 7.2 Policy CC4 aims to safeguard renewable energy sources in order to ensure the continued operation of renewable energy generating technology. ECDC also recognise the importance of low carbon energy sources, therefore CC4 applies to both renewable and low carbon energy sources.

CC4: Safeguarding renewable and low carbon energy sources

Development will be strongly resisted if it would result in significant harm to any existing or approved renewable or low carbon energy generation facility. Specifically, development should avoid harming:

- a. the performance of any existing or approved renewable/ low carbon energy generation facility; or
- b. the potential for optimisation of strategic renewable energy / low carbon installations; or
- c. the availability of the required resource, where the operation is dependent on uninterrupted flow of energy to the installation.

RECOMMENDATION FROM COVID-19 WORKING PARTY

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Director Commercial

[V70]

1.0 ISSUE

1.1 To consider a recommendation from the COVID-19 Working Party.

2.0 RECOMMENDATION(S)

2.1 Members are requested to:

- i) Note the recommendation made by the COVID-19 Working Party, as set out in 3.2 of this report; and
- ii) Approve the course of action set out in 4.3 of this report.

3.0 BACKGROUND

3.1 On 26 August 2020 the COVID-19 Working Party met to further develop plans for both the community and economic recovery of the East Cambridgeshire District. It was agreed at the meeting that Finance & Assets Committee, would receive a report that would consider the creation of a small capital fund that could be made available for small businesses across the district.

3.2 At the Working Party Members expressed a desire for the Council to make available a capital grant of up to £3,000 per business, to any business in the district who employs 5 people or less. The grant would be for the purchase of making the business COVID-19 Safe, examples of purchase would include screens, signage, outdoor equipment, cashless payment equipment and Personal Protective Equipment.

3.3 The Working Party stated that this grant would only be available to businesses that are not currently open and would not be available to businesses that had currently received a grant from the various grants that have been available during this COVID-19 period.

3.4 In 2017 the Council was aware of approximately 330 limited companies in the district, that employed 5 people or less. This figure should not be relied upon for anything other than demonstrating an approximate amount of businesses within the first criteria requested by the Working Party, i.e. employing 5 people or less and does not include companies that are not limited companies.

What has been available for businesses in East Cambridgeshire?

- 3.5 The Council was responsible for the assessment and distribution of the Business Grant that was provided by government. This grant totalled £15,808,000 and at the closing date (28 August 2020) was paid out £14,430,000 to 1,191 businesses which represented 92% of the businesses that were eligible to apply for the grant.
- 3.6 The Council was responsible for the assessment and distribution of the Local Authority Discretionary Grant Fund. This grant totalled £828,000 and was used to benefit businesses in shared spaces, market traders, charities and bed & breakfasts. 100% of this fund was paid out.
- 3.7 Cambridgeshire and Peterborough Combined Authority (CPCA) also made a capital fund of £2.3m for Small and Medium Size Enterprises. This grant was available for any registered limited company employing fewer than 249 employees business in the Cambridgeshire and Peterborough area.

What is the Council currently doing?

- 3.8 The Council has now launched a survey that can be completed by any business in the district. The survey is due to close on 16 October 2020.
- 3.9 The purpose of the survey is to gather data on the impact of COVID-19 to date and to provide the Council with an insight of what measures can further support business to recover from this current climate.
- 3.10 On 8 September 2020 and 9 September 2020 Officers conducted site visits in Ely, Littleport and Soham High Streets. It is noted that there were only a few businesses that were not open. Whilst this should not be seen as a measure for how the whole district is returning in a new environment is it still a useful measure to assess the closures in the higher footfall areas.
- 3.11 In preparation for reopening High Streets, Officers made contact, wherever possible with businesses, to offer information and guidance and advertised their business (opening hours, alternative arrangements and payment arrangements) on the Council's Enterprise East Cambs Website. The webpage includes an interactive map which clearly shows how the businesses in Ely, Littleport and Soham areas are operating.
- 3.12 The Council continues to offer guidance and support to businesses across the district and where the Council we cannot provide the advice that is needed we engage with other organisations who may be able to assist.

4.0 ARGUMENTS/CONCLUSIONS

- 4.1 There is currently no budget for this potential grant being made available and without detailed analysis of how many businesses could potentially benefit

from this grant, it is not possible to attempt to create a total fund amount that could be made available.

4.2 The Council has not been specifically informed that the reason businesses are not reopening is due to lack of access to funds to make their businesses COVID-19 Safe and there is no evidence to suggest that the grant would have a positive impact on business recovery.

4.3 It is recommended that the Council awaits the results of the business survey prior to considering what financial assistance, if any, could be made available to assist businesses. Once the Council has received feedback from the business community as to what support is needed and in what form, the Council can then, working in partnership with other organisations (e.g. CPCA), assess what interventions are available.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 There are no financial implications arising from this report.

5.2 Equality Impact Assessment is not required

6.0 APPENDICES

6.1 None

Background Documents
[EEC Website](#)

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TITLE: Medium Term Financial Strategy Up-date

Committee: Finance & Assets Committee

Date: 24th September 2020

Author: Finance Manager

[V71)

1 ISSUE

- 1.1 To provide Committee with an up-date on the Medium Term Financial Strategy (MTFS) since the 2020/21 budget was approved in February 2020.

2 RECOMMENDATIONS

- 2.1 Members are requested to note the contents of this report.

3 BACKGROUND

- 3.1 The Council approved the budget for 2020/21 and with it the MTFS for 2021/22 to 2023/24 at its meeting on the 20th February 2020. At this point, via the use of its Surplus Savings Reserve, the Council had a balanced budget for 2020/21 and 2021/22, but with then significant savings to be found in the following years.

4 CHANGES TO THE PLAN SINCE FEBRUARY 2020

- 4.1 Since this time, the Country has been hit by the Covid-19 pandemic, which has had major implications on the public finances of the whole Country, not least with Government providing significant cash resources to both the public and private sectors to try to assist them through this unrepresented period.
- 4.2 The long term implications of these are far from clear, especially for local government and the impact on local taxation in the years to come, I will cover the assumptions I have made in arriving at the figures presented in this report in section 5, but initially this is what we do know.
- 4.3 The Council ended the 2019/20 financial year with an underspend of £1,690,450 this has been added to the Surplus Savings Reserve and is available to support the MTFS in future years.
- 4.4 Government have announced that the Fair Funding Review for local government will be delayed for a further year at least. Members will remember that it should have happened in April 2020, but was delayed by a year until April 2021 because of Brexit and it has now been delayed by at least a further year because of Covid 19. As a district council with high Business Rate growth in the past few years, we believe that the full base reset of Business Rates, expected to be part of this

processes, was going to be bad news for us, so the delay has the potential to provide us with some up-side in 2021/22, although with Business Rate receipts likely to be lower overall because of Covid-19, some of that benefit may be lost.

4.5 It should be noted that the Government's Comprehensive Spending review is still planned to go ahead in the Autumn which will determine the overall resources made available to each of the Departments of Government, including local government.

4.6 The Council has made a number of decisions that will impact on the MTFs and have been built into the figures now presented:

- Provide £100,000 per annum for environmental issues, linked to the Council's Climate Change Plan;
- Reduce costs as a consequence of bringing homelessness support in house and funding from a ring-fenced Government grant that had previously been unallocated, rather than this being provided through the CAB;
- Increased income from East Cambs Trading Company to reflect the new loan facility to be offered to the Company from 31st March 2021.

4.7 The Finance Report presented to Committee at its last meeting, suggested that the Council would overspend by £496,000 in 2020/21, mainly as a consequence of Covid-19. This is now considered a high estimate, as we have received a third tranche of un-ringfenced Government funding and will be able to recover some of the income lost via a Government compensation scheme. For the purpose of this report, the assumption is now that the Council's revenue budget for 2020/21 will be balanced, but clearly this is subject to change as the impact of Covid-19 on the local economy becomes clearer in the months ahead.

5 ASSUMPTIONS MADE

5.1 Comprehensive Spending Review

In 4.4 above, I have highlighted the Comprehensive Spending Review will take place in the Autumn. At this time, as always, all the Government's spending departments will be bidding for resources and with the Government having already incurred massive costs to get the Country through the pandemic, it is far from clear what will be available in total and for local government specifically. In the figures I have assumed that Revenue Support Grant and Rural Services Grant will continue for a further year, but this cannot be guaranteed. I have also assumed that New Homes Bonus payments will reduce to only account for two years of growth in 2021/22, as was forecast when building the current budget, but again the Government's view on this is unknown at this time.

5.2 Council Tax

Because of the way that Council Tax and indeed, Business Rates are reflected in the Council's budget, these will only have a cashflow impact on the Council during 2020/21. Larger implications are however expected to be felt in future years, as the Council Tax base potentially reduces.

In year, the Council and all the other preceptors determine as part of their budget preparations how much they will take out of the Collection Fund and set their Council Tax level to reflect this. In year, this Council (as the collection authority) will pay across to the other preceptors and indeed ourselves, the budgeted value from the Collection Funds, this for both Council Tax and Business Rates. However, where cash has not been collected to the anticipated level during the year, this will result in the Collection Funds being in cash deficit, which has to be managed through the Council's cash balance and potentially borrowing.

While we know the reduction in cash receipts in the first months of the year, we can't at this stage in many cases, make a distinction between those choosing not to pay and those no longer being required to pay. There is an expectation that as unemployment potentially increases and more residents seek Universal Credit the number of residents claiming Local Council Tax Support will increase (those no longer being required to pay). In this scenario the Council's tax-base will reduce resulting in a shortfall in the Collection Fund at the end of the year and potentially reduced income levels in future years.

Where payment has not been received, but the amount is still owed, this only impacts on the Collection Fund in cash terms, with the value of arrears increasing, but the tax-base being unaffected. There may be an implication of this on bad debts in the future, but again the size of this is very difficult to determine at this stage.

A further consideration on Council Tax is that house building has slowed during the pandemic. Our Council Tax base in the MTFs is based on an assumed small increase each year on the number of properties in the District, so if this doesn't happen, the Collection Fund will be further in deficit at the end of the year.

In the figures presented, I have assumed a 3% reduction in the Council Tax base, but this figure will be monitored during the budget build process and an up-dated position reflected in the final budget put forward for approval.

It is further assumed at this stage that the value of Council Tax will remain unchanged at £142.14 per band D property.

5.3 Business Rates

As with Council Tax a distinction will need to be made between those who no longer need to pay and those that simply haven't paid. This is further complicated as Government have given businesses in the retail, leisure, hospitality and child nursery sectors a Business Rates holiday in 2020/21, although the expectation at this point, is that they will need to start paying again in 2021/22. However, as there is no requirement for them to pay this year, we can't use this year's payment profile to estimate what receipts we may receive in 2021/22.

In addition to the businesses given the Business Rates holiday in 2020/21, there will be businesses in other sectors of the economy that either don't or indeed are unable to pay (potentially as businesses fail) during 2020/21, which will have a negative impact on the Collection Fund in 2020/21 and future years. Again, it is very difficult to get a feel for the number of businesses that may be struggling at this stage, as many have benefitted in the short-term from the various funding being

offered by Government. It will only be once this starts to be withdrawn that the full impact of the pandemic will be seen and it is thought that sadly more business may fail.

The MTFS attached again makes assumptions of potential losses in this area, but again these will be monitored in the coming months before final figures are included in the budget.

5.4 The Hive Leisure Centre

Members will be aware that the paper to Council on the 16th July, suggested that with the leisure centre having been closed for over four months during 2020/21 and customers only returning slowly, that there was a significant risk over the management fee being received from GLL. The pace that customers return to the leisure centre in the new financial year is also difficult to predict at this time and so it is possible that GLL will wish to revisit the management fee they pay in future years also.

Again it is difficult to put a value on this at this point, but in this model, the assumption is that any reduction will impact on the amount being paid into the sinking fund and as such the net revenue position will be unaffected.

5.5 Inflation

As with previous years, pay and major contract inflation will be assumed to be 2% for 2021/22, however, where specific knowledge is known about a specific contract and this varies from the norm, an appropriate amount of inflation will be built into the budget.

More general budgets, such as for materials and equipment, will have no inflation provision added to them, again this will be consistent with previous years.

6 IMPACT ON THE MTFS

- 6.1 As detailed above, it is very difficult at this time to forecast the longer term implications of the pandemic on the Council's finances, with the major unknowns being around Council Tax and Business Rate receipts and the forthcoming Comprehensive Spending Review.
- 6.2 The figures detailed in appendix 1, therefore need to be treated with great caution, these will be up-dated further during the coming months as further information becomes available, with the Finance Manager up-dating Finance and Assets Committee when appropriate.
- 6.3 The figures presented however show that the 2021/22 financial year remains balanced via the use of the Surplus Savings Reserve, but that there is a saving requirement of £2.4 million in 2022/23.
- 6.4 While therefore the Council is not expecting any issues with being able to publish a legal budget in 2021/22, work must start now on plans to make savings or

increasing income levels in 2021/22, to reduce the draw from the Surplus Savings Reserve in that year, so that further funds are available in the future.

6.5 To this end, options to resolve the budget shortfalls in future years come from:

- Efficiencies in the cost of service delivery
- Reductions in service levels
- Increased Council Tax
- Increased income from fees and charges
- Increased commercialisation via its trading companies

11 APPENDIX

11.1 Appendix 1 – MTFS Model as at 1st September 2020

Background Documents

2020/21 Budget as
approved by Council on the
20th February 2020,
Agenda item 11

Location

Room 104
The Grange
Ely

Contact Officer

Ian Smith
Finance Manager
(01353) 616470
E-mail: ian.smith@eastcambs.gov.uk

Finance Report to
Committee on the 23rd July,
Agenda item 12

DRAFT BUDGET 2021-22

	Budget 2020-21 £	Estimate 2021-22 £	Estimate 2022-23 £	Estimate 2023-24 £	Estimate 2024-25 £
Committees:					
Operational Services	5,750,903	6,148,927	6,268,407	6,351,842	6,162,345
Finance & Assets	4,655,272	5,192,032	5,416,357	5,625,857	6,027,959
Net District Spending	10,406,175	11,340,959	11,684,764	11,977,699	12,190,304
New Homes Bonus Grant	-695,237	-241,365	-179,636	0	0
Rural Services Grant	-161,606	-161,606	0	0	0
Internal Drainage Board Levies	501,978	512,018	522,258	532,703	543,357
Contributions to / from Corporate Reserves	265,895	145,293	133,253	108,333	108,333
Net Operating Expenditure	10,317,205	11,595,299	12,160,639	12,618,735	12,841,994
Contribution from Surplus Savings Reserve	-1,391,541	-3,961,939	-1,664,319	0	0
Savings to be identified	0	0	-2,368,859	-4,409,316	-4,567,955
ECDC Budget Requirement	8,925,664	7,633,360	8,127,461	8,209,419	8,274,039
Parish Council Precepts	2,470,158	2,524,650	2,620,484	2,746,780	2,806,797
DISTRICT BUDGET REQUIREMENT	11,395,822	10,158,010	10,747,945	10,956,199	11,080,836
<u>Financed by:</u>					
Council's share of Collection Funds Surplus/Deficit	-71,635	198,864	0	0	0
Revenue Support Grant	-11,764	-2,716	0	0	0
Locally retained Non-Domestic Rates	-3,876,316	-2,986,016	-3,168,567	-3,088,509	-3,100,964
Plus: NNDR from Renewable Energy	-674,728	-674,728	-674,728	-674,728	-674,728
COUNCIL TAX REQUIREMENT	6,761,379	6,693,414	6,904,650	7,192,962	7,305,144

	Estimate 2020-21 £	Estimate 2021-22 £	Estimate 2022-23 £	Estimate 2023-24 £	Estimate 2024-25 £
Unallocated Surplus Savings Reserve					
In hand at 1st April	7,017,799	5,626,258	1,664,319	0	0
Movement in year	-1,391,541	-3,961,939	-1,664,319	0	0
In hand at 31st March	5,626,258	1,664,319	0	0	0

IMPLIED BAND 'D' COUNCIL TAX (District only i.e. excluding parish levies)					
Demand on Collection Fund as above	6,761,379	6,693,414	6,904,650	7,192,962	7,305,144
Less Parish Precepts as above	2,470,158	2,524,650	2,620,484	2,746,780	2,806,797
	4,291,221	4,168,764	4,284,166	4,446,182	4,498,347
Council Tax Base	30,190.1	29,328.6	30,140.5	31,280.3	31,647.3
District Council Tax - Band D	142.14	142.14	142.14	142.14	142.14

HEALTH AND SAFETY ANNUAL REPORT 2019/20

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Open Spaces & Facilities Manager

[V72]

1.0 ISSUE

1.1 To provide Members with Corporate Health & Safety Annual Report for 2019/20.

2.0 RECOMMENDATION(S)

2.1 Members are requested to note the Health and Safety Annual Report 2019/20 as set out in Appendix 1.

3.0 BACKGROUND

3.1 The Health and Safety Annual Report (Appendix 1) provides a summary of East Cambridgeshire District Council's health and safety performance to the end of the financial year 2019/20 and sets out the commitments relating to health and safety for the year 2020/21.

3.2 The annual report demonstrates that the Council shows strong commitment to the health and safety for its workforce and others who may be affected by its activities.

3.3 The Council employs approximately 208 employees (full, part-time and casual) in various roles. Staff, inevitably, are exposed to varied risks, depending on the nature of their work. The Council is committed to ensure that it has adequate policy and procedures in place to reduce the likelihood of risk arising.

3.4 The annual report includes details on the following:

- Analysis of accidents statistics by:
 - Accident totals by kind
 - Accident totals Service/Public
 - Reportable Accidents
- Key activities undertaken
- Training courses delivered
- Health and safety emergency arrangements
- Progress against health and safety actions for 2019/20
- Summary of the health and safety actions for 2020/21

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implications arising from this report.

4.2 An Equality Impact Assessment is not required.

4.3 A Carbon Impact Assessment is not required.

5.0 APPENDICES

5.1 Appendix 1- Health and Safety Annual Report 2019/20.

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	Room 106 The Grange, Ely	Spencer Clark Open Spaces & Facilities Manager (01353) 665555 E-mail: spencer.clark@eastcambs.gov.uk

Health and Safety Annual Report

2019/2020



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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Corporate Health and Safety Annual Report

2019/2020

1. EXECUTIVE SUMMARY

This report is a statement of East Cambridgeshire District Council's health and safety performance to the end of the financial year 2019/20 and of its intentions with regard to health and safety for the year 2020/21. It demonstrates that East Cambridgeshire District Council shows strong commitment to the health and safety of its workforce and to others who may be affected by its activities.

The Council employs approximately 208 employees (full, part-time and casual) in varied roles and exposed to similarly varied risks.

Health and safety support to the Council is provided by the Corporate Health and Safety / Emergency Planning Manager. The shared service continues between Fenland District Council in providing support for health and safety and emergency planning functions to the Council.

1.1 Progress against the Health and Safety Action Plan 2019/20

Significant progress has been made over the last 12 months to deliver our objectives as set out in the health and safety action plan for 2019/20, see Action Plan (Appendix 1) for full details. Some of the actions are highlighted below:

- An analysis of all accidents and their consequent actions has been undertaken.
- A Health and Safety training programme was delivered across seven different courses.
- A Health Surveillance programme continues to be provided to staff identified through a risk assessment basis.
- A summary of actions planned for 2020/21 is listed in Section 5 of this report.

2. KEY ACTIVITIES

2.1 Codes of Practice (COP) Review

A key part of the function of Corporate Health and Safety is the provision of policies, codes of practice and guidance to provide managers and employees with the necessary support to meet their health and safety obligations.

The Council has a programme of ongoing review and implementation to support effective health and safety management. The below Policies/COPs were revised/implemented during the year:

- Corporate Health and Safety Policy
- Accident/Near Miss Reporting COP
- Contractor Management COP
- Electrical Safety COP
- First Aid at Work COP
- Health Surveillance COP
- Legionella Management COP
- Manual Handling COP
- Smoke-Free Workplace COP
- Violence and Aggression at Work COP.

2.2 Training

Health and safety training needs are identified in a number of ways including springboards, regular one to ones, team meetings and through the Council's Health and Safety Working Group. The Health and Safety / Emergency Planning Manager also ensures that training is compliant and consistent with our duties and legal responsibilities.

A rolling training programme is produced for the year, which takes into consideration training needs identified in 1:1's and provides refresher training on a regular basis and courses for new employees. The following health and safety training was delivered during the year.

Course Type	Numbers Trained	Comment
Fire Warden	10	Knowledge of fire precautions, practical use of fire extinguishers and methods for evacuating staff in the event of a fire.
Risk Assessments	26	Knowledge and methods for assessing hazards/risks and the control measures to use.
Display Screen Equipment (DSE) Assessor	16	Knowledge and skills to undertake workstation assessments.
Bomb Threats	12	Training in dealing/responding to suspicious packages / telephone bomb threats.
Conflict Management	17	Skills and confidence in dealing with conflict and risk situations staff can face in their work (lone working).
Health and Safety in Offices E-learning	137	All staff who were office based were required to complete this course. All new future staff will complete it as required.
First Aid at Work Re-qualification (2 days)	3	Re-qualification to maintain competence as a qualified First Aider.
Total:	221	

Training is also supported by on the job training within all service areas, but in particular at the higher risk sites such as Portley Hill Depot. Training at the Depot is delivered in a number of ways including 'Tool Box Talks' which are brief practical sessions for employees on site.

Other types of training also include for example induction training specific to the job role, tasks and equipment used, driver CPC training and reversing assistant training. The ultimate aim of the training is to ensure that the job is carried out in the correct safe manner to reduce the accident rate.

2.3 Health and Safety Emergencies

2.3.1 Fire Safety

The Regulatory Reform (Fire Safety) Order 2005 requires employers to have a strategy to evacuate all occupants within a building. As part of the Council's fire safety arrangements nominated staff are trained as Fire Wardens. They perform essentially two roles, ongoing assessment of fire hazards and risks during their normal daily work tasks, and in the event of an evacuation conduct a sweep of their allocated fire zone to ensure all persons have safely evacuated.

All Council occupied buildings undergo a six monthly no-notice fire evacuation drill to test response and procedures.

2.3.2 First Aid

The Health and Safety (First-Aid) Regulations 1981 require employers to provide adequate and appropriate equipment, facilities and personnel to ensure their employees receive immediate attention if they are injured or taken ill at work.

As part of this requirement, the Council provides two levels of first aid trained staff in its buildings. At the Grange, staff are fully trained First Aiders and are required to undergo three days initial training with re-qualification every three years.

At the Depot and Business Centres staff are trained in Emergency First Aid at Work, which is a one day training course with re-qualification every three years.

In addition to the above training, annual re-fresher first aid training is also provided.

Numbers of First Aid Trained Staff

Location	First Aider Qualified	Emergency First Aid at Work Qualified
Grange	4	1
Portley Hill Depot	-	3
E-Space North & South	1	-

2.3.3 Mental Health First Aiders

Eight staff from across the Council have been trained and accredited by Mental Health First Aid England to assist staff who are experiencing mental health issues.

A Mental Health First Aider has been trained to be able to:

- Understand the important factors affecting mental ill ;
- Identify the signs and symptoms for a range of mental health conditions;
- Listen non-judgementally and hold supportive conversations using the Mental Health First Aid action plan;
- Signpost people to professional help.

2.4 Health and Safety Working Group

The Council has a Health and Safety Working Group to ensure that there is a corporate approach to relevant issues. The group meets on a quarterly basis with representation across the Council including a Corporate Director, Human Resources, Health and Safety and Trade Union representatives.

The Group approves codes of practice, reports and supports the Corporate Health and Safety / Emergency Planning Manager in determining the Council's priorities in health and safety.

2.5 Occupational Health

The external Occupational Health provider has continued to meet the organisation's requirements for dealing with and promoting health at work issues. The core functions of Occupational Health are work-health assessment screening, sickness absence management and health promotion.

We work closely with the Occupational Health Advisor to provide a proactive health surveillance programme to required staff following the risk assessment process. This is based on a two yearly programme of health surveillance checks, consisting of skin surveillance, hand-arm vibration, audiometry, vision screening and general life-style check.

A total of 42 staff were assessed as part of this surveillance scheme during the year.

3. PERFORMANCE

3.1 Accident Totals by Kind

The table below sets out the accident figures by kind for the past three years.

Kind	Annual Total 2017/18	Annual Total 2018/19	Annual Total 2019/20
Contact with machinery	0	0	0
Struck by moving object	0	1	0
Strike by moving vehicle	0	0	0
Strike against Fixed object	1	0	2
Slip, trip, fall same level	1	0	0
Lifting & handling injuries	0	0	0
Injured by an animal	1	0	1
Fall from height	0	0	0
Physical Assault	0	0	0
Contact with electricity	0	0	0
Burns/scalds	0	0	1
Contact with hazardous substance	0	0	0
All other kinds & unspecified	0	1	2
Total	03	02	06

Key points to consider from the figures presented in the above table are:

- The total number of accidents has remained low over the past year with a total of 6 accidents recorded. The largest causes of accidents were “strike against fixed object”, and “others/unspecified” with two recorded in each category.

3.2 Accident Totals by Service / Public

Corporately the number of accidents reported by employees, agency staff and public is set out in the following table:

Service	Annual Total 2017/18	Annual Total 2018/19	Annual Total 2019/20
Environmental Services	0	0	1
Planning	1	0	1
Maintenance Team	1	2	2
Licensing Team	1	0	1
Business Centres	0	0	1
Public	3	0	2
Total	6	2	8

Injuries involving members of the public have remained low over the past few years; with two recorded during 2019/20. Where these have occurred, they predominately involve slips/trips occurring on Council properties or sites. Action has been taken to address the causes of these accidents where reasonably practicable to reduce the risks of similar incidents from occurring in the future.

3.3 Reportable RIDDOR injuries, illnesses and dangerous occurrences involving Council employees

Type	Annual Total 2017/18	Annual Total 2018/19	Annual Total 2019/20
RIDDOR Accidents	0	0	0

These figures are for injuries, illnesses and dangerous occurrences that are reportable to the Health and Safety Executive (HSE). None were recorded during the past year, including during the previous two years.

Where RIDDOR accidents do occur they are subject to an internal health and safety investigation which is undertaken to identify the causes and make recommendations for any required control measures where appropriate.

3.4 The number of employee working days lost due to accidents

Type	Annual Total 2017/18	Annual Total 2018/19	Annual Total 2019/20
Number of work - related days lost	0	1	0

The number of days absent from work as a result of an accident whilst at work was zero during 2019/20.

3.5 Work Related Ill-Health Days Lost

Lost working time statistics through ill health are gathered and produced separately via the Human Resources team.

3.6 Conclusions from Accident Data

Accident statistics continue to remain very low as shown in the tables for the past three years. 'Strike against fixed objects', 'other kind' are the biggest contributors to our accident statistics and the statistics also show the relative contribution of services to these figures.

Training and other interventions remain in place to address the areas of highest injury. We also continue to focus on areas which are generally not contributing to the accident data but which have great potential to cause serious injury and must therefore not be overlooked. Such areas include asbestos/legionella management, fire safety and contractor management.

4. HEALTH AND SAFETY PERFORMANCE TO MARCH 2019

An ongoing Action Plan to monitor the corporate health and safety goals is established. The goals established for 2019/20 and the extent to which they have been met is set out in Appendix 1.

Work continues to drive forward improvements in health and safety management where required.

5. HEALTH AND SAFETY ACTIONS FOR 2020/21




In 2020/21 the emphasis will be to support managers and staff to continue good standards of health and safety, whilst operating a shared service with Fenland District Council, (three days per week at Fenland and two days per week at East Cambridgeshire).

A summary of some of the work planned for 2020/21 is provided below:

- Revision of the Council's Codes of Practice as required under the three yearly revision programme.
- Delivery of a corporate health and safety training programme.
- Co-ordinate meetings of the Council's Health and Safety Working Group
- Development of e-learning health and safety training courses for use on the Intranet.
- Undertake inspections of individual services/teams/buildings as required.
- Update intranet based health and safety information for staff use.

Appendix 1 - Health and Safety Action Plan for 2019/20

KEY - RAG indicator

	No action yet taken
	Action progressing towards completion
	Action completed

Progress Against Action Plan (to March 2020)			
Action	Progress	Status	Target Date
Development and delivery of a Risk Assessment training course for Managers / Supervisors for competence to undertake and document risk assessments.	Training course developed and delivered to identified staff. Training will continue to be delivered during 2020/21 to new staff as required.	Completed.	January 2020
Delivery of a corporate health and safety training programme across the Council.	Training programme delivered during the past year; refer to Section 2 of this report for further details.	Completed	Ongoing
Co-ordinate the delivery of the Health Surveillance programme across the Council in conjunction with the Occupational Health Advisor.	Total of 42 staff were seen and assessed from various teams across the Council, this included some staff being referred to their GP for further advice/treatment.	Completed	March 2020
Conduct a review and update as applicable the Council's current Health and Safety Policy 2017.	Revised Health and Safety Policy formally approved in June 2019.	Completed	June 2019
Review and update the Council's Contractor Management code of practice.	Revised Contractor Management code of practice guidance introduced to comply with legislation requirements.	Completed.	November 2019
Review and update the Council's code of practice on Electrical Safety.	Revised Electrical Safety code of practice guidance introduced to comply with legislation requirements.	Completed.	June 2019
Review and update the Council's Manual Handling code of practice and procedures.	Revised code of practice guidance introduced to comply with legislation requirements.	Completed.	November 2019
Review and update the Council's code of practice on Health Surveillance.	Revised code of practice guidance introduced to comply with legislation requirements.	Completed.	June 2019

Progress Against Action Plan (to March 2020)

Action	Progress	Status	Target Date
Review and update the Council's code of practice on Legionella Management.	Revised code of practice guidance introduced to comply with legislation requirements for legionella management within Council premises.	Completed.	November 2019
Review and update the Council's code of practice on Smoke-Free Workplace.	Revised code of practice guidance introduced to comply with legislation requirements.	Completed.	March 2020
Review and update the Council's code of practice on Violence and Aggression.	Revised code of practice guidance introduced to comply with legislation requirements.	Completed.	January 2020
Co-ordinate meetings of the Council's Health and Safety Working Group	Meetings held on a quarterly basis to set priorities and co-ordinate work programmes for the Council.	Ongoing	Ongoing
Update and improve intranet based health and safety information for staff use.	Review of information held on intranet underway, future improvements will need to be completed in conjunction with the HR team.	Continue to review and update information held/displayed.	Ongoing

TITLE: BREXIT GRANT UPDATE

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Director Commercial

[V73]

1.0 ISSUE

1.1 To receive an update on the Brexit Grant.

2.0 RECOMMENDATION

2.1 Members are requested to note the update provided.

3.0 BACKGROUND/OPTIONS

3.1 On 23 July 2020, Finance & Assets Committee requested an update on the status of the Brexit Grant that was provided by government to assist the Council with Brexit Planning and whether there was any scope for this grant to be used to assist businesses prepare for Brexit.

3.2 The Council received £34,968 paid in 2 equal instalments. The first payment was made in May 2019 and the second payment was made in September 2019. The purpose of the payment was to assist the Council in its Brexit preparations.

This note focuses specifically on what the Council has done to support business in preparing for Brexit.

3.3 Information, which includes the relevant links to government websites are provided on the Enterprise East Cambs Website. A useful tool for business is the [Transition Checker Tool](#) which is available on the .gov website and businesses can sign up to receive a regular [business readiness transition bulletin](#).

3.4 In addition to ensuring that the relevant information is available to business, in February 2020, the Council hosted two themed workshops; Import and Export, and EU Settlement. These workshops were funded by the Cambridgeshire and Peterborough Combined Authority Business Board.

3.5 The import and export workshop provided detailed information on how companies can prepare to import and export and covered:

- Exporting and importing within the EU
- Global trade

- Export finance and insurance
- Import and export documentation
- Export licences
- Export declarations
- Import strategy
- Trade tariffs and duties

3.6 The EU Settlement workshop provided detail on:

- Right to work in the UK
- EEA/Swiss v non-EEA workers schemes
- Documentation and checks for EU workers
- EU settlement scheme
- Skills-based immigration system
- Penalties for non-compliance
- Future employment

30 businesses in the district (small, medium and large) attended these workshops.

3.7 It is recognised that there is still a lot of uncertainty relating to the detail of Brexit and how individual businesses will be impacted and what level of support they will need. The Economic Development Team are continuously monitoring the information available and establishing which organisation is best placed to assist business in preparing from Brexit. Members will be aware of the business survey which is currently being undertaken. In the survey there is a question relating to import and export that will assist Officers in assessing what challenges are faced by business in the coming months.

3.8 The Council will continue to engage with businesses in the district and ensure that they have access to as much information as possible. The Economic Development Team and the Communications Team are currently working on a communications strategy. A briefing note will be provided to Members once this has been finalised and will be kept up-to-date to ensure that key messages and information is available to businesses.

3.9 If there are additional resources required the Council will be able to utilise the grant funding that has been provided by government (ref 3.2 above).

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implication arising from this report.

4.2 An Equality Impact Assessment (EIA) is not required.

4.3 A Carbon Impact Assessment (CIA) is not required.

5.0 APPENDICES

5.1 None

<u>Back ground Documents</u>	<u>Location</u>	<u>Contact Officer</u>
None	Room 105, The Grange, Ely	Emma Grima Director Commercial (01353) 616960 E-mail: emma.grima@estcambs.gov.uk

TITLE: ASSETS UPDATE

Committee: Finance & Assets Committee

Date: 24 September 2020

Author: Director Commercial and Open Spaces & Facilities Manager

[V74]

1.0 ISSUE

1.1 To receive an update on Council owned assets.

2.0 RECOMMENDATION

2.1 Members are requested to note the update on Council owned assets.

3.0 BACKGROUND/OPTIONS

3.1 On 26 September 2019 (Agenda Item 16) Finance & Assets Committee received a report detailing Council owned assets which provided a summary of each asset. This report provides an update to assets contained within that report.

3.2 **Maltings Cottage, Ely**

The Director Commercial wrote to City of Ely as set out in the instruction from Finance & Assets Committee on 23 July 2020. At the time of writing this report a formal response has not been received and is expected once City of Ely Council has made a decision at their Council meeting.

3.3 **70 Market Street, Ely**

At the time of writing this report the property was being actively marketed. Interest in the property has been low, however, there has been interest and this is being dealt with by the Open Spaces & Facilities Manager and Commercial Agent marketing the property.

It is expected that a recommendation will come to Finance & Assets Committee in November.

3.4 **Council Operational Buildings**

The Council has now completed all of the risk assessments and changes that needed to be carried out to ensure that the buildings are COVID-19 compliant. Such works include, but are not limited to:

- Introducing a one-way system in buildings
- Installing screens at reception and in offices

- Installing locks on the outside of toilet door so that only one person can use the facilities at any one time
- Limited access to kitchens and shared staff areas
- Signs outside every office door to indicate maximum office capacity
- Office capacity assessed to ensure that social distancing can be achieved and where possible changes have been made
- Hand sanitising units placed all around the buildings

3.5 **Playgrounds**

The Kingsley Walk, Ely playground has undergone a complete refurbishment which is now complete. The costs of refurbishment totalled £34,070.72.

Jubilee Gardens, Ely- the multi-play units has been refurbished at a cost of £8,745.17.

The cost of both of these projects was met by Section 106 contributions.

3.6 **Angel Drove, Ely- Commuter Car Park Ticket Machines**

The ticket machines at Angel Drove, Ely are now contactless.

4.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

4.1 There are no financial implication arising from this report.

4.2 An Equality Impact Assessment (EIA) is not required.

4.3 A Carbon Impact Assessment (CIA) is not required.

5.0 APPENDICES

5.1 None

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Finance & Assets Committee- 26 September 2019- Agenda Item 16	Room 106, The Grange, Ely	Spencer Clark Open Spaces & Facilities Manager (01353) 616960 E-mail: spencer.clark@eastcambs.gov.uk

Notes of a remote meeting of the Covid-19 Working Party held on Thursday, 9 July 2020 at 5.00pm.

PRESENT

Cllr Sue Austen
Cllr Ian Bovingdon
Cllr Charlotte Cane
Cllr Matthew Downey
Cllr Lis Every
Cllr Jo Webber

OFFICERS

Jo Brooks – Director Operations
Sally Bonnett – Infrastructure & Strategy Manager
Martin Smith – Business Development Manager
Angela Parmenter – Housing & Community Safety Manager
Lewis Bage – Communities & Partnerships Manager
Tracy Couper – Democratic Services Manager

IN ATTENDANCE

1. ELECTION OF CHAIRMAN

Cllr Ian Bovingdon was duly proposed and seconded. There being no other nominations,

It was resolved:

That Cllr Bovingdon be elected as Chairman of the Covid-19 Working Party.

2. APOLOGIES

No apologies for absence were received.

3. DECLARATIONS OF INTEREST

There were no declarations of interest made.

4. TERMS OF REFERENCE OF THE EAST CAMBS BUS SERVICES REVIEW WORKING PARTY

Members received the Terms of Reference, which had been agreed at the meeting of the Finance & Assets Committee on 18 June 2020.

In response to a question by a Member regarding the minuting of meetings, the Democratic Services Manager confirmed that the Notes of these

meetings and any recommendations from the Working Party would be submitted to the Finance and Assets Committee for consideration.

A Member commented that the Terms of Reference were a high level document that would be developed as the Work Programme of the Working Party progressed.

The Director Operations agreed that the Terms of Reference and draft Work Programme represented a skeleton position statement of high level strategic aims for the key areas currently identified, for relevant officers to implement.

A Member commented that this issue affected all Councillors and people within the District and asked how they would be included in and informed of the work of the Working Party. The Director Operations stated that this would be a matter for the Working Party to consider and make recommendations upon. It could include the provision of training, guidance, support and information to Councillors, Parish Councils, Community Groups, etc.

The Chairman agreed that both the Terms of Reference and the Work Programme for the Working Party would be evolving documents that could be added to.

It was agreed:

That the Terms of Reference be noted.

5. WORK PROGRAMME

Members considered a draft work programme, which set out the 5 key areas detailed in the Terms of Reference for the Working Party, together with initiatives, actions and timescales for each of those 5 areas. The Director Operations stated that officers were in attendance at this Working Party meeting to give a position statement on 3 of those key areas and other officers and stakeholders would be invited to future meetings to give an update on the other 2 areas. She again emphasised that the Work Programme was intended to be a high level document to be added to as matters progressed.

The Director Operations introduced Martin Smith, Business Development Manager, to give a summary of the Hatch Regeneris Report entitled 'Cambridgeshire and Peterborough – Covid-19 Understanding Economic Impacts and Informing the Response', a copy of which had been circulated to the Working Party. Martin also would give an update on connectivity issues.

Mr Smith stated that the Hatch Regeneris report had been commissioned by the Combined Authority in April 2020 and represented a snapshot of the position at that time. As Working Party Members would be aware, the situation in relation to Covid-19 was constantly changing and evolving and probably of greater importance was how this piece of work connects with other work being carried out by the Combined Authority and how this Council could feedback to the Combined Authority (CA) with regard to the

key issues. The main mechanism for this feedback was likely to be the Business and Economic Recovery Sub-Group of the Combined Authority.

The Hatch report represented a good high level view of the national and local picture at the time and was a useful reference document. However, it was only one report amongst many both locally, regionally and nationally and should be regarded as one element of the overall picture in which there were many constantly moving parts. For example, the Bank of England Report appeared to contradict aspects of the Hatch report. Of greater importance was ensuring that the needs of this District at local level were effectively fed into the CA via the Sub-Group, to ensure that the interventions required locally were effectively addressed and resourced. The Hatch report showed the diverse number and nature of sub-economies within Cambridgeshire, and this Council needed to ensure that the distinct needs of the ones in our District were not lost amongst the larger areas such as Cambridge City and Peterborough.

During discussions, the following comments/queries were raised by Members and responded to as detailed:

- In response to a question on engagement with local trade/business associations, Mr Smith stated that feedback was being invited from these bodies and they were represented on the Sub-Group.
- With regard to how the 3 Market Town Masterplans fed into the Sub-Group, Mr Smith stated that these were separate to the process at present.
- Reference was made to the need for a 'place based approach' and to ensure that the growth within East Cambridgeshire was given due priority against the competing claims of the 'Cambridge effect'.
- A Member queried how an accurate local economic assessment would be made. Mr Smith stated that work was ongoing to produce a more 'granular' assessment at local level.
- The Chairman requested more specific economic data relating to East Cambridgeshire for the next Working Party meeting.

On the issue of connectivity, Mr Smith reported that Broadband coverage had greatly improved from the position 5 years ago. Public WiFi was now available in the High Street and Market Street in Ely, the High Street in Soham and was being installed in the Main Street area of Littleport.

It was suggested that Connecting Cambridgeshire be invited to attend the next Working Party meeting to give an update on their future proposals and explain about 5G. It was hoped that on the issue of connectivity, areas could come out of Covid stronger than previously, due to the new remote working requirements.

The Chairman referred to a report being submitted to the County Council General Purposes Committee on 14 July regarding £2.3M available to extend superfast Broadband.

Members commented that it was vital to the economic and social wellbeing of the District to have good connectivity to facilitate things such as home working and education. Reference also was made to the impact of the closure of libraries during lockdown, as disadvantaged groups relied on them for IT access. A Member commented that some parishes still had connectivity/coverage issues.

Mr Smith stated that Connecting Cambridgeshire had produced maps showing Broadband and Mobile Phone coverage and could be requested to give an update on the current baseline within the District.

The Director Operations introduced Angela Parmenter and Lewis Bage to give an update on engaging with Communities and Parish Councils.

Ms Parmenter referred to the Housing & Communities & Vulnerable People Officer Group update reports circulated to Working Party Members on the preceding day. She gave a snapshot of the activities undertaken over the past 4 months. Ms Parmenter paid tribute to the amazing work carried out by Parish and Community Groups in their localities and emphasised that these groups had wanted support and co-ordination from the District Council, not interference. A 'Covid-19 Hub' had been formed offering assistance to residents, communities and volunteers. The last 14 days had seen a consistent drop in the number of calls and emails coming into the hub requesting assistance. The majority of these calls are for assistance with prescriptions and shopping.

We identified and issued over 8,000 letters to all of our over 70's residents and residents registered for assisted bin lift, we have data on residents claiming single person discount, PIP, DLA, ESA and carers allowance with letters to follow.

We are also sending letters out to people that have been deregistered from the shielding list offering continuing advice and support and will be providing support to those who have been required to self- isolate through the test and trace system.

We have acted on the non-contactable shielded data and officers went door knocking to check they are safe and well, most residents haven't registered as they do not need the support.

Highlights of the work carried out by the Housing & Communities & Vulnerable People Officer Group included:

- A Parish & community group forum, to discuss issues, support required, gaps and challenges and share good practice
- Online directory on Council website for residents which is continually updated, showing community groups/parish councils and businesses providing relevant information, details of the support available, how to report a resident that may be in need of support, as well as how to volunteer

- Council's Covid-19 webpages contains a pro-forma for groups to complete if there is any additional support that they need or if there are any gaps in provision available
- 2 Community newsletters sent to every household in the District, including good news stories from all community groups, support and advice from various different agencies and contact details for Covid-19 hub and all the support groups across the district
- Worked closely with Love Ely to deliver care parcels across district

In concluding, Ms Parmenter stated that officers now were quickly moving into the recovery phase.

Lewis Bage stated that his Team had engaged with all Parish Councils to identify what support was being offered and by whom. They had also worked with VCAEC using their database of volunteers and signposted County Hub volunteers to local groups.

16 Parishes had regularly participated in the Parish and Community Forum set up and efforts were being made to encourage the others to attend, as useful to share information, issues and good practice. The Forum was a multi-agency, cross-sector platform for parishes and local groups to engage with one another and a range of other agencies.

There was a strong desire to continue with the networks established and to continue to get support and key messages out to vulnerable people. The positive outcomes achieved from the outbreak locally could be aligned to other workstreams such as the 'Think Communities' programme to harness and sustain the excellent work and energy generated within local communities.

The Council also had been feeding into the County Hub Information Sub-Group.

Moving forward into the recovery phase, we were working with parish groups to assess the impacts of people returning to work along with demand for support over time to identify trends. We can then identify any gaps that may emerge and seek to fill them using the local networks that have been established.

We were also asking local groups how they would like the Council to support and assist them in the future.

The Chairman and Working Party Members commended the excellent work being carried out.

Members raised the following questions/comments, which were responded to as detailed:

- A Member highlighted work being undertaken by Cambridgeshire ACRE on behalf of Cambridgeshire County Council which the Council may be able to tap into.
- Reference was made to the 'hidden' vulnerable groups such as domestic violence, child abuse and anti-social behaviour, and Mr Bage was requested to feed into the Community Safety Partnership relating to the Covid-19 impacts on such groups.
- A Member commented that she had been involved in the Parish Forum and believed this was a good way to re-shape working with Parishes and community groups for the future. She asked that a particular focus be given to smaller Parishes, which tended to have less developed resources/networks. She was a strong advocate of the 'Think Communities' programme which was working well in Littleport. Some Parishes also might need support with technological issues such as holding remote meetings. She believed that linking with local community bodies such as Doctors Surgeries, Housing Associations, etc, would become the 'new norm' for the future. Ms Parmenter stated that discussions had been undertaken with other stakeholders regarding smaller parishes and community groups being encouraged to link-up with larger neighbouring parishes.
- A Member commended the sharing of good practice and encouraging of smaller groups to adopt similar approaches. Some of the vulnerable were likely to need continuing help and support once 'shielding' was lifted and may need re-assurance that it was safe to leave their homes and re-engage in public. Ms Parmenter stated that a number of the vulnerable had expressed concerns about leaving their homes once shielding ends, so volunteers were prepared to accompany them until their confidence returned. A video also was being produced of the 'new norms' in relation to accessing supermarkets and shops.

The Director Operations explained the structure of the Recovery Co-ordinating Group (RCG) (who were taking over from the Strategic Co coordinating group who were responsible for the response phase). She advised that under the RCG sat 8 Sub-Groups, which were producing Impact Assessments across the Sub-Region. The sub groups included business & economic recovery, criminal justice, vulnerable people, environment, community, finance, health, public health and protection and transport. She confirmed that whilst the County Council would be 'pausing' activities for those on the vulnerable list, they could be picked-up again if a second wave occurred, and calls were being offered if people wished them to continue after shielding ended. Whilst we may be going into the recovery phase, it was important to continue to harness the community spirit generated, as the recovery stage was likely to be far longer than the outbreak itself and was currently predicted to be at least 18-24 months.

The Chairman stated that there was a general view that the excellent work in communities needed to continue as we came out of the crisis and this required both a 'top down' and 'bottom up' approach.

Sally Bonnett, Infrastructure & Strategy Manager, gave an overview of the Bus, Cycle and Walking Routes consultation. The consultation had been conducted via a survey delivered to all households in the District and using local drop-boxes, as well as the survey being available on-line on the Council's website.

Returns had been as follows:

1458 bus surveys
1186 cycle surveys
866 walking surveys

Relevant responses received from the Climate Change Forum earlier in the year also had been incorporated.

Analysis of the Bus surveys had commenced and would be followed by the cycling and walking surveys in the following week.

Ms Bonnett asked the Working Party about how they would like to be involved with the issue and Members commented that it was appropriate for the Bus Working Party to deal with this but that this Working Party could be involved with any assistance required to support/encourage active travel initiatives.

With regard to the other 2 points on the Work Programme, the Director Operations stated that the Planning Manager or her representative could be invited to the next meeting to speak on the delivery of affordable and social housing through the Planning process.

Reference was made to the need to assist and support local businesses over the summer and beyond, particularly having regard to Ely's position as a popular day trip location. In addition, the local hospitality sector would require active measures to assist them to take best advantage of the new initiatives for outdoor facilities. Measures could include liaison with the Cathedral regarding use of their open spaces Licensing assistance, etc. The Working Party requested that the Environmental Services Manager or Senior Licensing Officer be invited to the next meeting of the Working Party to give an update on these issues.

In concluding, the Working Party highlighted their role as 'ringmaster' to oversee the activities being undertaken by officers on the 5 key areas identified in the Work Programme and make any recommendations arising therefrom to Finance and Assets Committee to facilitate these activities, rather than becoming directly involved in the operational aspects.

It was AGREED:

That the following be invited to attend the next meeting of the Working Party:

- Connecting Cambridgeshire and Martin Smith - to give an update on their future proposals and explain about 5G

- Director, Commercial, Planning Manager and Housing Needs Manager to provide update on planning law, housing need and viability
- Senior Licensing Officer - to give an update on local Licensing issues/initiatives

DATE OF NEXT MEETING

It was agreed that the next meeting of the Working Party would be held on Wednesday, 29 July at 5.00pm.

The meeting closed at 6.30pm

Notes of a remote meeting of the Covid-19 Working Party held on
Wednesday, 29 July 2020 at 5.00pm.

PRESENT

Cllr Ian Bovingdon
Cllr Charlotte Cane
Cllr Matthew Downey
Cllr Lis Every
Cllr Jo Webber

OFFICERS

Jo Brooks – Director Operations
Emma Grima – Director Commercial
Sally Bonnett – Infrastructure & Strategy Manager
Angela Parmenter – Housing & Community Safety Manager
Rebecca Saunt – Planning Manager
Liz Knox – Head of Environmental Services
Stewart Broome – Senior Licensing Officer
Tracy Couper – Democratic Services Manager

IN ATTENDANCE

Noelle Godfrey - Programme Director, Connecting Cambridgeshire

1. APOLOGIES

Apologies for absence were received from Councillor Austen.

2. DECLARATIONS OF INTEREST

There were no declarations of interest made.

3. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked Working Party Members for their contributions to the Council's bid for Tranche 2 of the Government's Emergency Active Travel Fund. A bid had been submitted on behalf of the Council by the Infrastructure & Strategy Manager by the deadline date.

The Chairman reported that £1.57 billion of Central Government grant funding also had been announced to support Arts, Cultural and Heritage bodies. The Directors Operations and Commercial were looking at identifying and publicising the availability of this grant funding to businesses and organisations within the District that could benefit from it, together with offering support to them in the submission of a bid. Working Party Members also were encouraged to get the message out to any relevant local bodies that they were

aware of. It was suggested that any list of such bodies complied should be sent to Councillors, so that they could advise of any omissions that they were aware of. The Director Operations confirmed that the availability of the grant would be publicised locally and agreed to circulate further details of the Government grant scheme to Members of the Working Party.

The Chairman stated that he had agreed to amend the order of business on the Agenda to take the item on Business Community/Connectivity after the item on Licensing Issues/initiatives.

4. NOTES OF PREVIOUS MEETING

The Working Party received the Notes of the meeting held on 9 July 2020.

In response to a query by a Member as to how to feedback information relating to the Hatch report and 'place based' information on growth, the Director Commercial stated that this could be done directly to Martin Smith, Business Development Manager. With regard to the resources for compilation of the results from the Bus Services Survey, the Director Commercial confirmed that these were sufficient and that the results would be reported in the near future.

Reference was made to a typographical error in the final paragraph of text on page 7 of the Notes, which should read 'arising'.

It was agreed:

That the Notes of the meeting held on 9 July 2020 be received.

5. HOUSING NEEDS/AFFORDABLE HOUSING PROVISION

Angela Parmenter, Housing & Community Safety Manager, gave details of the Housing Need within the District and comparisons with our neighbouring Councils, a copy of which is appended at the end of these Notes. Ms Parmenter highlighted that this Council currently had only two homeless cases from the Band A category of Housing Need and had not used bed and breakfast accommodation since August 2012. The Team focussed on prevention of homelessness, with 71 cases of preventions and 49 reliefs for individuals/families from becoming homeless. The 17 applicants in the Council's general needs hostel were not rough sleepers but individuals and families. In addition, this Council was letting properties in the lower Housing Need C and D bandings, as there were not large numbers of homeless 'clogging up' the register. The Chairman commented that this Council was doing very well compared to its neighbouring Councils.

Comments/questions were raised by Members as follows:

In response to a question by a Member, Ms Parmenter confirmed that many of the applicants in the lower bandings were due to changes in

lifestyle requirements and agreed to provide information to Working Party Members on this.

A Member commented that all applicants had a level of need but differing levels of urgency. She commended the good management of Housing Need by this Council and asked for figures on the proportion of properties within the general housing stock that were rented rather than owner occupied. She also requested a prediction of the likely impact on homelessness of the ending of furlough arrangements, the prohibition on evicting tenants and economic downturn arising from the Covid-19 outbreak and asked whether the Housing Team was adequately resourced to deal with this. Ms Parmenter acknowledged that the levels of homelessness and Housing Need were likely to rise as a result of Covid-19, but the Team actively worked with other Housing providers on prevention from evictions and was ensuring that the staff were adequately resourced and skilled for when furlough ended and evictions were recommenced. The Director Operations highlighted the excellent relationship the Team had built up with both public and private sector landlords to prevent homelessness.

Rebecca Saunt, Planning Manager, then took the Working Party through her presentation on Development Management and Affordable Housing, which had been circulated to the Working Party. Ms Saunt detailed the relevant sections of the National Planning Policy Framework (NPPF) relating to affordable Housing and the current Planning Policy of the Council within the Local Plan, Policy HOU3. However, Ms Saunt advised Members that following withdrawal of the Local Plan in 2019, an updated viability report had been produced which stated that the viable position for ECDC was:

20% Affordable Housing in Littleport and Soham
30% Affordable Housing elsewhere in the District

This contrasted with the policy in the 2015 Local Plan which stated (subject to viability):

30% Affordable Housing in North of District
40% Affordable Housing in South of District

Therefore, the Council was required to accept 20% Affordable Housing provision in Littleport and Soham due to the viability report. Ms Saunt reminded the Working Party of the requirement for the Council to work in accordance with existing Planning policies.

Questions/comments were raised by Members as follows:

A Member queried if there was scope for the policy to be more nuanced in view of the fact that the greatest Housing Need at present was for 1 bed properties and Affordable Housing provision tended to have a larger number of bedrooms. Reference to a percentage of beds on a site could assist in this. Ms Saunt stated that there was a requirement to comply

with existing policies, but the Council could seek an appropriate mix of houses for sites. The Director Commercial agreed to raise with the Strategic Planning Manager whether this would be possible in the event of a review of the Local Plan being undertaken.

The Chairman queried whether discussions took place with Housing Associations on need. The Director Commercial confirmed that this was the case and that a meeting with local Housing Providers within the region was taking place on the following day.

A Member asked where Members could see the numbers and percentage of Affordable Housing provided each year compared to the targets within the Planning policies. The Director Commercial stated that these were contained within the Annual Monitoring Report and she agreed to send the relevant link to this to Working Party Members.

A Member commented that Affordable Housing provision by Housing Associations, particularly shared ownership, was not always affordable. In addition, Housing Associations did not want Affordable Housing units scattered around sites for management reasons. Furthermore, the marginal costs of constructing a 2 bed house were not much more than a 1 bed house and developers and Housing Associations always had to balance Housing Need with viability issues.

The Director Commercial concluded by advising that re-engaging the Affordable Housing market post-Covid-19 was likely to be comparable to the period following the Sub-Prime Property Crisis. The Council would need to look at sites with Planning consent and play an encouraging role, suggesting that developers speak to the bodies such as the Combined Authority and Homes England to see whether funding might be available to convert market houses into Affordable Housing.

6. LICENSING ISSUES/INITIATIVES

Stewart Broome, Senior Licensing Officer, summarised his presentation, circulated to the Working Party, on the Business and Planning Act 2020 which made changes to the Licensing provisions with regard to pavement licensing and off-sales. The Act allowed off-sales from licensed premises and pavement licensing with some restrictions/exclusions until 30 September 2021. District Councils now had the ability to grant pavement licenses via a faster licensing process and with a maximum application fee of £100, although they still had to consult the Highway Authority and the offence provisions still rested with the Highway Authority. Business owners still could apply for a Section 7A pavement licence from the Highway Authority, but the County Council was advising applicants to contact their local District Council.

A number of Members raised the recent issues in the Riverside/Jubilee Gardens area of Ely and asked whether lessons had been learnt from this. Mr Broome stated that a particular set of circumstances relating to Covid-19 restrictions easing, good weather, etc, had led to a 'perfect storm' in this area

of the city and Licensing and Environmental Health Officers had worked within their powers at that time and with one particular Licensed premises in that area, to ameliorate the incidents of anti-social behaviour. The Chairman and Working Party Members thanked officers for their actions on this matter.

A Member queried the number of enquiries for pavement Licences to date; what assistance could be given to businesses with little or no pavement; whether further pedestrianisation could be considered to facilitate greater outdoor activity; and whether there was the scope to reduce or waive the £100 application fee. Mr Broome stated that no applications had been received so far, but he understood that one was pending and there were likely to be a number of Section 7A referrals from the County Council. The legislation stated that a fee should be charged and the Council had estimated the administration costs of the licence at approx. £400 per application. Therefore, the £100 fee was very modest and it was considered reasonable in view of the fact that other Licensing fees remained fixed for other businesses and operators e.g. Taxi Drivers, kennels, etc, which also had been affected by the Covid-19 outbreak. With regard to pedestrianisation, it was reported that this had been looked at in relation to Ely High Street during the lockdown period and dialogue was ongoing with local traders. The issue required a collaborative approach. A Member referred to the 'Widen my Pavement' website and commented that this was an issue that the Working Party should consider.

A Member raised the issue of communications with local Licensed businesses on changes, new initiatives and current issues. Mr Broome stated that his Team had E-mail addresses for 95% of Licensed premises and 98% of Taxi and Private Hire operators, so information could be sent out to these regularly. A similar database was held by Environmental Health relating to registered commercial food businesses. In addition, information was released by the Council's Communications Team.

The Chairman thanked Mr Broome for his presentation.

7. BUSINESS COMMUNITY/CONNECTIVITY

Noelle Godfrey, Programme Director, Connecting Cambridgeshire, referred to the update circulated to the Working Party and gave further details on connectivity issues and 5G in relation to the District.

Ms Godfrey stated that on Superfast Broadband, East Cambridgeshire had the lowest coverage in 2013 but had seen significant improvement to the current 95% level and should be to 97% within the next year to 18 months. On Full Fibre, East Cambridgeshire was behind the national average at 7% compared to 22% nationally, but should increase to 20-30% over the next year. With regard to 2G – 4G mobile coverage, there were coverage deficits in areas of Littleport, Soham, Ely and Kirtling. However, Government investment was being sought via the shared Rural Networks programme. Public Access WiFi was available in Ely and Soham town centres and should be available in Littleport town centre by the autumn. It was available in 8 village halls, with a further 1 pending. 5G was commencing with the upgrading of some masts.

However, it was important to facilitate mobile operators where possible to encourage 5G coverage.

A Member queried how Connecting Cambridgeshire was working with Councils to ensure good digital connectivity, particularly now that more people were working from home and due to the number of vulnerable people confined to their homes due to Covid-19. Ms Godfrey stated that many vulnerable people had pay-as-you-go phones and awareness-raising had been carried out to spread the message that NHS sites were not chargeable. In addition, Housing providers were being approached to ensure that there was good connectivity for their properties.

A Member questioned how Councils could improve connectivity and Ms Godfrey stated that public Access WiFi in community locations was important for this, as connectivity could help with healthy lifestyles.

Members requested statistical information specific to the East Cambridgeshire District.

A Member asked how information could be gained on the consistency of service and actual compared to theoretical coverage and speeds. Ms Godfrey stated that she could provide information on how people could check this.

A Member commented that Councils needed to define criteria for mobile masts in their areas and ensure that the mobile providers were aware of these. The Director Operations agreed to speak to the Planning Manager with regard to the Planning criteria for mobile masts.

The Director Operations also agreed to speak to Martin Smith, Business Development Manager, with regard to the roll-out of Public Access WiFi within the District.

In response to a question regarding how far we were away from not having masts, Ms Godfrey stated that this would not be happening in the short-term due to the complexity of the issues.

The Chairman thanked Ms Godfrey for her attendance.

8. WORK PROGRAMME

Members considered the work programme. The Director Operations reported that the Working Party now had received position statements on all of the 5 key areas within the work programme. Therefore, officers needed feedback from the Working Party on the actions required.

The Chairman stated that the Working Party had requested Martin Smith, Business Development Manager, to provide East Cambs related data. In addition, consideration needed to be given to which Working Party was to progress the bus services and cycling/walking streams.

It was suggested that at the next meeting, consideration should be given to how the Working Party wished to take matters forward, what it wanted to achieve and the timescales for this.

A Member commented that the Bus Services Working Party had done a lot of good work and should finish this in relation to Bus Services. But this Working Party could take on the active travel aspects as part of its work programme from now onwards.

A Member suggested that this Working Party should consider further the issue of support to local businesses.

The Chairman requested Working Party Members to obtain actions from their Political Groups regarding what the Working Party was expected to achieve; what were the priorities; and proposed timescales. These should be forwarded to the Director Operations for consideration by the Working Party of inclusion in their work plan at the next meeting.

9. DATE OF NEXT MEETING

It was agreed that the next meeting of the Working Party would be held on Wednesday, 19 August at 5.00pm.

The meeting closed at 7.25pm

Housings need/demand	
921	Active Home-Link applications
470	1 Bed
271	2 Bed
135	3 Bed
35	4 bed
9	5 Bed
1	6 Bed

Banding		
	Band A	Band B
ECDC	2	43
Hunts	52	46
South Cambs	16	39
W. Suffolk	44	32
Cambs C.	4	
Fenland	13	38

NB - Hunts and Cambs City have been direct letting to Band B applicants.

Properties let, by Banding since Jan 2020.					
	ECDC	Hunts	South Cambs	W. Suffolk	Cambs City
Band A	4	1	1	1	3
Band B	6	1	2	3	9
Band C	6	1	0	0	3
Band D	2	0	0	0	0

NB – No stats for Fenland

Prevention Year to date ECDC	71
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Relief Year to date ECDC	49
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B&B placements		
	On April 1 st 2020	On July 29 th 2020
South Cambs	6	5
Hunts	26	49
Fenland	51	38
Peterborough	152	63
Cambs City	141	215

NB - Since 1st of April 2020 we have placed 17 applicants into our general needs hostels.
No B&B since August 2012.

Band A live applicants	
Lacking 2 or more bedrooms	7
Urgent multiple needs	26
Medical need	4
Health and Safety Risk	2
Current supported housing resident	3
Under occupying by 2 or more bedrooms	15
Urgent Transfer	4
Fully duty homelessness	2

Band B live applicants	
Lacking 1 bedroom	115
Medical Need	55
Under occupancy by 1 bedroom	29
Victim of harassment, abuse or violence	11
Owed a prevention or relief duty	41

Band C live applicants	
Housing conditions	107
Medical need	15
Need to move for social reasons	75

Band D live applicants	
Low housing need	263

Band D* - 147 – applicants over the financial thresholds, homeowners, rent arrears owing to social landlord or severe ASB in the last 3 years.

FINANCE & ASSETS COMMITTEE
ANNUAL AGENDA PLAN

AGENDA ITEM NO 21

LEAD OFFICER(S): Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Janis Murfet

Meeting on: Thursday, 24 September 2020 4.30pm			Meeting on: Thursday, 26 November 2020 4.30pm			Meeting on: Monday 25 January 2021 4.30pm		
Agenda Planning meeting:			Agenda Planning meeting:			Agenda Planning meeting:		
Pre-meeting briefing:			Pre-meeting briefing:			Pre-meeting briefing:		
Deadline for reports/dispatch:	4pm Monday 14 September 2020	Wednesday 16 September 2020	Deadline for reports/dispatch:	4pm Monday, 16 November 2020	Wednesday 18 November 2020	Deadline for reports/dispatch:	4pm Wednesday 13 January 2021	Friday 15 January 2021
<ul style="list-style-type: none"> Chairman's Announcements Draft Annual Governance Statement Internal Audit Progress Report Corporate Risk Management ECTC Business Plan 2020/21 (Revised) ECTC 2019/20 Accounts Equality, Diversity & Inclusion Policy(draft for consultation) Self-Build SPD for adoption Natural Environment SPD for adoption Climate Change SPD for consultation Recommendation from COVID-19 Working Party Finance Report Health & Safety Update 	<ul style="list-style-type: none"> Chair Internal Audit Internal Audit Internal Audit Director Commercial ECTC Finance Man HR Manager Strat Planning Manager Strat Planning Manager Strat Planning Manager Director Commercial Finance Manager Open Spaces & Facilities Manager 	<ul style="list-style-type: none"> Chairman's Announcements External Audit - Audit Results Report Internal Audit Update Forward Agenda Plan Gender Pay Finance Report Counter Fraud Assets Update Discretionary Business Rates Relief <i>Actions taken by the Chief Executive on the Grounds of Urgency (if any)</i> <i>Write Off of Unrecoverable Debt</i> ECTC Management Accounts (EXEMPT) 	<ul style="list-style-type: none"> Chair External Audit Internal Audit DSO HR Manager Finance Manager/S151 Officer Internal Audit Open Spaces & Facilities Manager Finance Manager & S151 Officer DSO Finance Manager/S151 Officer ECTC Finance Manager 	<ul style="list-style-type: none"> Chairman's Announcements Assets Update Forward Agenda Plan External Audit Results Report Appointments, Transfers, Resignations [EXEMPT] <i>Actions taken by the Chief Executive on the Grounds of Urgency (if any)</i> <i>Write Off of Unrecoverable Debt</i> ECTC Business Plan 2021/22 	<ul style="list-style-type: none"> Open Spaces & Facilities Manager DSO External Audit HR Manager DSO Finance Manager/S151 Officer Director Commercial 			

[Notes: 1. Agenda items which are likely to be "urgent" and therefore not subject to call-in are marked *
2. Agenda items in italics are provisional items/possible items for future meetings]

FINANCE & ASSETS COMMITTEE
ANNUAL AGENDA PLAN

LEAD OFFICER(S): Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Janis Murfet

Thursday 24 September 2020 4.30pm [continued]			Meeting on: Thursday 26 November 2020 4.30pm [continued]			Meeting on: Monday 25 January 2021 4.30pm [continued]		
Agenda Planning meeting:			Agenda Planning meeting:			Agenda Planning meeting:		
Pre-meeting briefing:			Pre-meeting briefing:			Pre-meeting briefing:		
4pm Monday 14 September 2020	Wednesday 16 September 2020	4pm Monday 14 September 2020	Deadline for reports/dispatch:	4pm Monday, 16 November 2020	Wednesday 18 November 2020	Deadline for reports/dispatch:	4pm Wednesday 13 January 2021	Friday 15 January 2021
<ul style="list-style-type: none"> Update on Brexit Grant Asset Update COVID-19 Working Party Minutes Forward Agenda Plan ECTC Management Accounts (EXEMPT) Write Off of Unrecoverable Debt (EXEMPT) Asset Management Matter (EXEMPT) Minutes (EXEMPT) 	Director Commercial Director Commercial DSO DSO ECTC Finance Mgr Finance Manager Open Spaces & Facilities Manager DSO					<ul style="list-style-type: none"> ECTC Management Accounts (EXEMPT) 	ECTC Finance Manager	

[Notes: 1. Agenda items which are likely to be “urgent” and therefore not subject to call-in are marked *
 2. Agenda items in italics are provisional items/possible items for future meetings]

FINANCE & ASSETS COMMITTEE
ANNUAL AGENDA PLAN

LEAD OFFICER(S): Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Janis Murfet

Meeting on: Thursday, 25 th March 2021 4.30pm										
Meeting on:			Meeting on:			Meeting on:				
Agenda Planning meeting:			Agenda Planning meeting:			Agenda Planning meeting:				
Pre-meeting briefing:			Pre-meeting briefing:			Pre-meeting briefing:				
Deadline for reports/dispatch:	Monday 15 March 2021	Wednesday 17 March 2021	Deadline for reports/dispatch:			Deadline for reports/dispatch:				
<ul style="list-style-type: none"> Chairman's Announcements Assets Update 		Open Spaces & Facilities Manager								
<ul style="list-style-type: none"> Forward Agenda Plan 		DSO								

[Notes: 1. Agenda items which are likely to be "urgent" and therefore not subject to call-in are marked *
 2. Agenda items in italics are provisional items/possible items for future meetings]

FINANCE & ASSETS COMMITTEE
ANNUAL AGENDA PLAN

LEAD OFFICER(S): Emma Grima, Director Commercial

DEMOCRATIC SERVICES OFFICER: Janis Murfet

Meeting on: Thursday, 25 March 2021 4.30pm [continued]										
Meeting on:			Meeting on:			Meeting on:				
Agenda Planning meeting:			Agenda Planning meeting:			Agenda Planning meeting:				
Pre-meeting briefing:			Pre-meeting briefing:			Pre-meeting briefing:				
Deadline for reports/dispatch:	Monday 15 March 2021	Wednesday 17 March 2021	Deadline for reports/dispatch:			Deadline for reports/dispatch:				
<ul style="list-style-type: none"> <i>Appointments, Transfers, Resignations [EXEMPT]</i> <i>Action taken by the Chief Executive on the Grounds of Urgency (if any)</i> <i>Write Off of Unrecoverable Debt</i> 		HR Manager	•							
		DSO								
		Finance Manager & S151 Officer								

[Notes: 1. Agenda items which are likely to be “urgent” and therefore not subject to call-in are marked *
 2. Agenda items in italics are provisional items/possible items for future meetings]