



East Cambridgeshire
District Council

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

PRESENT

Cllr David Ambrose Smith
Cllr Anna Bailey
Cllr David Brown (Chairman)
Cllr Ian Bovingdon (Vice Chairman)
Cllr Mark Goldsack
Cllr Julia Huffer
Cllr Bill Hunt
Cllr John Trapp
Cllr Gareth Wilson

OFFICERS

Emma Grima – Director Commercial
Sally Bonnett – Director Community
Maggie Camp – Director Legal Services
Spencer Clark – Open Spaces & Facilities Manager
Caroline Evans – Senior Democratic Services Officer
Ian Smith – Director Finance

IN ATTENDANCE

Nigel Ankers – ECTC Finance Manager
Tracy Couper – Democratic Services Manager
Lucy Flintham – Office Team Leader, Development Services
John Hill – ECTC Managing Director
Richard Kay – Strategic Planning Manager
Marta Lotysz-Veiga – Reprographics Manager
Nicole Pema – HR Manager

89. PUBLIC QUESTION TIME

No questions were submitted by members of the public.

90. APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Cllrs Sue Austen, Lorna Dupré and Alison Whelan.

Cllr Gareth Wilson was attending as a substitute.

91. DECLARATIONS OF INTEREST

Cllr Anna Bailey stated that although no items specifically related to East Cambs CLT, in the interests of transparency she was its Chair and a trustee.

Relating to Agenda Item 10, “Community Infrastructure Levy Funding Request”, Cllr Gareth Wilson stated that he was a member of Haddenham Parish Council.

92. MINUTES

The Committee received the Minutes of the meeting held on 23rd January 2023.

It was resolved unanimously:

That the Minutes of the Finance & Assets Committee meeting held on 23rd January 2023 be confirmed as a correct record and be signed by the Chairman.

93. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

- This would be the final meeting of the Committee before the forthcoming local elections. Members, Officers and guests were all thanked for their contributions throughout the year.
- John Hill (Managing Director), Emma Grima (Property & Commercial Director) and Nigel Ankers (Finance Manager) from East Cambs Trading Company had been invited to the meeting to contribute to relevant items.
- As a result of the changes to the Council's political proportionality, due to former Cllr Matthew Downey ceasing to be a member of the Liberal Democrat Group, Cllr David Ambrose Smith was welcomed as a full member of the Committee and the appointment of Cllr Lavinia Edwards as a substitute member was noted.

94. ECTC BUSINESS PLAN 2023/24

The Committee considered a report (X181, previously circulated) containing the East Cambs Trading Company (ECTC) Business Plan 2023/24, as approved by the company's Board on 9th March 2023.

Emma Grima presented the Business Plan in her capacity as ECTC Property & Commercial Director. She highlighted that there were no changes to the governance or management of the company. The Risk Management matrix was presented to the Board at each formal meeting and since it was last seen by the Finance & Assets Committee in November 2022 references to the Combined Authority's loan for the Haddenham development had been removed as the loan had been repaid in full. The remaining Combined Authority loan for the Ely MoD site would be repaid in full on 31st March 2023. In terms of the Ely Markets, the company had continued to perform well and generate profit: investment would continue in this area as planned. In terms of the Grounds Maintenance Service, there would be a slight change in the charge to the Council since a discount was not proposed due to the increase in NJC costs. Ahead of 2024/25, the contract would be fully reviewed to consider any implications of the additional land that had been taken on and the increased staff costs. Regarding the Property Development, the provision of utilities to the former Paradise Pools site would start shortly and a full business case for the MoD Ely phase 2 would be presented to the Board for consideration in due course. All of the Haddenham properties had been sold and all of the MoD Ely phase 1 properties would be sold by the end of July 2023 with the exception of one property that had been let to a tenant until early 2024.

The ECTC Finance Manager gave an overview of the company's financial position, explaining that revenue would decrease in 2023/24 and 2024/25 as completions

reduced, then would increase in 2025/26 as phases 2 and 3 of the MoD Ely project were sold. There had been 80 completions in 2022/23, the final 12 properties at Haddenham and MoD Ely phase 1 would complete in 2023/24 and the properties at the former Paradise Pools site would be sold in 2024/25.

The recommendation in the report was proposed by Cllr Brown and seconded by Cllr Bovingdon.

Responding to questions from Members, the ECTC Finance Manager stated that CIL and S106 payments from the company to the Council to date were £675k and £89k respectively, and the ECTC Director confirmed that the impact of the new Ben's Yard shopping village at Stuntney had been considered and was not considered to be a threat to the Ely Markets due to its nature.

Several Members spoke favourably about ECTC and its benefits to the Council, listing aspects such as taking on projects that other developers would not consider, financial returns (not all of which would have come from other developers), the quality of the new development in Haddenham, and the vibrancy of the markets attracting visitors to Ely. It was also suggested that expansion of the successful markets programme into Soham and Littleport could be explored and would be welcomed if viable. A Member highlighted the initial purpose of the company had been to support the Council's budget and the report demonstrated that had been achieved; its existence had benefitted the Council, the community, and local tax payers. They also emphasised that a significant amount of money was tied up in the company's physical assets, that was not necessarily evident when viewing profit and loss figures.

It was resolved unanimously:

That the ECTC Business Plan 2023/24, as set out in Appendix 1 of the Officer's report, be approved.

95. END OF YEAR REPORTS 2022/23 AND SERVICE DELIVERY PLANS 2023/24

The Committee received a report (X182, previously circulated) containing the End of Year Reports 2022/23 and the Service Delivery Plans 2023/24 for nine service areas: Democratic Services, Economic Development, Finance, Human Resources, Infrastructure & Strategic Housing, Legal Services, Open Spaces & Facilities, Reprographics, and Strategic Planning.

The recommendations in the report were proposed by Cllr Brown and seconded by Cllr Hunt.

Responding to a Member's question, the Director Commercial explained that processes were in place to recover the 4% CIL that was outstanding.

Several Members thanked Officers for the clarity and detail of the reports.

It was resolved unanimously:

That the outcomes in the End of Year Reports 2022/23 (as set out in Appendix 1 of the Officer's report) be noted, and the Service Delivery Plans 2023/24 (as

set out in Appendix 2 of the Officer's report) be approved for each of the following services:

- i) Democratic Services
- ii) Economic Development
- iii) Finance
- iv) Human Resources
- v) Infrastructure & Strategic Housing
- vi) Legal Services
- vii) Open Spaces & Facilities
- viii) Reprographics
- ix) Strategic Planning

96. ASSET UPDATE & ASSET MANAGEMENT PLAN 2023/24

The Committee considered a report (X183, previously circulated) containing the updated asset spend tracker 2022/23 and detailing the asset planned spend for 2023/24. The Open Spaces & Facilities Manager stated that since the publication of the report, the purchase of land at Lisle Way, Ely, had been completed and would therefore be included in future updates of the asset list.

The recommendations in the report were proposed by Cllr Hunt and seconded by Cllr Huffer.

Responding to questions from Members, the Open Spaces & Facilities Manager explained that some assets were leased to Parish Councils to maintain, and that the assets listed in the appendix to the Corporate Asset Management Plan were presented in roughly chronological order of addition to the register. He agreed to review whether an alternative presentation, such as maps, could be prepared in order to improve clarity. The Chairman commented that public ownership maps were available on the County Council's website.

It was resolved unanimously:

- i) That the Corporate Asset Management Plan provided at Appendix 1 of the Officer's report, be noted.
- ii) That the Asset Management spend for 2023/24, as detailed in Appendix 2 of the Officer's report, be approved.
- iii) That the Asset Management 2022/23 spend to date, as detailed in Appendix 3 of the Officer's report, be noted.
- iv) That the re-profiled budget for the Depot Improvement Works, as detailed in sections 3.6 and 3.7 of the Officer's report, be approved.

97. COMMUNITY LAND TRUST PRE-DEVELOPMENT GRANT APPLICATION

The Committee received a report (X184, previously circulated) concerning an application for a grant through the Community Land Trust (CLT) Pre-Development Grant Scheme. The Director Community explained that Kennett CLT had applied for a grant of £10,060 to cover the costs related to agreements that they were entering into with the developer of the Kennett Garden Village site, and to becoming a Registered Provider of Social Housing. The application had been

assessed and met the grant scheme criteria approved by the Committee in February 2022.

The recommendation in the report was proposed by Cllr Bailey and seconded by Cllr Huffer.

Responding to Member's questions, the Director Community stated that this was the first application for funding from the CLT Pre-Development Grant Scheme and the Director Commercial explained that Kennett CLT would take on 60 affordable homes in the Kennett Garden Village and a different registered provider would manage the other 90, with a split between shared ownership and rental.

Two Members commented on the importance of the grant scheme since CLTs would inevitably incur costs before generating an income. Several Members acknowledged the hard work and dedication of the Kennett CLT trustees and stressed the importance of Community Land Trusts providing community-led development held in perpetuity for the community. The forthcoming delivery of affordable homes in Kennett was welcomed.

It was resolved unanimously:

That the grant to Kennett Community Land Trust of £10,060, as set out in paragraphs 4.1 and 4.4 of the Officer's report, be approved.

98. COMMUNITY INFRASTRUCTURE LEVY FUNDING REQUEST

The Committee received a report (X185, previously circulated) proposing that the amount of Community Infrastructure Levy (CIL) funding available to the New Recreation Ground – Haddenham project be increased by £105,000. The Director Community summarised the circumstances detailed within the report that had led to the request for additional funding above the £200,000 that had been approved by the Committee in October 2022.

The recommendation in the report was proposed by Cllr Bovingdon and seconded by Cllr Hunt.

The Director Community confirmed to the Chairman that there were sufficient CIL funds available.

There was general agreement that the proposed changes to the scheme regarding parking and access were improvements, and the additional funds from the Parish Council were acknowledged. It was highlighted that the additional costs had resulted from expansions to the project and a reduced contribution from the Football Foundation due to a change in their funding model, rather than cost overruns of the initial proposal. Congratulations were expressed to all those involved in developing the project, and the benefits of the Council having introduced CIL funding were highlighted.

It was resolved unanimously:

That the increase of £105,000, to a total of up to £305,000, in the CIL funding allocation to the New Recreation Ground – Haddenham project be approved

99. UK SHARED PROSPERITY FUND PROJECT ALLOCATIONS

The Committee received a report (X186, previously circulated) regarding the Council's UK Shared Prosperity Fund (SPF) project funding allocations. The Director Community explained that six projects had been selected based on the SPF / levelling up criteria set by Central Government, to deliver the outcomes required by the Government and in line with the Council's priorities. The draft scheme criteria and application form for one of the projects, "Pride of Place East Cambridgeshire", had been included in order that the scheme could be launched in May 2023 to correspond with growing and planting seasons.

The recommendations in the report were proposed by Cllr Bailey and seconded by Cllr Brown.

Responding to Members' questions, the Director Community explained:

- that the Sustrans Feasibility Studies would include examination of all potential routes between the two named destinations;
- that bids for the Pride of Place East Cambridgeshire would be considered in an initial tranche in May/June 2023 and, if funds remained, on a first-come first-served basis from that point until the funding was fully allocated or the deadline of 29 February 2024 was reached.

Members commented favourably about the proposals and thanked Officers involved in securing the funding.

It was resolved unanimously:

- i) That the allocation of the £839,851 of SPF funding, as set out in Appendix 1 of the Officer's report, be approved.
- ii) That the draft Pride of Place East Cambridgeshire grant scheme criteria and application form, as set out in Appendix 2 of the Officer's report, be approved.
- iii) That authority be delegated to the Strategic Planning Manager, in consultation with the Chairman of the Finance & Assets Committee, to finalise the detailed arrangements and open the fund as set out in the report.

100. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY & GUIDANCE AND COVERT HUMAN INTELLIGENCE SOURCES (CHIS) POLICY & GUIDANCE

The Committee received a report (X187, previously circulated) concerning the Council's Regulation of Investigatory Powers Act 2000 (RIPA) Policy, and the Council's use of the RIPA powers. The Director Legal explained that a review of the RIPA policy had identified the need for new policies regarding Directed Surveillance and the use and conduct of Covert Human Intelligence Sources (CHIS), both of which were provided as appendices to the report. In addition, the Committee was informed that the Council had not used the RIPA powers but had a statutory obligation to have the policy in place.

The recommendations in the report were proposed by Cllr Bovingdon and seconded by Cllr Brown.

In response to a Member's question, the Director Legal proposed that the policies would be reviewed again in three years' time. A Member suggested, and it was agreed by the proposer and seconder, that the review timing be added to the motion.

It was resolved unanimously:

- i) That the Policy and Guidance on the Use of Directed Surveillance under RIPA, as set out in Appendix 1 of the Officer's report, be approved.
- ii) That the Policy and Guidance on the Use and Conduct of Covert Human Intelligence Sources and Authorisation under RIPA, as set out in Appendix 2 of the Officer's report, be approved.
- iii) That the update on the use of RIPA powers, as detailed in paragraphs 3.6 and 3.7 of the Officer's report, be noted.
- iv) That the Director Legal be instructed to review the Council's RIPA policy again in three years' time.

101. FORWARD AGENDA PLAN

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

It was resolved unanimously:

That the Forward Agenda Plan be noted.

102. 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).

103. ECTC BUSINESS PLAN 2023/24 – EXEMPT APPENDIX 1

The Committee received the previously-circulated exempt appendix to the ECTC Business Plan 2023/24 (Agenda Item 6 / Minute 94).

It was resolved unanimously:

That the contents of the Exempt Appendix be noted.

104. ECTC MANAGEMENT ACCOUNTS – NINE MONTHS TO DECEMBER 2022

The ECTC Finance Manager presented the ECTC Management Accounts (X188, previously circulated) for the nine months to December 2022.

It was resolved unanimously:

That the contents of the report be noted.

105. ECTC BOARD MEETING MINUTES

The Committee received the Minutes of the ECTC Board meetings held on 15th December 2022 and 9th February 2023 (previously circulated).

It was resolved unanimously:

That the Minutes of the meetings held on 15th December 2022 and 9th February 2023 be noted.

106. WRITE OFF OF UNRECOVERABLE DEBT

The Director Finance presented a report (X189, previously circulated) regarding the write off of unrecoverable debts.

It was resolved unanimously:

- i) That the recommendation in paragraph 2.1 of the Officer's report be approved.
- ii) That the content of paragraph 2.2 of the Officer's report be noted.

107. EXEMPT MINUTES

The Committee received the Exempt Minutes from the meeting of the Finance & Assets Committee held on 23rd January 2023.

It was resolved unanimously:

That the Exempt Minutes of the meeting held on 23rd January be confirmed as a correct record and signed by the Chairman.

The meeting concluded at 5:41pm.