



Minutes of a Meeting of the Finance & Assets Committee
Held at The Grange, Nutholt Lane, Ely, CB7 4EE at 4:30pm on
Thursday 23rd November 2023

Present:

Cllr Ian Bovingdon
Cllr Christine Colbert (substitute for Cllr Caroline Shepherd)
Cllr Lorna Dupré
Cllr Mark Goldsack
Cllr Bill Hunt
Cllr Kathrin Holtzmann (substitute for Cllr Robert Pitt)
Cllr James Lay
Cllr David Miller
Cllr Alan Sharp (Chairman)
Cllr John Trapp
Cllr Alison Whelan

Officers:

Sally Bonnett – Director Community
Maggie Camp – Director Legal Services
Spencer Clark – Open Spaces & Facilities Manager
Jane Webb – Senior Democratic Services Officer
Ian Smith – Director Finance

In attendance:

Paul Remington - ECTC Chairman
John Hill – ECTC Managing Director
Emma Grima – ECTC Property & Commercial Director
Nigel Ankers – ECTC Finance Manager
Dr Jethro Gauld - Chair of East Cambs Climate Action Network

Karen Wright – ICT Manager
Melanie Wright – Communications Officer

46. Public Question Time

The following questions were received from the East Cambs Climate Action Network:

"Firstly, thank you to those involved for the hard work they have put in to developing the Climate and Natural Environment Chapter of the local plan. We do however note some areas which could be improved and urge councillors to consider these for inclusion.

1. On Energy & Water, rather than only providing some of the energy needed on site, we ask councillors to take this opportunity to write into the local plan that all new housing developments generate as much electricity as they are likely to need through energy efficiency and on site or community renewable electricity generation. We are also a water scarce region, should it not be mandatory to include rainwater harvesting for grey water?
2. On biodiversity net gain, will councillors follow South Cambridgeshire district council in specifying 20% biodiversity net gain in their local plan? As outlined in the chapter it would not add additional administrative costs for the council and could be a potential source of revenue.
3. We praise the inclusion of a plan for hedgehogs, but will councillors also ensure that a requirement for Swift Bricks and Sparrow Terraces on all new housing developments be included in the local plan? This is the focus of a national, RSPB backed campaign: <https://hannahbournetaylor.com/the-feather-speech-campaign-for-swifts/> and also has the backing of major housing developer Barratt homes.
4. On embodied carbon: it is now possible to build new houses with net-negative embodied carbon emissions. Will the council commit to investigating how a requirement around embodied carbon could be implemented?
5. While national policy does now make the installation of EV charge points mandatory, we as a group would suggest that the local plan specify that these should be Type 2 EV chargers, not 3-pin plugs as there have been examples of developers cutting corners on this. Also, on EV charging we ask that the council make it easier to get permission for owners in properties without a driveway to install a Gul-E type cable channel across the pavement to increase access to home charging while preventing a trip hazard for pedestrians."

The Chairman responded with the following:

"Thank you for your very helpful and interesting comments and questions.

Your question relates to Item 8 on the agenda, and I'm sure Committee Members will reflect on your suggestions as we debate that item shortly. However, in advance of that debate, I would like to say that the suggestions you set out are precisely the sort of comments we look forward to receiving at the point the document is consulted upon early next year. We are especially looking forward to suggestions from organisations such as EastCambsCAN, so that between us we can refine the chapter to maximise environmental gains, whilst still delivering the homes and jobs we need.

I would, however, like to pick up on your final point, in relation to Electric Vehicle charge points. The Building Regulations (specifically, para 6.2 of Part S of the Building Regulations, which came into force from June 2022), set out detailed technical requirements for new EV charge points. These requirements include: meeting a specific EV British Standard; have a minimum 7kW output; and they must be on a dedicated circuit. What that means in practice, therefore, is that all new homes which started being built after June 2023, must by law meet the new Building Regulation requirements, irrespective of when they were granted

permission. So, I agree with your concern that we don't want sub-standard charge points being installed, but I do think the new Building Regulations provide a high degree of specification which all homes must now meet, and therefore it probably isn't appropriate for a local authority such as East Cambs District Council to specify an alternative EV charging standard through the Planning system. I think that would confuse rather than help.

For all your other suggestions in your question, these are certainly matters up for discussion and investigation.”

The Chairman thanked Dr Jethro Gauld for his questions and stated he looked forward to receiving further contributions once the document was under public consultation.

47. Apologies and substitutions

Apologies for absence were received from Cllrs Robert Pitt and Caroline Shepherd.

Cllr Kathrin Holtzman and Cllr Christine Colbert were attending as substitutes.

48. Declarations of interest

No declarations of interest were made.

49. Minutes

The Committee received the Minutes of the meeting held on 28th September 2023.

It was resolved unanimously:

That the Minutes of the Finance & Assets Committee meeting held on 28th September 2023 be confirmed as a correct record and be signed by the Chairman.

50. Chairman's announcements

The Chairman advised Members that Nigel Ankers, John Hill, Emma Grima and Paul Remington were in attendance at the meeting to answer any questions regarding ECTC Accounts.

The Chairman welcomed Jane Webb, Senior Democratic Services Officer, to her first Finance and Assets Committee meeting.

51. East Cambs Trading Business Plan 2023/24 – Half Year Update

The Committee considered a report, Y95 previously circulated, that detailed the ECTC Business Plan 2023/24 covering the period 1 April 2023 to 30 September 2023.

The ECTC Director Property and Commercial explained that the Half Year Update Report was a requirement of the Shareholder Agreement and dealt with updates on: strategic risk management, progress against the business plan and the financial position.

The following points were highlighted:

- Strategic Risk Management Plan (Pages 3-7) – This was reported to every Board meeting. One risk had since been removed which related to MoD Phase 1 Loan through the CPCA (Cambridgeshire & Peterborough Combined Authority) as this had been repaid on 31 March 2023.
- Commercial Services (Page 8) – Markets had a successful year with a slight variation in the assumed profits for the rest of the year, this related to the engagement of a Health & Safety consultant. Grounds Maintenance had a better-than-expected year, this was due to the volume of tree work that had been secured.
- Property – In May 2023 the Haddenham development was completed, and work had commenced on Eden Square with a completion date of August 2024 (depending on weather).

The ECTC Finance Manager explained that the revenues for 2023/24 would drop to £5.5million. In the previous year, 82 properties had been sold but just ten properties at Ely and two at Haddenham remained this year. This left ECTC with a planned loss of £768k, slightly higher than projected in the Business Plan due to timings.

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

The Chairman then invited Members to ask questions of the ECTC representatives. In response to a Member's question on the Risk Register, the ECTC Director Property and Commercial explained that it was important to show that the Company were aware of the risks, and that these were being monitored albeit that the score could not be brought down. It was also confirmed that a further breakdown of more detailed figures could be provided on the Financial Benefits to ECDC (Appendix 1 – Page 11) for Members' information.

The ECTC Director Property and Commercial confirmed that it was a historic consent from Council that enabled ECTC to be able to increase its borrowing from the CPCA without authority of the Shareholder.

A Member requested that the Property figures be presented in the same format as Ely Markets/Ground Maintenance, with both approved budget figures and current forecast figures; and it was agreed this would be looked into.

It was resolved unanimously:

That the Half Year Report at Appendix 1 within the Officer's report be noted.

52. Service Delivery Plans 2023/24 – Six Month Update

The Committee considered a report, Y96 previously circulated, detailing an update on the Service Delivery Plans 2023/24.

A Member queried the colour coding contained within the document.

In response to a Member's question, the Director Community explained that the 6 monthly SDP reporting was intended to give Members an mid-year update on performance and officers were required to attend the March meeting when the end of year reports and draft SDPs for the forthcoming year were presented.

A Member asked if the terms 'as required' and 'as identified' in the report could be explained; and it was agreed that a written response would be provided to Members of the Committee following the meeting.

Another Member commented that the targets within the reports, were not all 'SMART' targets and many were unmeasurable, therefore the Member suggested that SMART targets be used in future.

It was commented that training sessions for Councillors were often scheduled for between 6pm and 8pm, which many Members found difficult, due to either small children or commuting and it was therefore asked, as it was not possible to record the sessions, if another option of catching up on these sessions could be made available.

The Chairman suggested that Members needed to understand the colour coding of the documents and be able to ask further questions before noting the documents and proposed that the item be deferred to the January meeting.

The Director Community then explained the colour coding, details of which had been obtained by an officer:

- Red – Sound Financial Management
- Blue – Customers at the Heart of Everything We Do
- Yellow – Safe, Vibrant and Inclusive Communities
- Orange – Excellent Employer
- Green – Clean, Green and Attractive Place

It was resolved unanimously:

That the Services Delivery Plans 2023/24 – Six Month Update Report be deferred to the next meeting.

53. Local Plan Climate and Natural Environment Chapter - Scope

The Committee considered a report, Y97 previously circulated, detailing the skeleton of a new 'climate change and natural recovery' chapter for, ultimately, inclusion within the East Cambridgeshire Local Plan, with a complete draft chapter to be prepared thereafter for consideration by Committee in January

2024. As part of the chapter, Members were asked to consider whether to progress specific early Planning guidance on hedgehog recovery.

The Chairman thanked the Strategic Planning Manager for the work already undertaken on this project.

A number of questions relating to these items had been provided prior to the meeting from Members and these, along with answers provided by officers, were set out in Appendix 1 to these minutes.

A Member commented that East Cambridgeshire District Council could not be the only Council having to produce a skeleton report and therefore enquired as to where the skeleton report originated from; and whether another Council already had produced something similar.

Another Member voiced concern that the Plan did not consider Districts working together, as Councils should aim for a solution for Cambridgeshire, in the interests of consistency.

In response to a question from a Member asking if there was a list of 'extras' that indicated the total cost to developers, compared to previously, the Director Community confirmed that a written response would be provided to Members of the Committee after the meeting.

Another Member asked if there was a mechanism whereby the Council would consider capturing information for further chapters/policies (for example light pollution) and would there be further SPDs on other forms of wildlife. The Director Community stated that the Strategic Planning Manager would reply in writing after the meeting with regard to further chapters and she explained that Hedgehogs had been chosen via a public vote. The Strategic Planning Manager would advise as to the possibility of further SPDs.

A Member commented that this could impact the Local Plan numbers, house prices and delivery and could result in developers attempting to negotiate on affordable housing provision levels. Also, the Plan should consider the whole of Cambridgeshire for core ideas, but there was also a need to include issues specific to the District, as East Cambridgeshire was very different to Cambridge City and other rural areas. The Director Community explained that Members would review the priorities for the Local Plan; this Chapter was early preparation for the new Local Plan.

Another Member commented that, as well as light pollution, radio frequency pollution should also be considered.

The Director Community explained the timescale for this document:

- Draft Chapter – Finance & Assets Committee - January 2024, if approved
- Consultation period
- Draft Chapter revised again
- New Local Plan started once new regulations and guidance received from government

Councillor Sharp proposed and Councillor Lay seconded the recommendations in the Officer's report.

Another Member concurred that other similar policies across the district should be considered.

Members expressed the view that this chapter impacted other policies and it was important to capture different environmental points of view, including light pollution, biodiversity net gain, water crisis issues (flooding/water shortages), solar etc. It was also the overarching framework that determined large aspects of the new future Local Plan; therefore, it would need to be a future-proofed document to ensure it would still be suitable in five or six-years' time.

A Member stated the impact of increased cost of housing by £15k would have an implication on compounding mortgage costs and it would be helpful to track the cost impact of these measures (bio net gain, solar, materials).

The Chairman asked that all Members submit further comments to the Strategic Planning Manager.

It was resolved unanimously:

- i. That approval be given to the skeleton outline for a new Climate Change and Nature Recovery chapter for the Local Plan as set out at Appendix A within the Officer's report, with the intention to agree at the Committee's next meeting on 25 January 2024 a full draft chapter for subsequent public consultation and implementation.
- ii. That Officers bring a draft Hedgehog Recovery Supplementary Planning Document to the next meeting of this Committee.

54. Annual Infrastructure Funding Statement

The Committee considered a report, Y98 previously circulated, relating to community Infrastructure Levy and Section 106 income and expenditure.

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

Members requested that the spreadsheets in the report relate to the correct zones to be interpreted correctly.

It was resolved:

That the Annual Infrastructure Funding Statement 2022/23 as detailed in Appendix 1 of the Officer's report, which will be published in December 2023, be noted.

55. Treasury Operations Mid-Year Review 2023-24

The Committee considered a report, Y99 previously circulated, detailing an update on the Council's 2023/24 Treasury Management Strategy.

Cllr Sharp proposed and Cllr Bovington seconded the recommendations in the Officer's report.

It was resolved to RECOMMEND TO FULL COUNCIL:

That the Mid-Year Review of the Council's Treasury Management Strategy for 2023/24 as set out in Appendix 1 of the Officer's report, be noted.

56. Finance Report

The Committee received a report, Y100 previously circulated, containing budget information for services under the Finance & Assets Committee and then, as part of its corporate remit, for the Council as a whole.

A Member asked if £35k of the £900k projected underspend could be used to buy HVO for the refuse vehicles to enable the reduction of carbon emissions by 80% until the end of the year.

It was resolved:

That the following be noted:

- i. That the Finance & Assets Committee had a projected yearend underspend of £910,000 when compared to its approved revenue budget of £5,967,312.
- ii. That overall the Council has a projected yearend underspend of £757,000 when compared to its approved revenue budget of £16,856,960.
- iii. That the overall position for the Council on Capital is a projected outturn of £5,910,615, which is an underspend of £1,890,172 when compared to the revised budget.

57. Assets Update

The Committee considered a report, Y101 previously circulated, detailing an update on Council owned assets.

The Open Spaces and Facilities Manager informed Members that the new tenants were now in occupation at 72/74 Market Street - (Cathedral View Childcare).

A Member queried whether the Council kept a full list of assets within East Cambridgeshire. It was confirmed that the list could be circulated to Members, once updated.

Another Member asked if parking spaces had been allocated to Cathedral View Childcare. It was explained that the advert for tenancy had stated that there would be no parking on site.

Councillor Hunt stated that a tour of ECDC properties had taken place with the Open Spaces and Facilities Manager, and that he met regularly with the Open Spaces Manager in his capacity as Assets Member Champion. After discussions, it was suggested that any potential recommendations that resulted from tours or meetings should be submitted to the Committee.

It was resolved:

- i. That the update on Council owned assets be noted.
- ii. That the expenditure tracking sheet at Appendix 1 of the Officer's Report, be noted.

58. Witchford Parish Council Victoria Green Play Area

The Committee considered a report, Y102 previously circulated, requesting the transfer of a play area and adjacent surfaced ball games area at Victoria Green, Witchford to Witchford Parish Council.

The Director Legal suggested an extra recommendation:

An additional condition is added to the transfer that if the land ceases to be used as a play area/surfaced ball games area, the land is transferred back to the District Council for the sum of £5.00.

Members commended the scheme and asked if a similar offer could be made to other Parish Councils in the District. Members also commented that the added recommendation of the transfer of land back to the Council at the sum of £5 was invaluable, as it secured the asset forever. The Director Legal explained that each application would need to be considered on its own merits.

It was asked if the Council could inform Parish Councils of potential for transfer of recreational areas; and it was agreed that this would be taken away and looked into.

In response to a question as to who owned the land surrounding the recreational area, the Director Legal responded by stating that East Cambridgeshire District Council owned the land and therefore there would be not be problems with access. The public space had been transferred to ECDC from the developer via a Section 106 Agreement.

In response to a Member's comment regarding ensuring that the play space and amenities were accessible to children with disabilities, the Open Spaces and Facilities Manager informed Members that the Council were inclusive and compliant with guidelines and worked closely with manufacturers to ensure that the correct play equipment was purchased.

A Member asked if play areas were listed on the Council's Asset Register. The Director Finance explained that the Council had purchased new Asset Register software and were currently adding assets to the Register, in relation to the value of the asset, it was valued at its current use and therefore play spaces were valued as open spaces, and not as potential building land.

Cllr Hunt proposed, and Cllr Bodington seconded the recommendations within the Officer's report, plus the additional recommendation suggested by the Director Legal regarding the transfer back of land.

It was resolved unanimously:

- i. That Members agree the transfer of the play area and adjacent surfaced ball games area to Witchford Parish Council on the terms set out in paragraph 4.1 of the Officer's report.
- ii. That the Director Legal & Monitoring Officer be authorised to proceed accordingly; and.
- iii. An additional condition is added to the transfer that if the land ceases to be used as a play area/surfaced ball games area, the land is transferred back to the District Council for the sum of £5.00.

59. Forward agenda plan

The Committee received the updated Forward Agenda Plan to November 2024.

Members discussed the possibility of a further meeting/seminar with the Strategic Planning Manager to gather all Members' views and comments on the Climate Change and Nature Recovery Chapter. It was agreed this would be considered.

That the Forward Agenda Plan be noted, and the following items be added:

- Service Delivery Plans – 6 Month Performance Monitoring – 25 January 2024
- Climate Change and Nature Recovery Chapter – 25 January 2024
- Draft Hedgehog Recovery Supplementary Planning Document – 25 January 2024

60. EXCLUSION OF THE PUBLIC INCLUDING REPRESENTATIVES OF THE PRESS

It was resolved unanimously:

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).

61. ECTC Board Meeting Minutes

The Committee received the Minutes of the ECTC Board Meeting held on 12 September 2023.

It was resolved unanimously:

That the Minutes of the meeting held on 12th September 2023 be noted.

62. ECTC Management Accounts 6 Months to September 2023

The Committee considered a report, X104 previously circulated, containing the ECTC Management Accounts for the 6 months to September 2023. The ECTC Finance Manager introduced the report and gave an overview of its contents.

It was resolved unanimously:

That the ECTC Management Accounts 6 Months to September 2023 be noted.

The meeting concluded at 6:35pm.

Chairman.....

Date.....

**FINANCE & ASSETS COMMITTEE
28 SEPTEMBER 2023
QUESTIONS FROM MEMBERS OF COMMITTEE**

Item 6 – ECTC Business Plan 2023/24 - Half Year Update

Questioner	Question	Response
Cllr A Whelan	Please can we have a detailed breakdown of each aspect of the quoted benefit to the Council of £4,168,581. For example, some comes from land sales, some from Community Infrastructure Levy and so forth.	<p>Property Development Land Receipts- £725,000 S106/CIL- £764,252 Council Tax- £41,007</p> <p>ECDC Charges Interest on the Loan- £1,435,541 Support Services- £531,791 Accommodation- £370,990 Reduction in Parks Management Fee- £300,000</p>

Item 8. Local Plan Climate and Natural Environment Chapter - Scope

Questioner	Question	Response
Cllr A Whelan	Will it be possible to add additional elements to this skeleton plan as it develops, as this is a rapidly changing area, or are the headings and comments already provided fixed once approved at this meeting?	Yes, additional elements can be added as the chapter progresses. As set out in para 4.1 of the agenda report, <i>“today is not for making any final decisions, and there will be opportunities as the chapter progresses to refine what is included, taking account of public comments along the way”</i> .
Cllr A Whelan	Please can a full timetable be provided for the revision of policies listed in Table 2 that we would expect to be considered as part of this plan.	Table 2 provides wider policies typically found in a Local Plan. Those policies, and all other policies in our <i>Local Plan 2015 (as amended 2023)</i> , will be thoroughly reviewed and updated as part of a new Local Plan. Council has not yet committed to that comprehensive review yet, primarily as we continue to wait for the new style planning system to be legislated for by Government. However, we presently expect to be able to commence a new style Local Plan in late 2024, and, once we have started, the very recent Levelling Up and Regeneration Act 2023 mandates that a Local Plan must be completed within 30 months of commencing, with a number of statutory consultation stages in that period. That means a

		new Local Plan for East Cambridgeshire is likely adopted in the first half of 2027.
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Item 9 – Annual Infrastructure Funding Statement

Questioner	Question	Response
Cllr Trapp	<p>In Agenda Item 9 for F&A on page 3 of the Appendix, just below the table, you say ‘. . .the number of affordable housing units provisioned via the spend of CIL money is 0.’</p> <p>Does this mean that CIL money can be used for provisioning affordable housing? In what way – building new houses, or renovation of existing buildings? Are there any constraints?</p>	<p>Government guidance is that CIL cannot be spent on affordable housing. It is unknown why there is a reporting requirement for this.</p> <p>Extract from gov.uk: ... This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan and the London Plan in London). Charging authorities may not use the levy to fund affordable housing..... Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed.</p>

Item 10 - Treasury Operations Mid-Year Review 2023-24

Questioner	Question	Response
Cllr A Whelan	<p>Please provide a breakdown of the reasons for the increase in interest compared to budget? This is unlikely to be solely the impact of increased interest rates. i.e. for 3.9% to 5.19%.</p>	<p>Interest receipts are higher than the prudent estimate built into the budget due to a combination of higher interest rates (as noted in the question) and higher cash balances than forecast.</p>