

# Public Document Pack

## COUNCIL

A meeting of Council will be held at Council Chamber, Fenland Hall, County Road, March on MONDAY, 13 JULY 2026 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 12)  
To confirm and sign the minutes of 18 May 2026.
- 3 Civic Engagements Update. (Pages 13 - 14)
- 4 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 5 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 6 To receive questions from, and provide answers to, councillors in relation to matters which, in the opinion of the Chairman, accord with the provisions of Procedure Rules 8.4 and 8.6.
- 7 To receive reports from and ask questions of Cabinet members with portfolio holder responsibilities, in accordance with Procedure Rules 8.1 and 8.2. (Pages 15 - 40)
- 8 Motion by Councillor Boden (Pages 41 - 42)  
Motion submitted by Councillor Boden on proposed changes to Local Government and its functions.
- 9 Treasury Management Annual Report 2025/26 (Pages 43 - 54)  
To consider the overall financial and operational performance of the Council's treasury management activity for 2025/26.
- 10 Amendment of Reserves Report (Pages 55 - 58)  
To seek approval to amend the reserves to more accurately reflect the current situation in the run up to Local Government Reorganisation (LGR).
- 11 LGR Update & Governance Arrangements (Pages 59 - 70)  
To provide a Local Government Reorganisation (LGR) progress update.
- 12 O&S Annual Report 2025/26 (Pages 71 - 80)

The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the O&S Panel during 2025/26 and takes a forward look at the programme of work and challenges in 2026/27.

13 Housing Enforcement Section 113 Agreement (Pages 81 - 110)

To recommend Council approve entry into a Section 113 agreement with Cambridgeshire County Council to assist delivery of the Council's approved Housing Enforcement Policy for Fenland.

14 Constitutional Changes (Pages 111 - 114)

For Full Council to approve proposed changes to the Constitution as set out in paragraph 2.1 of Article 4.

Fenland Hall  
March



Chief Executive

Friday, 3 July 2026

**NOTE** The Council may, by resolution, as exemplified below, exclude the public from a meeting during the consideration of any item of business whenever 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, there would be disclosure to them of exempt information as defined in Section 100 I of the Local Government Act, 1972

"Resolved that under Section 100(A)(4) of the Local Government Act, 1972 the public be excluded from the meeting for Item No./Minute No. on the grounds that the item involves the disclosure of exempt information as defined in Paragraph of Part I of Schedule 12A of the Act"

## COUNCIL



**MONDAY, 18 MAY 2026 - 4.00 PM**

**PRESENT:** Councillor B Barber (Chairman), Councillor S Clark (Vice-Chairman), Councillor I Benney, Councillor C Boden, Councillor G Booth, Councillor A Branton, Councillor J Carney, Councillor G Christy, Councillor J Clark, Councillor S Count, Councillor D Cutler, Councillor Mrs M Davis, Councillor L Foice-Beard, Councillor Mrs J French, Councillor K French, Councillor G S Gill, Councillor R Gerstner, Councillor A Gowler, Councillor A Hay, Councillor P Hicks, Councillor Miss S Hoy, Councillor S Imafidon, Councillor Mrs D Laws, Councillor C Marks, Councillor N Meekins, Councillor A Miscandlon, Councillor P Murphy, Councillor Dr H Nawaz, Councillor D Oliver, Councillor D Patrick, Councillor M Purser, Councillor B Rackley, Councillor D Roy, Councillor C Seaton, Councillor M Summers, Councillor T Taylor, Councillor S Tierney, Councillor S Wallwork and Councillor A Woollard

**APOLOGIES:** Councillor D Connor, Councillor M Humphrey and Councillor J Mockett

**C1/26      TO ELECT A CHAIRMAN FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £4,120 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.**

Proposed by Councillor Mrs French, seconded by Councillor Mrs Laws and resolved that Councillor Brenda Barber be elected as Chairman of the Council for the period to the next annual meeting and that she be paid an allowance of £4,120 plus travelling expenses.

Councillor Barber received the Chain of Office and signed the Declaration of Acceptance of Office.

Councillor Barber thanked members for re-electing her and stated that her first year as Chairman has been a busy, sometimes hectic and interesting one representing the Council with visits to many different towns in Cambridgeshire, Norfolk, Huntingdonshire, Suffolk and Lincolnshire. She stated that she has met so many lovely people and learned a lot about the places she has visited and also she hopes helped them to learn about Fenland.

Councillor Barber gave her thanks to everyone who helped to organise and attended her afternoon tea event, which raised £938 for her chosen charity, Damsons, which is a Wisbech based community group who support those suffering from dementia and their friends, family and carers. She added that a total of £1754 has been raised altogether for Damsons over the year and she would like to support them again this year.

Councillor Barber further thanked Jo and the fantastic Member Services team who keep her on the straight and narrow, Councillor Sam Clark, her Vice-Chairman, who has been an excellent back-up, her husband, Tony, for his on-going support and all of her fellow councillors.

**C2/26      TO ELECT A VICE CHAIRMAN FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £1,000 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.**

Proposed by Councillor Miscandlon, seconded by Councillor Christy and resolved that Councillor Sam Clark be elected as Vice-Chairman of the Council for the period to the next annual meeting

and that she be paid an allowance of £1,000 plus travelling expenses.

Councillor Clark thanked members for re-electing her as Vice-Chairman and stated that she looks forward to supporting the Chairman in the coming year.

### **C3/26      PREVIOUS MINUTES**

The minutes of the meetings of 24 February and 14 March 2026 were confirmed and signed.

### **C4/26      TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Barber announced that her Civic Reception is taking place on Friday 3 July 2026 from 6.30pm at Gorefield Community Hall and she looked forward to seeing as many councillors there as possible.

Councillor Barber reported that the Council has been awarded Gold accreditation from the Domestic Abuse Housing Alliance (DAHA), which is a nationally recognised mark of excellence for how the Council supports residents affected by domestic abuse. She continued that the Gold accreditation, the highest standard achievable, followed a rigorous assessment which found that the Council's approach to supporting residents affected by domestic abuse not only meets national standards, but exceeds them across all eight DAHA areas, with the panel describing the Council's work as exemplary and highlighting strong partnership working, safe and consistent case management and the compassionate, non-judgmental way in which the Council supports survivors.

Councillor Barber stated that this is a significant achievement for the Council and reflects the commitment of those who work directly with residents and partners to ensure people feel safe and supported when they come to the Council. She formally recorded her thanks to everyone involved, including the Portfolio Holder, Councillor Sam Hoy, with this accreditation being something the whole district can be proud of and it reinforces the Council's commitment to protecting and supporting survivors of domestic abuse in Fenland.

### **C5/26      MEETINGS OF THE COUNCIL 2026/27**

The suggested meeting dates for the Annual Meeting and for the ordinary meetings of the Council for 2026/27 were proposed as follows:

- Monday 13 July 2026
- Monday 14 September 2026
- Monday 14 December 2026
- Monday 22 February 2027
- Monday 17 May 2027.

**Proposed by Councillor Barber, seconded by Councillor Boden and AGREED the proposed dates for the Annual Meeting and the ordinary meetings of the Council for 2026/27.**

### **C6/26      TO RECEIVE QUESTIONS FROM, AND PROVIDE ANSWERS TO, COUNCILLORS IN RELATION TO MATTERS WHICH, IN THE OPINION OF THE CHAIRMAN, ACCORD WITH THE PROVISIONS OF PROCEDURE RULES 8.4 AND 8.6.**

Councillor Barber reported that there had been no questions submitted under Procedure Rule 8.6. Under Procedure Rule 8.4, Councillor John Clark, as the new Leader of the Opposition, was asked if he had any questions to ask.

Councillor Clark stated that he did not have any questions for this meeting but looks forward to being the Leader of the Opposition and holding the Council to account, if possible, to try and achieve good value for the taxpayer and how the Council spends its money.

Councillor Boden formally welcomed Councillor Clark as the new Leader of the Opposition, making the point that it is an important function because no one ever gets everything right and it is always good for them to be kept on their toes and for them to be subject to scrutiny.

**C7/26**      **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Members asked questions of Portfolio Holders in accordance with Procedure Rules 8.1 and 8.2 as follows:

- Councillor Gerstner referred to the good news regarding the funding of £2 million being secured from Sport England for the upgrade to Manor Leisure Centre in Whittlesey. He asked if Councillor Count has met with or does he plan to meet with the new developer and builder and how confident is he in bringing the project forward on time and to budget given the uncertainties? Councillor Count responded that it is great news that Sport England have agreed to fund £2 million towards this project, with Sport England having fed into this project from a very early stage and have made some very sensible and good alterations to the design which has been acted upon, with them agreeing to release the maximum amount permissible under this scheme. He made the point that there are two caveats, which are obtaining full planning permission, which is being considered currently, and the stop/go decision, does the Council go ahead which is a Cabinet decision that will be made later in the year. Councillor Count stated that he and the Leader met with Alliance Leisure, who are the Council's partners and the ones appointing through their framework Speller Metcalfe, and they received a full briefing on the company, its background and credit worthiness and the Council is happy to proceed on that basis but he has not met with Speller Metcalfe directly. He added that when they move forward with further meetings he will meet with whoever is necessary and beneficial to the project to bring it forward in the fastest possible time and at the lowest possible cost. Councillor Count acknowledged that it was bad news that Curo ceased trading as the Council had been working alongside them for a long while to get the project to this stage and they were a great partner to work with but he has every confidence that Speller Metcalfe will be a good contractor based on the reports he has received about other leisure centres. He referred to time and budget, stating that he cannot give a 100% guarantee on anything, making the point it is a Cabinet decision whether the project goes ahead and that will be dependent upon many factors including timing and budget and it is not known at this time the impact of this change, he has been given confidence by officers that the process will happen on budget but it is anticipated that there may well be a later Cabinet decision because this new contractor has to look through every single detail to see if they agree with the methods of working, to see what they can mobilise and if they agree with costs and, therefore, there is likely to be a delay to the Cabinet decision but how this affects the overall programme actually being open on 1 January 2028 is uncertain. Councillor Count made the point that when Speller Metcalfe was contracted, they gave assurances and were examined for their capacity to deal with this project, and he hoped this gave confidence that the Council is working on this quite hard to try and make it happen.
- Councillor Nawaz stated that Manor Leisure Centre is a wonderful facility for the people of Whittlesey and they look forward to it being inaugurated. He referred to issues within the project regarding the changing facilities because it was proposed that one village changing room would be made available to everyone, but there was some deep concerns about this and he worked hard on this campaigning, thanking Councillor Count for being a sensitive and patient listener and incorporating the facilities of single gender changing rooms for males and females whilst retaining the mixed gender changing room. Councillor Nawaz

further thanked Councillors Tierney and Hoy for their indispensable help in this. He asked, given that the vast majority of the residents of Whittlesey, referring to his own survey which was distributed to 7½ thousand people to which 400 people responded, with 87% preferring single gender changing facilities, that Councillor Count looks into trying to increase the capacity for single gender changing facilities, particularly the shower facilities to avoid queues and for security and could he confirm that there would be certain security measures, such as anti-peep skirting and heightened walls? Councillor Count acknowledged the amount of work Councillor Nawaz has put into trying to affect the designs for the benefit of Whittlesey residents coming forward with some sensible suggestions. He stated that this two way communication with himself and other members of Whittlesey, input from Sport England and input from officers has resulted with the final design being arrived at and he is delighted that with the changes made there is now the opportunity to use a single gender changing room if that is the desire, however, the private cubicle area still remains, with him receiving a lot of representation from people who use that elsewhere and it is a very good system that there is a private cubicle to get changed which assists families with children. Councillor Count expressed the view that what has managed to be delivered is choice, choice for everybody to use what they feel is best and this journey would not have been achieved if it had not been for campaigning from Councillor Nawaz and others. He made the point that the last design shown to Councillor Nawaz is the final design, and there are no more plans to turn that around unless it is deemed necessary. Councillor Count referred to capacity, which is a question he asked when the final design was made, could it be moved a bit more but there are problems with the existing structure of the building, the requirements were based on national calculations by Sport England, fire exits, resulting in the final design. He added that in relation to the private cubicle, the earlier comments from Councillor Nawaz and others about these issues that may have happened elsewhere that could be solved, confirming that there will be skirting at the top of the walls and under door removable skirting so it can be cleaned but it means that people cannot use photos. Councillor Nawaz agreed that choice is important and each member is equally valuable whatever the gender, so he is glad that choice has been retained for everyone.

- Councillor Nawaz referred to play equipment and that it has been sanctioned in Whittlesey and thanked Councillor Imafidon for agreeing to reinstate the equipment on Station Road recreational ground. He made the point that Station Road recreational ground has a bit of history of vandalism, however, he feels that for the deeds of a few that the entire community should not be punished and it is those young people who are being deprived of anywhere they could play. Councillor Nawaz stated that he has spoken to some young people, teenagers, and they tell him that the Station Road recreational ground football pitch is lumpy and bumpy and they find it very difficult to play football there and asked if it could be looked into making that more even and could there also be investigated, with himself, the possibility to make some sort of provision to provide a walking football pitch and/or a mini-football pitch, which is a third of the size of a normal pitch, which he feels would be inexpensive and it will give the teenagers lots of things to do to expend their energies positively. Councillor Imafidon responded that in relation to his first question that is Councillor Mrs French's portfolio and in relation to the second question he is happy to walk around with Councillor Nawaz. Councillor Mrs French stated she was not aware of the issue and will come back to Councillor Nawaz.
- Councillor Cutler thanked the portfolio holders for the work on Fenland Inspire! play equipment for having got this far and for considering Murrow's needs and she looks forward to seeing the results of the consultation.
- Councillor Patrick stated that there are problems with an area in Petts Close which is extremely wooded, it is an area with many elderly residents who have struggled over the years to move leaves to try to keep the area clear. He asked Councillor Mrs French if she could take a look at the area and try to get something undertaken to help clear that area and to trim the trees that are in quite a poor state? Councillor Mrs French responded that she will speak to officers and investigate the problem.
- Councillor Booth referred to the Audit and Risk Management Committee, where at the last

couple of committee meetings the committee has struggled to be quorate, the meeting before last he had to give his apologies because of work commitments and luckily Councillor John Clark was able to attend as a substitute and if he had not attended the meeting would not have been quorate and at the last meeting it was a struggle to make sure that it was quorate and as a result of what happened there were two Cabinet members and himself at that meeting and because Cabinet members are not able to Chair the meeting it fell to him as an opposition member to chair the meeting, which he finds bizarre given the political proportionality in the Council. He asked if the number of seats on that committee can be looked at so that there is a wider pool to be able to call on people to attend to make sure that the meetings can take place and they are quorate, it is a very important meeting with at the last meeting members having to confirm that the external audit was going ahead with the proposed plan and a number of topics that were important, such as how ARP delivers the single person discount fraud initiatives, with the committee needing to be a critical friend of the Council and it needs more than 3 members to be present. Councillor Boden responded that he is aware of what happened at the last meeting of the Audit and Risk Management Committee and that Councillor Booth chaired the meeting very well, he does not find it bizarre because as an opposition member he chairs the equivalent audit and accounts committee meeting at Cambridgeshire County Council. He stated that it has been clear that there is a problem so far as attendance is concerned and numbers on that committee and he will be taking action this evening to try to ensure that this sort of problem does not arise again but he is not sure increasing the size of the committee is the problem but rather getting members to attend and one of the difficulties with that committee is, for very good reasons, the number of Cabinet members who are allowed to sit on that committee is limited to two and they are also not allowed to chair the meeting, which is entirely appropriate as the Audit and Risk Management Committee should be holding the administration to account, and this limitation is a good one and should stay as it is. Councillor Boden added that he does need to ensure there are sufficient members, both substantive and substitutes, turning up for meetings.

- Councillor Booth asked what due diligence was conducted on the previous contractor for the Manor Leisure Centre project and also on the new contractor, Speller Metcalfe, because he is assuming some of the work would have been undertaken by the broker, Alliance, and what level of engagement was there with the Council in relation to due diligence? He added did the Council look at their accounts to see how financially sustainable they were and were there any warning signs and what lessons can be learnt. Councillor Booth noted that on the press release it indicates that the same timeline is being followed but he does not think that is quite what Councillor Count is saying because there will be delays whenever there is a change and he thinks the new contractor is going to have to get up to speed. Councillor Count responded that in the case of the original contractor and the new contractor they are given a contract under a framework arrangement so the individual elements are undertaken to be placed on the framework. He made the point that the original contractor were quite a reasonable sized company and the events that happened to them elsewhere took a sad turn which meant that they ultimately ceased trading and there was no forewarning or knowledge by the Council or Alliance Leisure about that. Councillor Count stated that using the same framework Speller Metcalfe have been appointed with the Council's blessing having worked through a number of details with Alliance Leisure but he is unable to go into detail about all the individual elements because he was not involved in the first contract and has only become involved with the second contract, where they talked at the meeting about the financial situation, the capacity to undertake the work and have they undertaken jobs like this before. He stated that if Councillor Booth would like any more details to let him know and he will ask the officers to give him a full and detailed briefing on anything that he wishes to ask about.
- Councillor Booth referred to the Local Plan and a note being distributed earlier from Councillor Mrs Laws regarding what is proposed from the Cabinet report and feels what is missing, in his view, is no clear indication of dates and what exactly the process is. He continued that it sets out the fact that there is going to be member engagement at certain

milestones but there is still only a 30-month window to get this delivered. Councillor Booth stated that he did try and find some more information on the Council's website and eventually managed to find an article that goes through those different stages but again it does not have the dates but he thinks what would be useful is if that article is sent out to all members because it is saying what the process is, although he has some questions on this, and also to Parish/Town Councils. He stated that he is still not sure if there is going to be the same SHELAA process as the last Local Plan because Parish Councils are being asked to comment on what land should be provided but generally they are not the landowner, they provide a lot of feedback when the SHELAA was prepared and will there be an equivalent stage, it is not very clear from the article he found, which he feels is buried on the Council's website and is not very user friendly for people. Councillor Booth asked if there will be the equivalent of a SHELAA process and from what he can see from the new legislation it says there should be, in Regulation 8, a monthly update but is he correct in his thinking that will not be established until the first milestone of 27 July has been reached? Councillor Mrs Laws responded that this has been put together to send out ready for this Council meeting and feels it might be more beneficial in introducing it with the dates by sending an e-mail to everybody so that members understand as well as Parish/Town Councils because their involvement is essential. Councillor Booth reiterated the question on whether there will be the equivalent of SHELAA process in the new framework because he could not quite understand if this was the case? Councillor Mrs Laws responded that the Council does want to involve the parishes, it will not be exactly the same because of the timeframe but there will be something similar, which she will highlight in the email also.

- Councillor Miscandlon stated that approximately a year ago he walked around the Manor Leisure Centre grounds with the Monitoring Officer and some other officers in wellingtons because it is the only park owned by the Council that does not have a footpath around it and it was agreed at that meeting that there should be one and it would be looked into putting a footpath around the whole of the Manor field as for 3-4 months of the year there are certain sections of the Manor that cannot be used. He stated that a footpath is essential for the betterment of the people of Whittlesey to use that and visitors because one does not exist currently and it is most difficult at the wet times of the year to walk around. Councillor Miscandlon asked what is going to be undertaken and when is it going to be undertaken as if it is not undertaken within the next 3-4 months it is not going to be undertaken this year as it needs to be undertaken in the dry seasons otherwise people will be in mud and water. Councillor Mrs French responded that it will be looked into but thinks it will probably come under Inspire! as she knows that footpaths do cost a lot of money, which she has experienced in Wisbech from the renewal of a damaged footpath.

## **C8/26      MOTION BY COUNCILLOR TAYLOR**

Councillor Taylor presented his motion regarding milk sold in Fenland, Councillor Mrs French seconded the motion, and it was opened for debate.

Members made the following comments:

- Councillor Tierney stated it is difficult to find milk without bovaer in it and he knows because when the controversy first came about he went looking for some because he did not want to drink it, with virtually every milk in every supermarket having it in it and it does not say it on the label but a little bit of research identifies it. He added that he does not have access to Councillor Taylor's researchers or information, he does not know if there is any danger in bovaer or if it is just being hyped up but he does believe in transparency and customer choice and something like this should be clearly labelled so that if there are alternatives people can choose to buy them and that is why he supports this motion.
- Councillor Christy stated that he had had a good read through the motion, his grandfather was a dairy farmer and came from a time when what is now called organic milk was actually milk, so he understands the importance of food standards, trust and the relationship between producers and consumers. He stated that he supports the principle behind this

motion that consumers should have clear, honest labelling so they can make an informed choice but his only concern is that some of the references within the document he would have liked to have seen them more substantiated and it goes back to consumers having a more informed choice as well, making sure that when information is in the public domain it meets the standards our residents deserve, with clear and balanced evidence. Councillor Christy referred to the motion mentioning being sent to a number of different agencies and he would hate that to overwhelm what that is trying to achieve but he fully supports the idea of having transparent labelling and hopes that traction is achieved.

- Councillor Patrick questioned whether this product can be found in yoghurts, cheese and other items?
- Councillor Carney referred to mention of two main supermarkets whose milk has bovaer in it and asked if the majority of UK supermarkets obtain their milk from major milk producers and are they a class of non-organic because he assumes that organic dairy producers would not be able to use bovaer.
- Councillor Mrs Laws asked if the Milk Marketing Board is undertaking research on this and is there any feedback from them?
- Councillor Hoy referred to the comments from Councillor Christy and about trusting the science but people are told that as a way to shut down anyone asking any questions, although she is not suggesting that is what Councillor Christy was doing, but she has heard it so many times over the years that anytime you ask any questions that you are a denier or a conspiracy theorist. She continued that 99% of the scientists thought the world was going to end by now but yet we are all still here so she thinks people need to challenge and question things. Councillor Hoy referred to being provided with information that certain foods are good for you and then are now not because they contain chemicals or too much sugar, being constantly told things that a marketing company wants people to believe and she feels that people are starting to question what is being put into food and she does not understand why this product is being added just to stop cow's emissions, with some scientists alluding that emissions from cows are as bad as cars driving on the road, which she feels is a nonsense, with Fenland's air being of good quality and she does not believe that cows are making air bad. She fully supports the motion and does not believe 'rubbish' should be added to food.
- Councillor J Clark stated he does not feel qualified or has the necessary information to make an informed decision, he hears Councillor Taylor's side of the argument but that is only one side of the argument and questioned whether it is in the remit of the Council, in his view probably not.
- Councillor Count thanked Councillor Taylor for bringing this in front of members, it is something he had no idea about and like many others in the room he has a bowl of cereal with milk and he does not like putting stuff inside of him that there is any doubt about what is in it. He stated that if someone invents a new food stuff for a human, he would imagine it goes through a huge amount of testing in order to go to market but from what he understands it is possible for things to be added to animals and their feed that makes it way into the chain and somebody says its OK because it is a small amount and there is nothing to prove it is not and he does not like hearing that because he was unaware of it. Councillor Count questioned when people will ever learn, referring to another issue with poultry, and why is it that people only find out about these things after the calamity has happened. He made the point that it was being used in the UK in 2021 and it got regulated or approved to be used in 2023, which, in his view, is wrong and it is 2023 to now, 3 years, to have something introduced into food stuff, which seems to him to be kind of bypassing the system. Councillor Count stated that he is happy to support the motion to ask for greater clarity and feels it brings a level of focus into this arena so that hopefully some more research will be undertaken. He expressed confusion over the marketing element, farmers just like any other business are in it primarily for one reason and that is to make money, nobody is giving them bovaer for free so farmers have gone out and purchased it for various reasons and he struggles to understand that farmers who are often on the cusp of profitability are buying a product to help the planet solely for that reason and he wonders if

there are other side effects of this product that helps their margin because why go out and spend money that is not directly impacting the business line.

- Councillor Taylor in summing up stated that bovaer is in all dairy so obviously cheese, cream and everything made from milk and in reference to organic, the Organic Society said straight away that it will not permit it in any organic product, but it has potentially been overridden and been told they will use it. He referred to Councillor Hoy comments on conspiracy theories, there are approximately 9.2 million cows in the UK, 7.4 million of those are non-dairy which leaves 1.8 million as dairy so why feed the dairy sector as not many people eat beef every day, most people consume milk or dairy every day. Councillor Taylor stated that, for people who cook at home, if you put a bit of cooking oil in a pan, cook it off, leave it in the pan overnight, get it in your fingers the next day it is stringy and stretchy, that is what is going in your main arteries and that is where margarines and butters are now affected, he feels that it should go back to the old ways and he is working with a lot of cardiologists for various reasons around that. He thanked members for their support and for listening.

**The motion was approved.**

## **C9/26      COMMITTEE BALANCE, POLITICAL BALANCE AND ALLOCATION OF SEATS**

Members considered the Committee Balance, Political Balance and Allocation of Seats report presented by Councillor Boden.

Councillor Boden stated that there are a couple of amendments to the report as follows:

- Councillors Kim French and Mockett to be removed from the Audit and Risk Management Committee. He has already received a volunteer but will be contacting members of his group to seek further volunteers to sit on that committee; and
- the addition of asset protection to Councillor Imafidon's portfolio holder responsibilities.

He stated that he invites the Leader of the Opposition to contact him at the earliest possible opportunity to inform him which outside bodies which are currently not allocated to the Fenland Independent Alliance he would like to be allocated and as he did every year with Councillor Booth he is sure they will be able to make a mutually agreeable deal to ensure that the optimal solution is made as to who will represent the Council on the outside bodies. He added that the appointments to outside bodies are not going to be made until the next meeting of Cabinet in June.

**Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED:**

- **to approve the Committees and Panels set out at Appendix A for the 2026/27 municipal year;**
- **the terms of reference set out at Part 3 of the Council's Constitution in relation to the committees and panels referred to at paragraph 3.1;**
- **the politically proportionate allocation of seats to Committees and Panels as set out in Appendix B;**
- **the allocation of seats and position of Chairman and Vice Chairman also as set out in Appendix B;**
- **the appointments to seats allocated in accordance with paragraph 3.4 above (Appendix B) including any co-opted or non-members;**
- **the list of Outside Bodies as set out at Appendix C for 2026/27;**
- **the politically proportionate allocation of seats to Outside Bodies all as set out in Appendix C; and**
- **to note that the distribution of seats amongst Outside Bodies, to achieve overall political proportionality based on the allocations approved at paragraph 3.7 above and the subsequent appointments to those seats will be discussed between Group Leaders and presented for approval at the next meeting of Cabinet on 15 June 2026.**

**C10/26      CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY (CPCA)  
APPOINTMENTS**

Members considered the Combined Authority Membership Appointments report, and the Chairman drew members attention to an addendum to the report which had been circulated as to the revised nominations to the seats on the Combined Authority.

**Proposed by Councillor Boden, seconded by Councillor Mrs Laws and AGREED to:**

- **appoint the Leader of Council to act as the Council's appointee to the Combined Authority, with Councillor Hoy to act as his substitute;**
- **appoint Councillors Woollard and Hay to the Overview and Scrutiny Committee of the CPCA, with Councillors Foice-Beard and Mockett as substitutes;**
- **appoint Councillor Christy to the Audit and Governance Committee of the CPCA, with Councillor Wallwork as substitute;**
- **note the Leader's nominated appointments to the Thematic Committees as set out at Appendix 3; and**
- **delegate authority to the Chief Executive to make any amendments to the appointments to the Overview and Scrutiny Committee and the Audit and Governance Committee in consultation with the Political Group Leaders as required between now and the next Annual Meeting of Council.**

**C11/26      TRANSPORT MANAGER - S.113 AGREEMENT**

Members considered entry into a Section 113 Agreement with Huntingdonshire District Council for the provision of an interim Transport Manager presented by Councillor Tierney.

Members made comments as follows:

- Councillor J Clark asked, with a planned retirement, why the Council has not trained somebody up or a deputy that could be trained up or made any plans for the retirement?
- Councillor Nawaz stated that given the situation and LGR recruiting a new manager is going to be unwise and he feels this is a sensible arrangement as this Council may end up with Huntingdonshire after LGR.
- Councillor Tierney in summing up stated that an organisation such as this Council is always looking for what it might do in the future when people retire but sometimes situations occur, like LGR, which causes staff to make fairly sudden decisions or bring forward decisions that they might have waited a bit longer for. He added that he does not know this particular individual's situation but he suspects a lot of authorities are going to be facing this sort of situation where people have to decide what to do with the rest of their career and that is going to leave a lot of authorities uncertain how to proceed for the remaining period of time. Councillor Tierney accepted that it is not the perfect situation but thinks this is the best way forward.

**Proposed by Councillor Tierney, seconded by Councillor Nawaz and AGREED to enter into a Section 113 agreement with Huntingdonshire District Council for the provision of suitably qualified Transport Manager to be named on the Council's Operators License with the Traffic Commissioner and delegate to the Monitoring Officer to finalise and enter into any legal agreement in consultation with the Portfolio Holder.**

*(Councillor Marks declared that he deals with Huntingdonshire District Council and the recycling team, and took no part in the discussion and voting thereon)*

**C12/26      PARTNERSHIP WORKING THROUGH SECTION 113 AGREEMENT  
(CONFIDENTIAL)**

Members considered recommending to Council approval to enter into a Section 113 agreement

with two other authorities for ARP to provide Single Person Discount Fraud Services presented by Councillor Mrs French

Members made comments on the proposal.

**Proposed by Councillor Mrs French, seconded by Councillor Imafidon and AGREED to approve a Section 113 agreement to enable ARP Officers to provide a single person discount fraud service to the two named authorities within the report.**

*(Members resolved to exclude the public from the meeting for this item of business on the grounds that it involved the disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Local Government Act 1972)*

5.27 pm

Chairman



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Fenland District Council Fenland Hall County Road March Cambridgeshire PE15 8NQ  
Tel 01354 622285 [www.fenland.gov.uk](http://www.fenland.gov.uk)

## **Civic Engagements From May 19,2026 to July 3, 2026**

May 19, 2026	Thetford Town Council Mayor Making Attended by the Chairman
June 5, 2026	High Sheriff Garden Party Attended by the Chairman
June 6, 2026	Royal Society of St George Reception at Buckden Towers Attended by the Chairman
June 21, 2026	Installation of Bishop Right Reverend Sarah Clark Attended by the Vice Chairman
June 26, 2026	Bishop of Ely Garden Party Attended by the Chairman
July 3, 2026	Fenland District Council Civic Reception Attended by the Chairman and Vice Chairman

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# **Cabinet and Corporate Management Team**

## **Portfolio Holder Briefing Report**

**July 2026  
(For performance in April & May 2026)**

## Cabinet Members



**Cllr Chris Boden**  
Leader of the Council  
& Portfolio Holder for  
Finance, Governance &  
Business Rates



**Cllr Jan French**  
Deputy Leader of the  
Council, Portfolio Holder for  
ARP, Car Parks, Parking  
Decriminalisation and Parks  
& Open Spaces



**Cllr Gary Christy**  
Portfolio Holder for  
Enforcement (Housing,  
Licensing & Environmental  
Health), Port, SHA,  
Transport and Yacht  
Harbour



**Cllr Steve Count**  
Portfolio Holder for  
Economic Growth, Land  
Charges and Fenland  
Inspire! Leisure Centre  
Projects



**Cllr Sam Hoy**  
Portfolio Holder for Culture,  
Housing, Licensing and  
Wisbech Town Board



**Cllr Sidney Imafidon**  
Portfolio Holder Assets,  
Business Premises, Health  
& Safety and Food Safety,  
Environmental Services and  
Heritage



**Cllr Dee Laws**  
Portfolio Holder for  
Building Control, Flooding,  
IDBs and Planning



**Cllr Chris Seaton**  
Portfolio Holder for Funfairs,  
Fenland Inspire! Projects,  
Markets and Wisbech High  
Street Projects



**Cllr Steve Tierney**  
Portfolio Holder for  
Communications,  
Decarbonisation, ICT,  
Streetsweeping, Street Bins  
& Dog Bins and Recycling &  
Refuse Collection



**Cllr Susan Wallwork**  
Portfolio Holder for  
Cemeteries, Community,  
Safety, Emergency  
Planning, Freedom  
Leisure, Military Covenant,  
Policing, Street Pride,  
Street Naming &  
Numbering and Travellers  
Sites

# Communities

## Support Vulnerable Members of Our Community

### **Enable residents to claim the Council Tax Support and Housing Benefit they are entitled to (Cllr French)**

Further to the successful e-billing campaign implemented during the annual billing process, we continue to promote e-billing to our residents to increase efficiency and save postage costs, utilising TelSolutions to contact customers by email and create a quick and easy e-billing sign up online form.

We continue to use automated messaging services for council tax reminders and reviews, which sees favourable results, again reduces postage costs and improves customer engagement and collection.

The year-to-date processing times for Local Council Tax Support and Housing Benefits are all on or above target. The in-year percentage of Council Tax collected is slightly below target currently due to outstanding new properties not being banded by the Valuation Office Agency (VOA) in a timely manner so the increase in the taxbase is not as it was expected to be.

The team continue to be tasked, in accordance with the Business Case approved by Joint Committee, to identify and prevent fraud leading to an increase in Council Tax income in the following areas: Local Council Tax Support, Single Person Discount, Council Tax and Non Domestic Rates.

In addition, the team continue to seek opportunities to identify dwellings and businesses not registered or having had an undeclared change in use, leading to increased charges – including possible retrospective charges. The Cambridgeshire Fraud Hub continues. This work continues to consistently see savings outweighing the costs of the work in the areas of Local Council Tax Reduction and Single Person Discounts.

Central Government have initiated significant changes in respect of Business Rates for the financial year 2026/27 and there is information available on the Fenland website and links to the Anglia Revenues website in respect of these complex changes.

**Use our housing powers to improve the condition of private rented homes (Cllr Christy)**

<b>Town</b>	<b>HMOs investigated</b>	<b>Other Homes investigated</b>
Wisbech	10	11
March	0	8
Chatteris	1	0
Whittlesey	0	9
Villages	0	2

<b>Villages</b>	<b>HMOs &amp; other homes investigated</b>	<b>Villages</b>	<b>HMOs &amp; other homes investigated</b>
Benwick	0	Manea	0
Coates	0	Murrow	1
Coldham	0	Newton	0
Christchurch	0	Parson Drove	0
Doddington	0	Stonea	0
Eastrea	0	Throckenholt	0
Elm	0	Thorney Toll	0
Fridaybridge	0	Tydd	0
Foul Anchor	0	Turves	0
Gorefield	0	Wimblington	0
Guyhirn	0	Wisbech St Mary	0
Leverington	1		

**Use our housing powers to prevent homelessness and reduce rough sleeping (Cllr Hoy)**

**Housing Issues successfully addressed by Housing Options Team for households owed a duty within 56 day period**

	<b>Up to end of May for 2026/27</b>
<b>Prevention Stage</b>	<b>11</b>
<b>Relief Stage</b>	<b>24</b>
<b>Total number of households</b>	<b>35</b>

<b>Number of households seeking advice (homeless presentations)</b>
---

	Up to end of May for 2026/27	Up to end of May for 2025/26	% change
<b>Number of households seeking advice (homeless presentations)</b>	287	295	-2.7%

**Rough Sleeper Prevention and Recovery Grant (RSPARG) work from [01.04.26] to [11.06.26] 2025/26**

Circumstances	Number of people
<b>Rough Sleeping</b>	12
<b>Successfully moved on</b>	7
<b>Lost contact with services</b>	0
<b>Between rough sleeping &amp; sofa surfing</b>	1
<b>Alternative outcome</b>	1
<b>Placed in off the street accommodation awaiting move on</b>	9
<b>TOTAL</b>	<b>30</b>

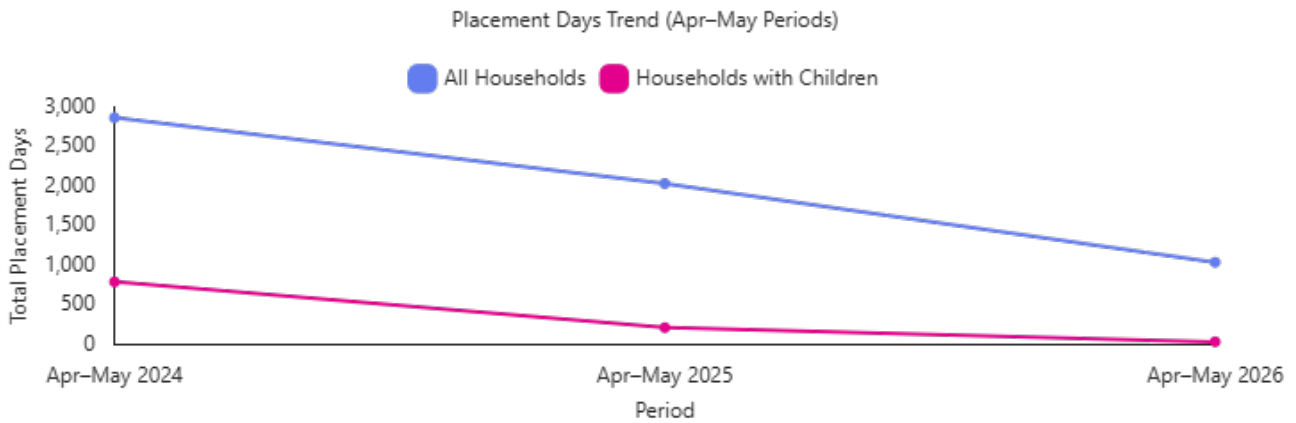
**Reduce emergency accommodation use to provide better quality and more cost-effective short-term accommodation and supported homes for homeless clients (Cllr Hoy)**

This data shows the total of all chargeable nights within nightly paid accommodation (e.g. B&B), where the stay fell within the accounting period 1<sup>st</sup> April to 31<sup>st</sup> May for each year, including those where the initial placement began outside this period. Only the total nights within the accounting period are calculated.

*All households – This includes single people, couples and families.*

*Children within household – Households with 1 or more child only and pregnant couples.*

Period	All Households (nights)	Year on Year (YoY) % Change	Children Within Household (nights)	YoY % Change
Apr–May 2024	2,863	—	793	—
Apr–May 2025	2,033	-29.0%	217	-72.6%
Apr–May 2026	1,040	-48.8%	38	-82.5%



There has been a marked and sustained reduction in the use of B&B placements across the three reporting periods. Total placement days have decreased year-on-year, falling by 29% between 2024 and 2025, and by a further 49% between 2025 and 2026. The reduction is even more pronounced for households with dependent children, where placement days have reduced by over 70% in the first year and more than 80% in the second.

This downward trend demonstrates a clear and continued commitment to reducing reliance on B&B accommodation, particularly for families with children. The scale and consistency of the reductions provide strong evidence of the effectiveness of ongoing service improvements and preventative approaches, supporting the strategic aim to minimise the use of unsuitable temporary accommodation.

**Use our housing powers to meet housing needs, including bringing empty homes back into use (Cllr Christy)**

The table below represents properties bought back into use through officer involvement up to and including 31 May 2026

LTE = Long term empty, LTEP = Long term empty with a premium council tax charge.

	LTE 6-11MTHS	LTEP 12MTHS +
<b>Total Officer involvement</b>	0	0
<b>Total for the period</b>	1.4.26 – 31.3.27	0

Please note there is a profile to help meet the target by April 26. The officer has many properties in train that, as yet, have not been checked to see if back in use. The delay is as a result of workforce development of new staff.

**Encourage partners to support the delivery of the Golden Age programme and support older people (Cllr Wallwork)**

[Golden Age - Fenland District Council](#)

[Hundreds flock to Golden Age event for over-60s in Fenland - BBC News](#) - Largest event in 22 year history of Golden Age

## Promote Health & Wellbeing for all

**Create healthier communities through activities developed and delivered by Active Fenland and Freedom Leisure (Cllr Wallwork)**

[Our Partnerships | Freedom Leisure](#)

As part of FDC's contractual commitment with Freedom Leisure, new gym equipment and spinning bikes are being procured for delivery in late summer. The new equipment will improve customer satisfaction and encourage more people to join the Freedom Facilities.

FDC and Freedom have also varied the contract recently. Freedom now delivers the service as an agent of the Council. Operationally this has little impact, and no impact on customers experiences. However, financially it is more VAT efficient, meaning that both partners will be approximately £10,000 better off every month. This is important for the Council's revenue position, and very important for Freedom in their challenge to ensure that the Fenland contract is viable and supports their business.

**Work with partners to deliver the WorkWell programme using an integrated approach to providing health and employment support (Cllr Wallwork)**

[WorkWell Fenland - Fenland District Council](#)

An additional 65 participants joined the WorkWell programme in April and May 2026, bringing the total number to 771 since the programme went live in November 2025. Currently, 51% of received referrals result in participants joining the programme. To date, coaches have made over 503 referrals and provided 239 signposts to 99 different service providers.

Funding is in place to continue with the delivery of the WorkWell programme until March 2027.

## Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion

**Manage the Fenland Community Safety Partnership to reduce crime and anti-social behaviour (Cllr Wallwork)**

[Community Safety Partnership \(CSP\) - Fenland District Council](#)

The partnership meeting was held in April 2026, at which the annual strategic assessment was presented. Recommendations within the assessment were adopted as the priorities for 2026/27 and were linked to Domestic Abuse, Serious Violence Duty, Anti-Social

Behaviour, and Community Engagement. A delivery plan linked to these subject areas will be developed.

### **Deliver the Community Safety Grant Agreement with the Police and Crime Commissioner (Cllr Wallwork)**

The funding provided through the grant agreement supports the Council in delivering a Community Safety service to the Fenland community. The Community Safety Team works closely with internal teams, and external partners across a number of different agencies to investigate community reports of anti-social behaviour and nuisance. The Council is subject of six-monthly monitoring by the OPCC, the last being in April 2026.

Output has included:

- Working in partnership with police to respond to numerous reports of general nuisance behaviours in residential areas.
- Submission of community intelligence reports to police related to drugs, concerns for domestic abuse, and reckless driving at car meet ups.
- Joint visit with police linked to nuisance and wellbeing.
- Community engagement with police, in an area concern related to exploitation of young people.
- Working with other providers to support vulnerable victims and perpetrators.
- Joint Enterprise session delivered with partners at Neale Wade. 4 x 1-hour sessions on joint enterprise, knife crime, and county lines, delivered to approx. 210 Year 9 students

### **Deliver the CCTV shared service with Peterborough City Council (Cllr Wallwork)** **[CCTV - Fenland District Council](#)**

#### **CCTV Shared service update**

The CCTV Shared Service continues to provide round-the-clock coverage across Fenland's four market towns, supporting community safety, partner agencies, and out-of-hours support.

#### **Incident support and positive outcomes**

Between April and May 2026, CCTV operators supported 383 incidents, up from the 244 achieved during the same period in 2025.

Over the same time period, the team achieved 43 positive outcomes, compared to 31 in 2025.

#### **Patrols**

The team carried out 1,130 proactive patrols, an increase compared to the 794 achieved in 2025, covering town centres, parks and open spaces, and other key community areas.

#### **Out-of-Hours service (OOH's)**

Between April and May, the control room managed 118 OOH's service requests, up from 101 in the same period last year, highlighting the growing demand for support outside standard office hours.

### **Street Drinking Update (Cllr Wallwork)**

There has been an increase in reports of street drinking within Wisbech and there have been some reports of similar activity within March town. Albeit the latter is restricted to a few known individuals with whom the police have been involved. In respect of Wisbech, there has been work conducted by teams within FDC (Homelessness, Housing Options, Street Cleansing, Community Safety & CCTV) to deal with a hotspot issue around Union Street and the closed Halifax Bank on the Market Place. Relevant information has also been shared with the local police team. There have been weekly monitoring meetings, through which both a supportive and enforcement approach has been adopted, and which appears to have seen the situation improve but close monitoring is ongoing

### **Licensing Update (Cllr Christy & Cllr Hoy)**

[Licensing - Fenland District Council](#)

**Provide proportionate support and advice for community groups to hold safe and successful public events (Cllr Seaton)**

[Upcoming events - Fenland District Council](#)

**Key PIs:**

Key PI	Description	Baseline	Target 2025/26	Cumulative Performance	Variance (RAG)
ARP1	Days taken to process new claims and changes for Council Tax Support	8.36 days	11 days for Q1	6.63	
ARP2	Days taken to process new claims and changes for Housing Benefit	8.42 days	12 days for Q1	6.43	
CELP1	Total number of private rented homes where positive action has been taken to address safety issues	267	250	41	
CELP2	The proportion (%) of households presenting to the Council as homeless whose housing circumstances were resolved through Housing Options work	50%	52%	49%	
CELP3	Number of empty properties brought back into use	67	50	0	
CELP4	Customer satisfaction for Freedom Leisure Centres	13	16	N/A (March 2027)	N/A

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments
CELP3 - there is a profile to help meet the target by April 26. The officer has many properties in train that as yet has not been checked to see if back in use. The delay is as a result of workforce development of new staff.

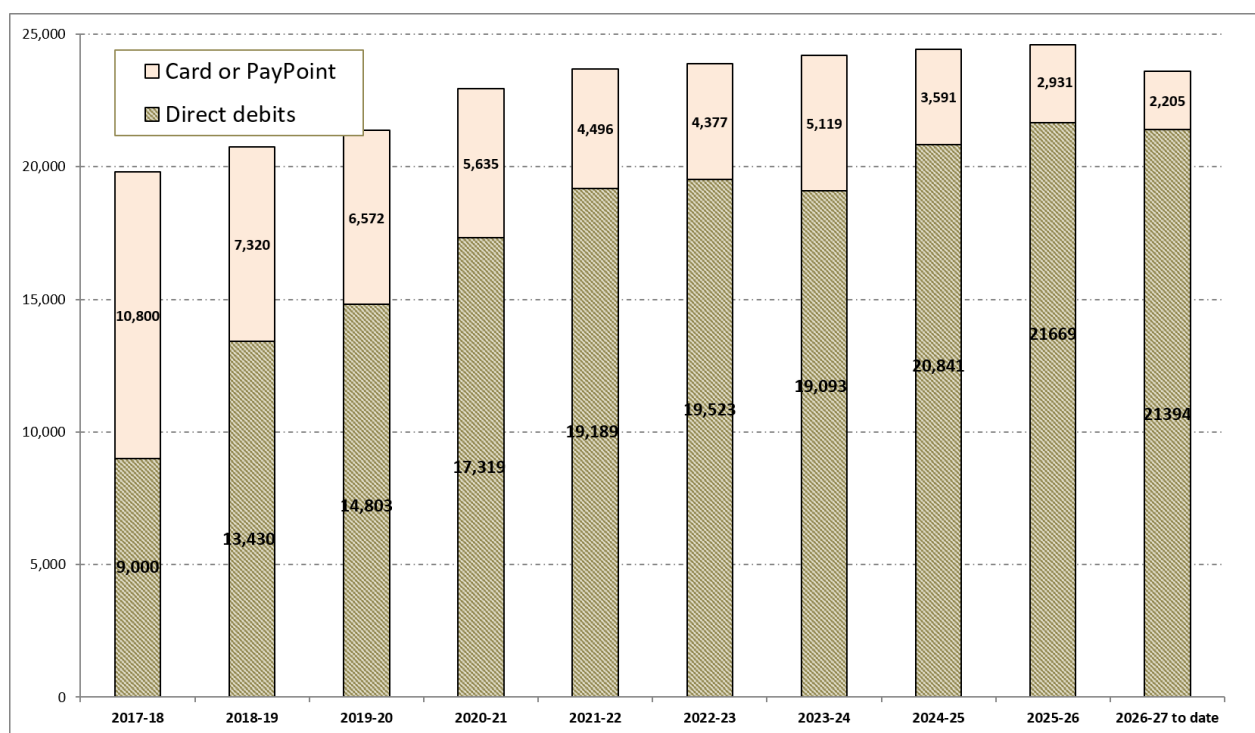
# Environment

## Deliver a high performing refuse, recycling and street cleansing service

### Deliver an effective, self-funding Garden Waste collection service (Cllr Tierney)

The 2026 to 2027 subscriptions have been on sale since January, and customers have already purchased 23,600 subscriptions totalling £1.17 million of income towards providing the service, bringing the total income since the service commenced in 2017 to £9.8 million.

This income has allowed the council to continue to provide the garden waste service to those who choose to use it without it increasing the burden on those who choose not to.



[Garden Waste Service \(Brown Bin\) - Fenland District Council](#)

[Garden Waste \(Brown Bin\) FAQ 2026](#)

### Deliver clean streets and public spaces as set out in the national code of practice (Cllr Tierney)

So far this year, the cleansing team of 20 staff have completed 83% of their scheduled work on time. They have cleansed 15,689 streets and public open spaces on schedule from the planned 19,007.

Customers have reported 270 issues such as litter, flytipping or graffiti since April. The team responded to these requests the same or next day 90% of the time (244) so far this year.

Service quality inspections, performed by Street Scene officers, have shown that key streets and public open spaces meet the required standard of cleanliness 98% of the time; 117 inspections were of an acceptable standard from the 120 performed.

**In cooperation with Cambridgeshire and Peterborough Waste Partnership, to plan and deliver the domestic food waste service and other Environment Act 2021 changes through the shared Waste Strategy (Cllr Tierney)**

For Fenland, deliveries of food caddies will take place in July and August in preparation for the new Fenland Food Waste Service to commence in September 2026. All customers will receive an information pack on how to make the best use of the new service along with supporting bespoke webpages and social media communications.

[Food Waste Recycling Service - Fenland District Council](#)

**Diverting waste from landfill (Cllr Tierney)**

During 2025/26 the waste teams collected a total of 38,839 tonnes of waste. From this, 14,019 tonnes was recyclable (7,467 tonnes) or compostable (6,552 tonnes) and therefore diverted from landfill.

**Work with partners and the community on projects to improve the environment and streetscene**

**Use education, guidance and Council powers to fairly enforce environmental standards and tackle issues such as fly-tipping, abandoned vehicles, dog fouling, littering and associated antisocial behaviour (Cllr Imafidon)**

[Fly-tipping - Fenland District Council](#)

Month - number of incidents	Incident locations
April - 126	Chatteris 9, March 8, Whittlesey 6, Wisbech 65 Villages 27
May - 83	Chatteris 6, March 19, Whittlesey 6, Wisbech 46 Villages 17

**Enforcement Actions April – June (mid)**

No of Penalty Notices	offence
6	1 Householders Duty of care 2 Littering 3 Fly Tipping

<b>1 Court Prosecution</b>	<b>Pled guilty. Fined £400 awarded £410 costs</b>
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**Number of investigated abandoned vehicles April – June**

<b>89 vehicles investigated</b>	<b>12 removals. Remainder were either found not to be abandoned or removed by persons unknown following a Notice.</b>
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**Ensure well maintained parks and open spaces by working with our grounds maintenance contractor (Cllr French)**

[Parks - Fenland District Council](#)

**Supporting volunteer Street Pride groups and other environmental volunteers, organisations and partners (Cllr Wallwork)**

[Street Pride - Fenland District Council](#)

Chatteris In Bloom have been chosen as one of only four finalists for the UK wide Town category. The volunteers have been working extremely hard for the judging in July 2026.

**Work with Town Councils and the community to provide local markets and thriving market town community events (Cllr Seaton)**

Thousands came together in March town centre to enjoy the 2026 St George's Fayre in April. The event saw more than 100 stalls, a vibrant parade, live entertainment and activities for the whole family at what was the biggest Fayre to date.

**Use the £1.5 million Pride in Place Impact Funding from Government to deliver improved open spaces and play parks across the district, enhancing facilities in line with the aims of the Fenland Inspire! project (Cllr Imafidon)**

Please note the update on this project below.

**Review the current arrangements for parking enforcement in Fenland (Cllr French)**

The last civil parking enforcement (CPE) report was tabled at Cabinet on 27 April 2026 where members resolved to progress with the implementation of CPE (the latest report can be viewed [here](#)).

CPE project officers from both FDC and CCC will be focussing over the coming months on formalising both the agency and service level agreements between FDC and the highway authority as well as liaising with the Department for Transport on the SEA/CEA application. FDC officers will also be liaising with neighbouring authority officer counterparts in respect of providing enforcement and back-office administration following the government's announcement on the new Unitary Councils within Cambridgeshire.

The project delivery timeline is estimated to be 2 years with the earliest CPE go live date of February 2028.

### **Street Lighting (Cllr French)**

A total of 22 streetlight faults were reported and have been attended to during the months of April and May 2026 by Fenlands streetlight maintenance contractor. Twelve of the reported faults related to District Council streetlights during this period.

An overview of the fault attendance can be seen below. These figures exclude any capital-programmed replacement or upgrade works undertaken by the Councils' streetlight contractor (Woodstock Streetlighting Services Ltd).

Fenland DC -	12 Fault Reports
Clarion -	2 Fault Reports
Parishes -	8 Fault Reports

All streetlight electrical and structural test certificates have been forwarded to the Parish Councils and Clarion Housing Association along with updated asset inventory information which is used to inform future replacement and upgrade works.

Some Parish Council streetlights failed the structural test and were made safe by stumping the column or removing the pole bracket. Most of these assets have now been replaced following instruction from the relevant Parish Council, however consent to replace or permanently remove some assets are still awaited from two of the Parish Councils. It is anticipated that some of the Parish Councils will require FDC to undertake further streetlight replacement or upgrade works on their behalf due to an aging asset portfolio.

The existing service level agreements between FDC and the Parish Councils for the provision of streetlight services has been reviewed and updated to align with current asset data and contractual arrangements. The revised SLA's have been sent to the Parish Councils with a requested return date by 30 June.

### **FDC Car Park Maintenance (Cllr French)**

Car park inspections were last undertaken in April. The associated defects have been quantified, and quotations sought for programmed works. The inspection information is also used to inform minor improvement, and maintenance works for all the Councils public car parks.

The following works have either been identified or programmed.

1. Patching works associated with potholes to various FDC public car parks.
2. Vegetation, Tree trimming and Crown lifting to specific sites
3. Road marking works at some sites

The Engineering Team are responsible for around 6500 highway related assets. The majority of these assets are either streetlights or street name plates but also include street furniture items such as seats, bus shelters, gateway signs, finger arm signs and bollards.

Routine inspections for the high-risk assets are undertaken each year and various maintenance, and improvement works carried out to ensure that the assets remain safe and fit for purpose. Each year a number of seats, street name plates, streetlights and bus shelters are replaced or upgraded for safety reasons and to enhance the streetscene.

### **National Underground Asset Register (NUAR)**

The NUAR platform is a Government Cabinet office run project that is now being driven by Ordnance Survey. The aim is for all asset owners such as Councils, Utility operators and major UK infrastructure network operators to sign up and share their underground assets so that all highway data can be digitally mapped and viewed in one place.

The Engineering Team have been leading on this project on behalf of FDC and have now facilitated entering into an agreement with Ordnance Survey. It is anticipated that FDC's geospatial data will start to be shared with NUAR over the next month as part of the onboarding process with the aim for nominated officers to have access to the live data within the next month. The Engineering Team will be providing data on underground assets for streetlighting, car parks and drainage and will use the platform to share data with our contractors to improve health & safety for works involving excavation within the highway or on FDC land.

**Key PIs:**

Key PI	Description	Baseline	Target 25/26	Cumulative Performance	Variance (RAG)
CELP5	% of household waste recycled through the blue bin service (1 month in arrears)	23%	25%	TBC	
CELP6	Customer satisfaction with Garden Waste service	85%	85%	N/A (March 2027)	N/A
CELP7	% of inspected streets meeting our cleansing standards	98%	90%	99%	
CELP8	Customer satisfaction with refuse and recycling services	100%	85%	N/A (March 2027)	N/A
CELP9	% of Rapid or Village Response requests actioned the same or next day	88%	90%	90%	
CELP10	Number of Street Pride, In Bloom, Friends Of Groups and Green Dog Walkers community environmental events supported	277	204	43	
CELP11	% of those asked who were satisfied with community events	98%	96%	100%	

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments
CELP 5: We are waiting for confirmed waste data for April and May.

# Economy

**Ensure Fenland is attractive to new businesses, jobs and opportunities whilst supporting our existing businesses**

**Promote and develop our Business Premises at South Fens, The Boathouse and Light Industrial Estates to encourage investment, business development, job creation and skills diversification (Cllr Count)**

	South Fens Business centre	South Fens Enterprise Park	Boat House	Manufacturing Estate	Actual
<b>Occupancy %*</b>	75.3	94.1	100	100	95.3

- Occupancy % is calculated as a percentage of sq.m occupied not individual units.

**Promote and enable housing growth, economic growth and regeneration**

**Enable appropriate growth, development and infrastructure through delivering a proactive and effective Planning service (Cllr Laws)**

The Development Management and Enforcement Teams have continued to maintain a positive trajectory over the past quarter, progressing a high volume of applications and cases while managing ongoing service pressures. Performance has remained broadly stable despite challenging workloads, supporting continued delivery of timely and robust planning decisions for residents and applicants.

Committee demand remains consistently high, both in overall numbers and as a proportion of decisions issued. This continues to place pressure on officer capacity, committee scheduling and decision timeframes. The impact is felt across the service, with extended agendas and additional meetings required to maintain throughput, and applicants potentially experiencing longer determination periods as a result. However, the proposed National Scheme of Delegation (NSD) will significantly alter the current number of planning applications going before the Planning Committee.

Work has also commenced on the preparation of a new Local Plan under the revised national planning framework. This represents a significant and resource-intensive programme of work, requiring careful coordination and prioritisation to ensure the Council meets national expectations while reflecting local priorities.

A restructure of the Planning Service was agreed by the Employment Committee on 3 June 2026 and is currently in the process of being implemented. The changes are aimed at strengthening service delivery, improving resilience and supporting officer development

and progression. Implementation has been made more complex by the subsequent resignation of two members of staff; however, work is ongoing to manage this transition and realise the intended benefits of the new structure.

Legislation has now been laid to introduce the NSD, confirming the direction of travel for planning decision-making. The NSD is expected to have a notable impact within Fenland. Initial assessment indicates that it would significantly reduce the number of applications requiring Planning Committee determination, enabling a greater proportion of decisions to be made under delegated powers. This would help to streamline decision-making, reduce pressure on committee processes, and improve overall service efficiency.

**Support the Wisbech Town Board to deliver long-term regeneration through the Governments Plan for Neighbourhoods initiative, securing and overseeing up to £20million of investment for Wisbech over a ten-year period to enhance the town centre, boost economic growth, and improve opportunities for residents and businesses (Cllr Hoy, Cllr Tierney, Cllr Wallwork)**

As agreed at cabinet, the Regeneration Plan, approved by the Town Board and all partners, was submitted in November 2025. FDC as accountable body have recently been informed that the Wisbech plan has been given a conditional approval. Following the advice of CLG, FDC have worked on behalf of the board to appoint “Beatfreaks” a community engagement company tasked with undertaking a summer of community engagement in line with CLG requirements.

There will be two consultations held at the Rose Fair and Wisbech Rock festival, supported by a training programme for volunteer and nominated “community researchers” growing into a yearly community researcher network. This proposal has been provided to CLG and approved.

The £200,000 of outstanding capacity funding has now been received and will be utilised for the delivery of the above, delivery funding will commence once CLG are satisfied that the Board has undertaken sufficient engagement.

Once engagement has concluded, CLG will issue an MOU for the full delivery funding to be determined in a future cabinet paper.

In April, following a personal health issue, the previous Chair Iain Kirkbright tendered his resignation from the Board. FDC officers are working with CLG and the Town Board to find a suitable replacement and once nominated, a paper will be presented to Cabinet for approval.

**Work with our partners to enable new affordable housing to meet housing needs (Cllr Laws & Cllr Hoy)**

There are currently 294 affordable homes with anticipated completion/handover dates within the current financial year. There are a further 139 affordable homes that are under construction and all or some of these units could also fall into the current financial year.

### **March Future High Street Fund (Cllr Seaton & Cllr French)**

The March Future High Street Fund (FHSF) project is now in the final phase of delivery with the demolition of the old Barclays Bank building.

Demolition on site has resumed following issues with the Party Wall and the contractor is currently in the final demolition phase.

At present the programme remains underspent from the original budget and officers anticipate this will be the case upon completion.

Once completed, the FHSF programme will formally be concluded.

### **Continue to review council land and property assets to ensure they are fit for purpose and optimised to deliver better public services, improve efficiency and release surplus land for residential and commercial development as outlined in our Commercial Investment Strategy (Cllr Boden, Cllr Count, Cllr Tierney & Cllr Imafidon)**

A single site disposal sale has completed in the period resulting in a capital receipt of £282,500 to FDC.

### **Fenland Inspire! (Cllr Seaton and Cllr Count)**

**Wisbech Splash Pad** – Following the previous update, an alternative supplier for the installation of the sunshades has been found and engaged. The sunshade order has been placed with a lead time of 5-8 weeks. Officers are working to have this installation concluded before the summer holidays and peak usage of the Splash Pad.

### **11-12 High Street, Wisbech**

Design work has concluded and a full planning application for the proposed redevelopment has been submitted and validated. Determination of this is due in July.

The design team are completing the tender drawings and tender packs and will commence the tender process during June.

Upon the return of the tenders, and hopefully the granting of planning permission, Cabinet will be asked to review the scheme and costing to determine whether the project should proceed and it is hope that this will be presented at the September cabinet meeting

### **Wisbech Floodlighting for Clarkson Memorial**

The installation of the new LED floodlights for the Clarkson Memorial was completed at the beginning of June. All that remains is for a night-time trial to be arranged to set the new lights into their final position one evening with dark skies to energise the system. It is anticipated this will be towards the end of June.

### **Manor Leisure Centre, Whittlesey**

Following our construction partner going into administration in May, a new construction firm is now working with the project team to complete RIBA Stage 4. At the end of this stage a contractual cost to deliver the redeveloped building will feed into a Cabinet Report

in September for Cabinet to consider the project and decide to proceed to construction or not.

Because of the switch in construction firms the project has slipped by 2 months with further detailed information to follow when the new construction team has developed their detailed delivery programme.

### **Pride in Place Impact Fund - Play Area Project**

Work continues to progress with this project. The Council has now finished the community engagement regarding draft plans. This feedback will be reviewed and a final plan of improvements across the District will then be discussed with the Portfolio Holder and Cabinet Members.

Once the plans are agreed the Council will move to a series of procurement packages through the ESPO framework for play areas – FDC has been using this framework successfully for the past decade or more.

In addition to the original Pride in Place Impact Funding that is funding the play area project, Government has also assigned a further £270,000 to support improving play areas in locations selected due to higher deprivation rates. Wisbech has been selected in Fenland and officers are working with local elected Members to determine how to deliver improvements with this additional funding. Where the Council's initial community engagement has not considered new ideas, further engagement will take place for the new projects specifically.

### **Civil Parking Enforcement**

Please refer to earlier update on [CPE](#).

## **Promote and lobby for infrastructure improvements**

**Promote sustainable road, rail and concessionary transport initiatives to improve access to employment and local services (Cllr Christy)**

[Transport and Streets - Fenland District Council](#)

**Engage with the Combined Authority and Cambridgeshire County Council on the feasibility and delivery of road and rail infrastructure projects (Cllr Christy)**

[Transport and Streets - Fenland District Council](#)

**Key Pls:**

Key PI	Description	Baseline	Target 25/26	Cumulative Performance	Variance (RAG)
EGA1	% occupancy of our business estates	95.1%	>92.0%	95.3%	
EGA2	% of debt on the investment portfolio of the total rent toll	N/A	<5%	2.92%	
MS1	% occupancy of Wisbech Yacht Harbour	89%	90%	93%	
CELP12	% of major planning applications determined in 13 weeks	100%	90%	100%	
CELP13	% of minor planning applications determined in 8 weeks	90.77%	90%	90.77%	
CELP14	% of other planning applications determined in 8 weeks	88.10%	90%	88.10%	

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments

# Quality Organisation

## Excellent Customer Service

### 3C's Update (Cllr Tierney)

Quarterly figures to be reported on, July, October, December and March

April - May 2026	Total received	On time	% On time
<b>Correspondence</b>			
	20	15	75%
<b>Stage 1</b>			
CELP	26	18	69.2%
GI	0	0	N/A
PRCS	15	14	93.3%
<b>Stage 2</b>			
CELP	2	2	100%
GI	0	0	N/A
PRCS	1	1	100%

## Governance, Financial Control & Risk Management

**Maintain robust and effective financial standards, internal controls and organisational management (Cllr Boden)**

The following internal audits have been completed to give assurance on internal controls:

Audit Area	Assurance Opinion	No of agreed Actions
ARP Enforcement	Substantial	0
NNDR	Reasonable	8
Corporate H&S	Reasonable	9
FACT	Limited	8

The following audits are in progress:

<b>Audit Area</b>	<b>Status</b>
Physical Site Security (The Base)	Draft Report
Cemeteries – follow up	Draft Report
Overtime	Testing
Creditors supplier amendments – follow up	Planned
Port Management	Planned
S.106 Agreement Monies	Testing
Temporary Accommodation	Planned

### **Comply with data protection and General Data Protection Regulation requirements (Cllr Boden)**

There have been no reportable breaches of the UK GDPR during the period to which this briefing relates. However, there has been 5 recorded breaches by Revenues and Benefits (4) and Housing (1) requiring no further action. The breaches were human error with the majority resulting with information being sent to or shared with the wrong person(s).

In the same period, there have been 3 data subject access requests.

## **Local Government Reorganisation**

### **Ensure Fenland’s residents, businesses and communities are represented and the district’s identity and priorities safeguarded, as the Government’s requirement for Local Government Reorganisation is developed (Cllr Boden)**

Please see the Local Government Reorganisation Update report due to be tabled at the Council meeting scheduled for 13 July 2026.

### **Develop our workforce so they are prepared for Local Government Reorganisation (Cllr Boden)**

We have been reinforcing the importance of ensuring all our workforce are equipped and upskilled for the future. All recent learning and development requests have been submitted to the Ct for consideration and approval. In addition to this, we are utilising a significant proportion of our Apprenticeship Levy to provide funded training where appropriate

## **Communication and Engagement**

### **News and Engagement**

The number of proactive news articles, which were published on our website and issued as press releases to local media were 9 in April and 9 in May.

We also published an additional 5 articles solely on the website. Links to all news articles: [News and Events - Fenland District Council](#)

We also published our monthly e-newsletter, The Fenlander, and continued to issue weekly internal e-newsletters. These provided staff with timely council and partner updates, leadership messages, operational changes, and key announcements, and other information to support our internal communications.

All press releases are distributed to relevant press and media organisations, appear as a web article on the news pages of the [Fenland District Council website](#) and on our social media channels [Facebook](#) and [X](#). We also publicise relevant press releases on our LinkedIn.

### Social Media

Our social media channels continued to play a key role in sharing updates, promoting services, and engaging with the community.

	X	Facebook	LinkedIn
<b>April</b>	110	81	32
<b>May</b>	116	87	35
<b>Followers</b>	8,491	10,264	2,543

### Consultation

5 public consultations were live on the website (excluding business-as-usual consultations).

- Fenland 50 Scoping Survey – 28 January to 31 May 2026
- Fenland ‘Call for Sites’ consultation – 5 March to 30 April 2026
- Wimblington & Stonea Neighbourhood Plan – 8 April to 22 May 2026
- Wisbech Public Spaces Protection Order (PSPO) – 1 May to 17 May 2026
- Fenland Inspire! Play Areas Consultation – 5 May – 1 June 2026

## Workforce Development

### Equip our workforce with the right skills to effectively deliver our priorities (Cllr Boden)

We have an extensive learning and development offer for our workforce, which involves opportunities for formal and informal training; we have a range of learning resources available to all staff, e-learning, coaching, shadowing, secondments, in house training workshops delivered by our own in-house experts; as well and more formal courses and training and apprenticeships.

We have recently commenced delivery of our own in-house management development programme aimed at upskilling existing, new and aspiring managers.

## Enforcement & Compliance

**Use a fair and proportionate approach to improve living, working and environmental standards as set out in our Enforcement Policies (Cllr French (CPE), Cllr Laws (Planning), Cllr Tierney (Streetscene), Cllr Christy (Environmental Health, Housing & Licensing Enforcement) & Cllr Seaton (Dilapidated Buildings & Enforcement))**  
Please see updates recorded earlier in the report.

**Support businesses to ensure compliance with a wide range of regulatory requirements (Cllr Count & Cllr Imafidon)**

The statutory food safety and health and safety regulatory support plans have been published:

[Food Safety: Information for Businesses - Fenland District Council](#)  
[Health and Safety - Fenland District Council](#)

## Health & Safety

**Maintain effective Health and Safety systems to comply with relevant legislation and local requirements (Cllr Boden)**

[Health and Safety - Fenland District Council](#)

**Deliver all aspects of the Council's Health and Safety action plan to ensure the safety and wellbeing of our workforce, partners and wider community (Cllr Boden)**

[Health and Safety - Fenland District Council](#)

## Cambridgeshire & Peterborough Combined Authority (CPCA) update (Cllr Chris Boden)

CPCA website - [Cambridgeshire & Peterborough Combined Authority](#)

Meeting details - [Browse Meetings, 2000](#)

Office decision notices and Mayoral decision notices can be found [here](#).

**Key PIs:**

Key PI	Description	Target 2025/26	Cumulative Target	Cumulative Performance	Variance (RAG)
ARP3	In year % of Council Tax collected	98.70%	96.20%	19.65%	
ARP4	Council Tax net collection fund receipts	£77,608,740	£82,960,441	£15,655,588	
ARP5	In year % of NNDR collected	98.85%	97.04%	18.37%	
ARP6	NNDR net collection fund receipts	£31,752,701	£31,598,709	£5,007,927	
PRC1	% of customer queries processed at the first point of contact	88%	85%	88%	
PRC2	% of customers satisfied with our service (measured annually in February)	100%	90%	N/A (Feb 2027)	
PRC3	% of contact centre calls handled	83%	80%	62.5%	
PRC4	% of businesses who said they were supported and treated fairly	100%	96%	N/A (Jul 2026)	
HR2	% of staff that feel proud to work for FDC	85%	85%	N/A (Mar 2027)	

Key:	
	Within 5% of target
	5-10% below target
	10% or more below target

Comments

## **Motion submitted by Councillor Boden**

### **PROPOSED CHANGES TO LOCAL GOVERNMENT & ITS FUNCTIONS**

There are several proposed changes to Local Government currently under consideration by the Government. Some of these changes will not be helpful in promoting local democracy, in improving local service delivery or in effecting positive changes in the interests of local residents.

#### **A. LOCAL GOVERNMENT REORGANISATION**

Proposals to abolish two-tier local authority areas in England, whilst not necessarily wrong in principle, are increasingly seen to be likely to achieve the opposite of the intended outcome. They appear likely to reduce local democratic accountability and to reduce the cost-effectiveness of local government generally.

The proposed creation of very large Unitary Authorities in predominantly rural areas will make decision-making more remote and less accessible for most residents. The significant reduction in the number of principal area councillors will necessarily increase the ratio of electors to councillors and therefore reduce councillors' potential ability to represent the interests and needs of individual electors.

The vast majority of local government expenditure is incurred on adults' and children's social services. Once SEND expenditure is effectively "nationalised" in 2028 that preponderance of Adults' and Children's spend will increase even further. Currently, cost pressures on providing these services are alleviated through the economies of scale that Upper Tier authorities currently provide. Most worryingly, from a cost-effectiveness perspective, the proposal to replace 30 or so of these Upper Tier authorities (including a few small existing Unitary Authorities) with 55 to 60 new Unitary Authorities stands to be devastating in terms of maintaining the economies of scale currently achieved in commissioning these very expensive services.

From a practical geographical perspective, from the point of view of democratic accountability, and in terms of cost-effectiveness, the current Government proposals for Local Government Re-organisation are therefore unwelcome, unwise and counter-productive.

#### **B. PLANNING REFORM - PROPOSED SCHEME OF DELEGATION**

Whilst, at the time of writing, we are still awaiting full details of how Government intends to amend the planning process later this year, we have learned enough to be

concerned that Government is following the wrong track. Forbidding planning committees from considering the vast majority of planning applications, leaving them to be determined by Officers alone under delegated powers, takes away a vital democratic and public element in our planning process. The Government's proposal is so drastic that, as locally unpopular planning determinations will incrementally be made without any democratic process having been engaged, the whole planning apparatus will become increasingly in danger of being seen as illegitimate and not fit for purpose.


### C. NHS AND LOCAL GOVERNMENT

Whilst District Councils such as Fenland have no significant direct statutory role to play in the NHS, we do nominate a member to serve on the County Council Health Committee, which does have statutory health functions, and we are all, at District and County level, partners in a 'whole system' approach which seeks to break down the silo mentality between the NHS and local authorities when considering the interconnected health and social care issues which affect the health and welfare of patients and residents.

The Government's new Health Bill, unfortunately, seeks to weaken, rather than strengthen, moves towards removing barriers between the NHS and local authorities. In its current form, section 23 of the draft Bill proposes to amend the Local Government and Public Involvement in Health Act 2007 by abolishing joint health and social care strategic needs assessments, integrated care partnerships and integrated care strategies. This proposed weakening of partnership arrangements between the NHS and local government is a retrograde step which will not promote "one system" thinking across health and social care in the interests of patients and residents.

### CHANGE OF PRIME MINISTER

At the time of submitting this motion, it appears that, potentially within weeks, Andy Burnham will replace Sir Keir Starmer as Prime Minister. Full Council therefore asks the Leader of the Council, on behalf of Fenland District Council, to write to Andy Burnham forwarding this motion and asking him to consider, as part of his re-set of Government, the cessation of Local Government Re-organisation as presently proposed, the retention of local planning committees' right to consider all but the very smallest and most minor planning applications, and the strengthening, not weakening, of co-operation between the NHS and local government in the provision of health and social care.

Agenda Item No:	9	
Committee:	Council	
Date:	13 July 2026	
Report Title:	Treasury Management Annual Review 2025/26	

## Cover sheet:

### 1 Purpose / Summary

The purpose of this report is to consider the overall financial and operational performance of the Council's treasury management activity for 2025/26.

### 2 Key issues

- Outstanding loans of £11.8m and investments of £6.614m as of 31 March 2026.
- £9m of temporary borrowing (short dated Local Authority/PWLB loans) were undertaken (of which £5m was repaid in year) and the authorised limit was not breached during 2025/26.
- The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.
- Total investment income received from temporary investments was £337,647 (estimate £300,000).
- Overall interest rate achieved from temporary investments was 3.77%. The benchmark for temporary investments is the 7 day backward looking Sterling Overnight Index Averages (SONIA) un compounded rate for 2025/26, 4.01%.
- The Council was invested in two property funds at the start of the financial year. Both funds had large redemption notices served by Trust Unit holders. A proposed merger of the Federated Hermes Property Fund (FHPT) with Legal and General Management Property Fund was proposed at an Extraordinary General Meeting in June 2025. This merger was passed in August and excluded non pension fund unitholders from transferring their funds. Subsequently, the Council's investment was sold and repaid, resulting in a capital loss of £362k.
- Patrizia Hanover Real Estate Investment Management Limited (managers of the Patrizia Property Fund) initiated two Extraordinary General meetings in 2026 which proposed a merger with Threadneedle Property Unit Trust Fund (TPUT). The merger was passed in June 2026 at which the Council elected to rollover its units to TPUT. The nature of the transaction means that the Council must treat its original investment as a disposal and recognise the gain/loss in its accounts in 2026/27. At the time of writing valuations weren't finalised but will be reported to Council at a future meeting.
- During 2025/26, the Authority complied with its legislative and regulatory requirements.

### 3 Recommendations

- It is recommended that members note the report.

<b>Wards Affected</b>	All
<b>Portfolio Holder(s)</b>	Cllr Chris Boden, Leader & Portfolio Holder, Finance
<b>Report Originator(s)</b>	Peter Catchpole, Corporate Director and Chief Finance Officer Sian Warren, Chief Accountant
<b>Contact Officer(s)</b>	Peter Catchpole, Corporate Director and Chief Finance Officer Sian Warren, Chief Accountant
<b>Background Paper(s)</b>	Treasury Management and Annual Investment Strategy 2025/26

## Report:

### 1 Introduction

- 1.1 The Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2025/26. This report meets the requirements of both the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).
- 1.2 During 2025/26 the minimum reporting requirements were that Council should receive the following reports:
- an annual Treasury Strategy in advance of the year (Council 24/02/2025);
  - a mid-year treasury update report (Council 15/12/2025);
  - an Annual Review following the end of the year, describing the activity compared to the strategy (this report).
- 1.3 The regulatory environment places responsibility on Members for the review and scrutiny of treasury management policy and activities. This report provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.
- 1.4 In normal circumstances, the treasury management reports would be reviewed by Audit and Risk Management Committee before they are reported to Council. This Annual Review report is being presented directly to Council due to the Audit and Risk Management Committee not meeting until 27 July 2026.

### 2 The Council's Capital Expenditure and Financing

- 2.1 The Council undertakes capital expenditure on long-term assets. These activities may either be:
- 2.2 Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- 2.3 If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	<b>2024/25 Actual £000</b>	<b>2025/26 Revised Estimate £000</b>	<b>2025/26 Actual £000</b>
<b>Capital expenditure</b>	<b>11,413</b>	<b>16,898</b>	<b>8,978</b>
Financed In Year	6,196	6,470	4,092
<b>Unfinanced capital expenditure</b>	<b>5,235</b>	<b>10,428</b>	<b>4,886</b>

### 3 The Council's Overall Borrowing Need

- 3.1 The Council's underlying need to borrow to finance capital expenditure is termed the capital financing requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2025/26 unfinanced capital expenditure (see above table), and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.
- 3.2 Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies, (such as the Government, through the Public Works Loan Board [PWLB], or the money markets), or utilising temporary cash resources within the Council.
- 3.3 **Reducing the CFR** – the Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.
- The total CFR can also be reduced by:
- the application of additional capital financing resources, (such as unapplied capital receipts); or
  - charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).
- 3.4 The Council's 2025/26 MRP Policy, (as required by DLUHC Guidance), was approved as part of the Treasury Management Strategy Report for 2025/26 on 24/02/2025.
- 3.5 Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR, and by the authorised limit.
- 3.6 **Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2024/25) plus the estimates of any additional capital financing requirement for the current (2025/26) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure.
- 3.7 In February 2020 Council allocated £25m in the capital programme to enable the Council to take forward projects linked to its Commercial and Investment Strategy (CIS). At the 31.3.2026 £7.663m has been spent on property acquisitions and loans to Fenland Future Limited as approved by the Investment Board in accordance with the CIS. This impacts on the Capital Financing Requirement as explained in the table below. Currently the expenditure has been funded from internal borrowing, i.e. no specific external borrowing to fund the investments has been undertaken, but the Council retains the flexibility to externalise the associated borrowing if it is deemed appropriate to do so.

3.8 The table below highlights the Council's gross borrowing position against the CFR (See Appendix A).

	<b>31 March 2025 Actual £000</b>	<b>31 March 2026 Revised Estimate £000</b>	<b>31 March 2026 Actual £000</b>
CFR opening balance	13,471	18,255	18,255
Capital expenditure – Capital Programme	2,916	5,553	3,043
Capital expenditure – Commercial and Investment Strategy	2,319	4,875	1,843
Less Minimum Revenue Provision	(451)	(651)	(631)
<b>CFR Closing balance</b>	<b>18,255</b>	<b>28,032</b>	<b>22,510</b>
of which: Capital Programme	9,746	14,648	12,158
Commercial and Investment Strategy	8,509	13,384	10,352
<b>Gross Debt (see table at 4.1 below)</b>	<b>7,800</b>	<b>18,230</b>	<b>11,800</b>

3.9 The authorised limit - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level.

3.10 The operational boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

3.11 Neither the authorised limit nor operational boundary were breached during 2025/26.

#### **4 Overall Treasury Position as at 31 March 2026**

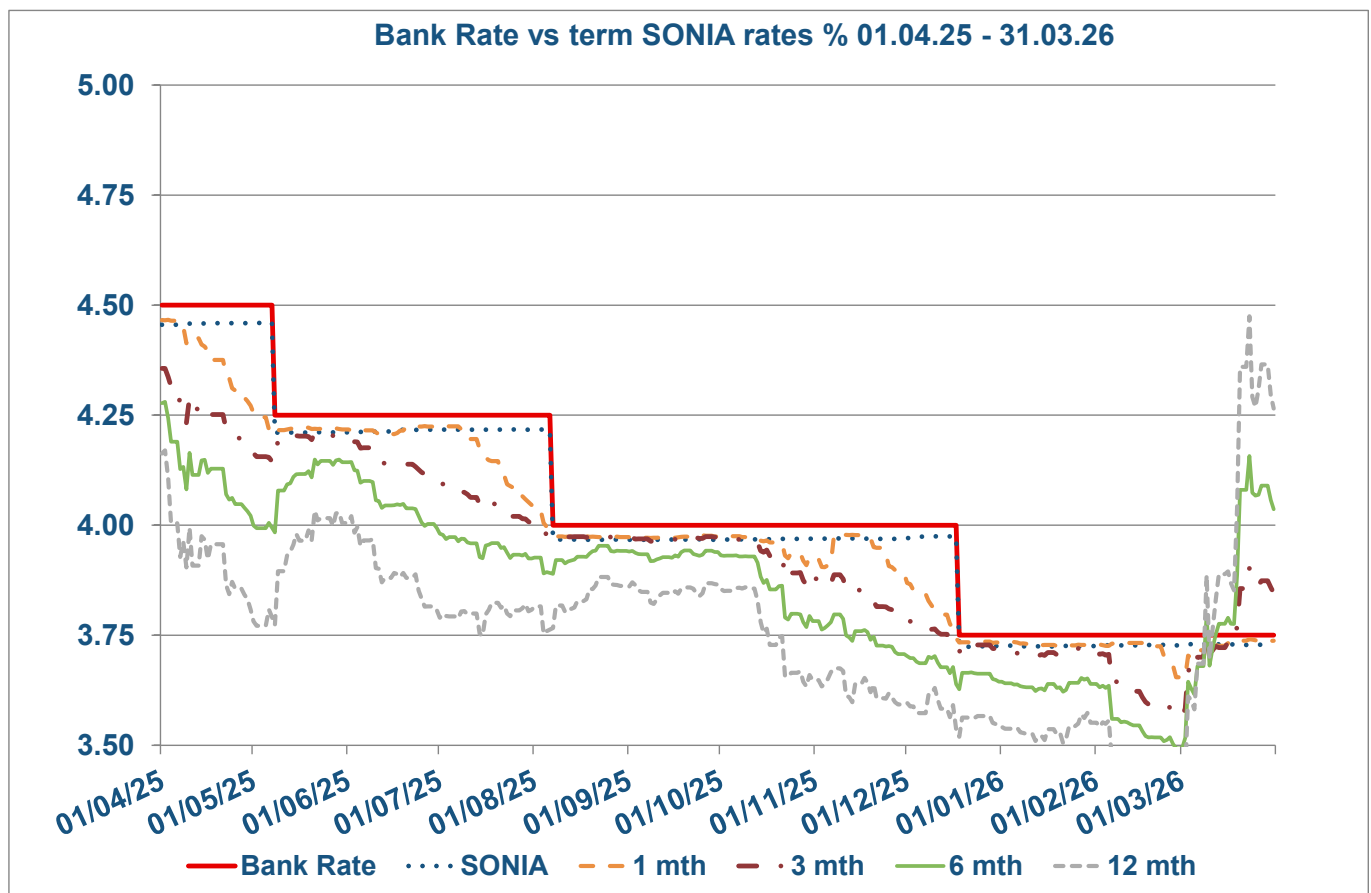
4.1 At the beginning and end of 2025/26, the Council's treasury position was as follows.

	<b>31 March 2026 Principal £000</b>	Rate / Return	Average Life years	<b>31 March 2025 Principal £000</b>	Rate / Return	Average Life years
Fixed rate funding						
• PWLB	<b>8,500</b>	7%	3.22 yrs	<b>4,500</b>	7.29%	5.40 yrs
• Market	<b>3,300</b>	4.70%	27.96 yrs	<b>3,300</b>	4.70%	28.96 yrs
Total debt	<b>11,800</b>			<b>7,800</b>		
Investments						
• Banks/Building Societies	<b>(4,700)</b>	3.77%		<b>(3,350)</b>	4.84%	
• Property Funds	<b>(1,917)</b>	-12.4%		<b>(3,557)</b>	3.62%	
Total Investments	<b>(6,614)</b>			<b>(6,907)</b>		
Net debt /(Investments)	<b>5,186</b>			<b>893</b>		

- 4.2 At the start of the financial year the Council's investments, held in the Federated Hermes and Patrizia Hanover managed pooled property funds were valued at £1.643M and £1.91m respectively. £4m was originally invested, split equally, between the two funds.
- 4.3 The Federated Hermes Fund was sold in August 2025, resulting in a capital loss to the Council of £362k (see below). The total distribution paid for the year from both funds was £63k.
- 4.4 All other investments held at 31 March 2026 are fixed term or callable deposits due for repayment within the next twelve months.

**5 The Strategy for 2025/26**

Investment Benchmarking Data – Sterling Overnight Index Averages (Backward-looking) 2025/26



**Investment Strategy**

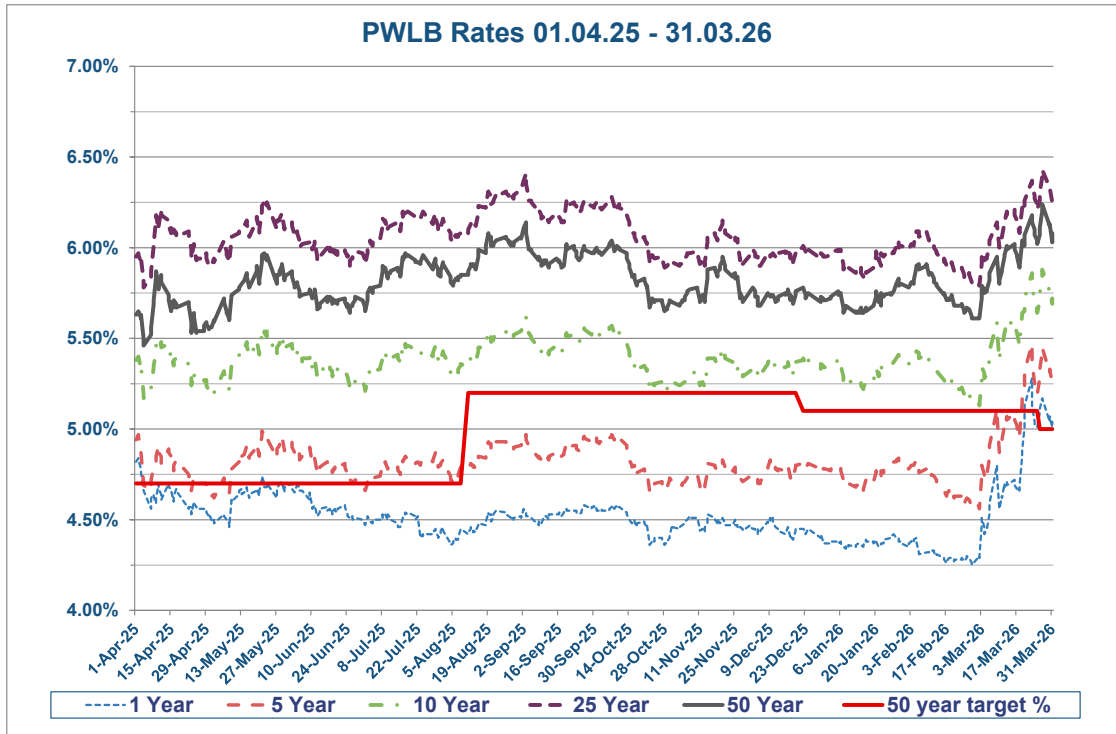
- 5.1 The Council does not have sufficient cash balances to be able to place deposits for more than a month so as to earn higher rates from longer deposits. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
- 5.2 Officers aimed to keep Investment balances to a minimum through the agreed strategy of using reserves and balances to support internal borrowing as far as possible.

## Borrowing Strategy

- 5.3 At 1 April 2025 the Council's Debt position comprised £7.8m of external borrowing. These loans were taken out at prevailing market rates between 1994 and 2004. The term of these loans is between 25 and 50 years. The Council did not seek to repay these loans at the date of the transfer of the Council's Housing Stock in 2007, which generated a significant capital receipt for the Council. Prevailing interest rates since the loans were taken out mean that a high premium would be payable by the Council if it were to seek to repay the PWLB loans (£4.5m) early. The premiums to be applied are considered to be prohibitively high for early redemption to be regarded as a reasonable treasury management decision. Repaying the Barclays market rate loan of £3.3m may be considered whilst premature redemption rates remain elevated but only if there is surplus cash available to facilitate any repayment. The Council continues to keep this situation under review with the support of its appointed treasury management advisors.
- 5.4 During 2025/26, the Authority maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt as cash supporting the Authority's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as although near-term investment rates were equal to, and sometimes higher than, long-term borrowing costs, the latter are expected to fall back through 2026 and 2027 in the light of economic growth concerns and the eventual dampening of inflation. The Authority has sought to minimise the taking on of long-term borrowing at elevated levels (>5%) and has focused on a policy of internal and temporary borrowing.
- 5.5 Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Chief Finance Officer therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks:
- if it had been felt that there was a significant risk of a sharp FALL in long and short-term rates, (e.g., due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
  - if it had been felt that there was a significant risk of a much sharper RISE in long and short-term rates than initially expected, perhaps arising from the stickiness of inflation in the major developed economies, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.
- 5.6 Interest rate forecasts initially suggested gradual reductions in short, medium and longer-term fixed borrowing rates during 2025/26. Bank Rate did reduce to 3.75% as anticipated, but the initial expectation of significant rate reductions across the whole curve did not transpire, primarily because inflation concerns were very elevated in March 2026.
- 5.7 At the start of April 2026, the market expected Bank Rate to increase over the coming months to 4% or 4.25%, from 3.75%, whilst all parts of the curve have also risen substantially through March. A significant fall in inflation will be required to underpin any material movement lower in the longer part of the curve.
- 5.8 Forecasts at the time of approval of the treasury management strategy report for 2025/26 were as follows:

MUFG Corporate Markets Interest Rate View 22.12.25													
	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27	Jun-27	Sep-27	Dec-27	Mar-28	Jun-28	Sep-28	Dec-28	Mar-29
<b>BANK RATE</b>	3.75	3.50	3.50	3.25	3.25	3.25	3.25	3.25	3.25	3.25	3.25	3.25	3.25
3 month ave earnings	3.80	3.50	3.50	3.30	3.30	3.30	3.30	3.30	3.30	3.30	3.30	3.30	3.30
6 month ave earnings	3.80	3.50	3.50	3.40	3.30	3.30	3.30	3.40	3.40	3.40	3.40	3.40	3.40
12 month ave earnings	3.90	3.60	3.60	3.50	3.40	3.50	3.50	3.50	3.50	3.50	3.60	3.60	3.60
5 yr PWLB	4.60	4.50	4.30	4.20	4.10	4.10	4.10	4.10	4.10	4.10	4.10	4.10	4.10
10 yr PWLB	5.20	5.00	4.90	4.80	4.80	4.70	4.70	4.70	4.70	4.60	4.60	4.60	4.70
25 yr PWLB	5.80	5.70	5.60	5.50	5.50	5.40	5.30	5.30	5.30	5.20	5.20	5.20	5.20
50 yr PWLB	5.60	5.50	5.40	5.30	5.30	5.20	5.10	5.10	5.10	5.00	5.10	5.00	5.00

## PWLB Rates 2025/26



- 5.9 PWLB rates are based on gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields.
- 5.10 Gilt yields have been volatile through 2025/26. The low point for long-term rates of 25 and 50 years' duration was reached early in April 2025 whilst the low points for short and medium dated rates were reached in early 2026, prior to the outbreak of the Middle East conflict.
- 5.11 At the close of 31 March 2026, the 1-year PWLB Certainty rate was 5.04% whilst the 5, 10, 25 and 50 year rates were 5.28%, 5.72%, 6.29% and 6.08% respectively.

## 6 Borrowing Outturn

6.1 The following loans were drawn to fund the net unfinanced capital expenditure.

Lender	Principal	Type	Interest Rate	Maturity
Local Authority	£5,000,000	Fixed Interest Rate	4.25%	19.08.2025 (Repaid)
PWLB	£4,000,000	Fixed Interest Rate	4.32%	17.02.2027

- 6.2 During 2025/26, the Authority maintained an under-borrowed position. This strategy was prudent as although near-term investment rates were equal to, and sometimes higher than, long-term borrowing costs, the latter are expected to fall back through 2026 and 2027 in the light of economic growth concerns and the eventual dampening of inflation. The Authority has sought to minimise the taking on of long-term borrowing at elevated levels (>5%) and has focused on a policy of internal and short-term temporary borrowing.
- 6.3 The Council has not borrowed more than, or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed.
- 6.4 No rescheduling was completed during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates and the penalty position which can arise from early repayment of debt, made rescheduling unviable.

## **7 Investment Outturn**

- 7.1 The Council's investment policy is governed by the Ministry of Housing, Communities and Local Government investment guidance, which has been implemented in the annual investment strategy approved by Council on 24 February 2025. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps and bank share prices etc).
- 7.2 The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.
- 7.3 The Council maintained an average balance of £7.142m of internally managed funds. The internally managed funds earned an average rate of return of 3.77% (£337,647). The comparable performance indicator is the average 7-day backward looking SONIA rate, which was 4.01%.

### **Non – Treasury Investments**

- 7.4 At 31 March 2026 the Council had an outstanding loan of £1.95m with Fenland Future Limited (FFL) for the development of two vacant sites in the district. This loan was agreed at bank rate plus a risk premium for a new start-up company. The amount of interest earned by the Council from this loan was £195,588 in 2025/26.

## **8 Property Funds**

- 8.1 Investment property funds are intended as a long-term investment (typically 5 years plus) where the value of the Council's underlying investment may increase and decrease over the period the Council maintains invested. The benefit to the Council of investing in property funds is that it receives a quarterly cash distribution reflecting rental income collected by the fund manager from tenants and the potential for capital growth.
- 8.2 At the start of the financial year the Council's investments, held in the Federated Hermes and Patrizia Hanover managed pooled property funds were valued at £1.643M and £1.91m respectively. £4m was originally invested, split equally, between the two funds.
- 8.3 Both funds had large redemption notices served by Trust Unit holders in the last two financial years. At an Extraordinary General Meeting (EGM) in June 2025 a merger of the Federated Hermes Property Fund and the Legal and General Management Property Fund (LGMPF) was agreed.
- 8.4 The merger excluded non-pension fund holders from transferring their holding to LGMPF and shortly after the completion of the merger on 15 August 2025 paid this Council the NAV price at the merger date of £1,637,058.
- 8.5 This represents a net loss to the Council of £362,498 to be recognised in full in the 2025/26 accounts.

- 8.6 The valuation of the Patrizia Hanover Property Fund at 31 March 2026 was £1.917M. Distributions from the fund were £63k in 2025/26.
- 8.7 With regards to the Patrizia Property Fund, the Trust initiated a formal consultation with unitholders in February 2026 and EGM on 6<sup>th</sup> March 2026, regarding a merger of the Patrizia Property Fund with Columbia Threadneedle Investments who manage the Threadneedle Property Unit Trust (TPUT).
- 8.8 A formal due diligence process and Heads of terms followed the EGM in March 2026. The merger with Threadneedle Property Unit Trust (TPUT) was agreed at the EGM held on 23 June 2026 and the transaction is expected to be completed on 30 June 2026 at the time of writing this report.
- 8.9 Although the Council voted in favour of the merger and to transfer its units from the Patrizia Property fund to TPUT. The nature of the transaction means that the Council has to treat its original investment as a disposal and recognise the gain or loss on the investment in its accounts in full in the year the disposal occurred. At the time of writing, valuations weren't finalised but will be report to Council at a future meeting.

## **9 Prudential and Treasury Indicators**

- 9.1 During 2025/26 the Council complied with its legislative and regulatory requirement.

## Appendix A - Prudential Indicators

Prudential Indicators	2024/25	2025/26	2025/26
	Actual £000	Revised Estimate £000	Actual £000
<b>1 Capital Expenditure (including Commercial and Investment Strategy)</b>	11,431	16,898	<b>8,978</b>
<b>2 Ratio of Financing Costs to Net Revenue Stream</b>	4.94%	6.94%	<b>6.64%</b>
<b>3 Gross Borrowing and the Capital Financing Requirement</b>			
Gross Debt	7,800	18,230	<b>11,800</b>
CFR	18,255	28,032	<b>22,510</b>
<hr/>			
Treasury Management Indicators	2024/25	2025/26	2025/26
	Actual £000	Revised Estimate £000	Actual £000
<b>4 Authorised Limit for External Debt</b>			
Borrowing	16,435	18,355	<b>18,355</b>
Other Long-Term Liabilities	1,000	1,000	<b>1,000</b>
Commercial Activities	2,825	4,875	<b>4,875</b>
Total	20,260	24,230	<b>24,230</b>
<b>5 Operational Boundary for External debt</b>			
Borrowing	11,435	13,355	<b>13,355</b>
Other Long-Term Liabilities	1,000	1,000	<b>1,000</b>
Commercial Activities	2,825	4,875	<b>4,875</b>
Total	15,260	19,230	<b>19,230</b>
<b>6 Actual External debt (as at 31 March)</b>			
Borrowing	7,800	18,230	<b>11,800</b>
Total	7800	18,230	<b>11,800</b>

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Agenda Item No:	10	
Committee:	Council	
Date:	13 July 2026	
Report Title:	Amendment of reserves	

## 1 Purpose

- To seek Council approval to amend the reserves to more accurately reflect the current situation in the run up to Local Government Reorganisation (LGR).

## 2 Key issues

- As part of the budget setting process reserves are reviewed to ensure their relevance, designation, rightful use and adequacy of financial cover.
- The proposal to redesignate the current reserves to better reflect the current situation and assist the Council in balancing its revenue budget whilst still delivering the outcomes needed.
- No further budget requirement is requested from revenue as this exercise in the main redesignates current reserves into more relevant reserves to better reflect the current situation.
- It is further requested that the general reserve balance of £2m is reduced to £1.5m to help fund the new reserves whilst maintaining a prudent balance.

## 3 Recommendations

It is proposed that Council:

- approves the creation of a number of new reserves as detailed in Appendix 1.
- Delegate to the S151 Officer in consultation with the leader a further review of all reserves to present to Full Council as part of the budget setting process for 2027/28.

<b>Wards Affected</b>	All
<b>Portfolio Holder(s)</b>	Cllr Chris Boden, Leader and Portfolio Holder, Finance
<b>Report Originator(s)</b>	Peter Catchpole, Chief Finance Officer and Corporate Director Sian Warren, Chief Accountant
<b>Contact Officer(s)</b>	Paul Medd, Chief Executive Carol Pilson, Monitoring Officer Peter Catchpole, Chief Finance Officer and Corporate Director Sian Warren, Chief Accountant
<b>Background Paper(s)</b>	Draft Budget and Medium Term Financial Strategy 2026/27 and 2027/28.

## Report:

### **1 Introduction**


- 1.1 The Council presents information regarding its reserve balances throughout the year. The budgeted use of reserves is presented as part of the annual budget-setting process and the year-end balance on reserves is presented as part of the Statement of Accounts.
- 1.2 The Chief Finance Officer is responsible for ensuring the level of reserves held by the Council is adequate. The Chartered Institute of Public Finance and Accountancy (CIPFA) regularly publish guidance to assist Chief Finance Officers in fulfilling this function. In their 2016 publication on the Role of the Chief Finance Officer in Local Government, CIPFA emphasise that the Chief Finance Officer must 'take into account future commitments, resources available and the desirable levels of reserves, to ensure that the authority's finances remain sustainable'.
- 1.3 Under the Council's constitution the Chief Finance Officer is responsible for ensuring that the purpose of each reserve, its usage and the basis of transactions is clearly identified. These cannot be varied without the consent of Cabinet. The constitution provides members of Corporate Management Team with the authority to fund expenditure charged to the revenue account from reserves subject to the ultimate approval of the Chief Finance Officer.

### **2 Creation of new reserves**

- 2.1 Throughout the year officers review the Council's in-year financial performance to understand the reasons for any variances against budget. This review includes an evaluation of whether the use of reserves proposed at the start of the year remains appropriate.
- 2.2 At the end of year an assessment is undertaken to finalise which transfers to reserves are required. The use of reserves is monitored and discussed throughout the year in consultation with The Leader and Portfolio Holder for Finance to ensure that both earmarked and unearmarked reserves are correctly utilised, appropriately designated and adequate in terms of financial cover.
- 2.3 An ongoing review of reserves is constantly taking place to ensure that the correct designation and use of all reserves is appropriately undertaken.
- 2.4 It is envisaged that the new reserves more accurately reflect the current challenges the Council are facing in light of LGR and are proposed to support the Council in balancing its revenue position.
- 2.5 Appendix A details the level of reserves in place and the proposed changes to more accurately reflect the current situation and challenges faced by the Council.

<b>Appendix 1</b>			
	Balance at 31.03.2026 £	Movement £	Proposed Balance 31.03.2027 £
<b>Current Earmarked Reserves</b>			
Travellers Sites (403*)	507,482.10		507,482.10
CCTV	42,074.50		42,074.50
Station Road W'sey (8370 51509)	16,000.00		16,000.00
Management of Change Reserve	16,627.79	(16,627.79)	0.00
Business Rates Reserve	800,515.82	(400,000.00)	400,515.82
Capital Contibution Reserve	116,116.77	(116,116.77)	0.00
Buoy Maintenance	145,797.51		145,797.51
Repairs & Maintenance	607,422.77	(300,000.00)	307,422.77
HLF	49,234.59		49,234.59
Parish Street Lighting	82,522.73		82,522.73
LGR Reserve	1,440,167.50		1,440,167.50
Budget Equalisation Reserve	2,212,647.13		2,212,647.13
Planning Reserve	1,233,530.59	(370,000.00)	863,530.59
Elections Reserve	107,832.25		107,832.25
Pilots Staff Development Training	11,875.00		11,875.00
Cambridgeshire Horizons	1,802,543.72		1,802,543.72
General reserve	2,000,000.00	(497,255.44)	1,502,744.56
<b>New proposed Earmarked Reserves</b>			
Revenue Inspire		250,000.00	250,000.00
MVV Legal		250,000.00	250,000.00
FFL realisation		100,000.00	100,000.00
Statutory Harbour Authority		100,000.00	100,000.00
Operational Planning		500,000.00	500,000.00
Housing benefit Subsidy and general homelessness		500,000.00	500,000.00
<b>Specific Government Grants Reserve</b>			
Homeless Prev	335,744.65		335,744.65
Safer Fenland Pooled Fund	18,396.15		18,396.15
Safer Fenland CCC	13,900.00		13,900.00
Contribution to Dredging Costs	45,000.00		45,000.00
Section 31 Inspire (70501)	3,541.00		3,541.00
Controlling Migration Reserve	115,748.66		115,748.66
Transport - CRP Reserve	36,140.97		36,140.97
Sports Development Small Grants	7,638.83		7,638.83
Rough Sleeping Initiatives	22,289.28		22,289.28
Safer Fenland - 'Stop Loan Sharks'	5,556.33		5,556.33
Business Support	88,150.16		88,150.16
Ukraine Scheme	580,257.99		580,257.99
Domestic Abuse	4,170.00		4,170.00
Levelling Up Parks Fund	18,500.00		18,500.00
Pride in Place Scheme	111,723.04		111,723.04
DEFRA Food Trade Waste Grant	292,308.82		292,308.82
Afghan Resettlement Scheme	213,655.30		213,655.30
Health Hub Reserve	80,000.00		80,000.00
Local Supported Housing Strategy	51,105.00		51,105.00
	13,236,216.95	0.00	13,236,216.95

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<b>Agenda Item No:</b>	<b>11</b>	
<b>Committee:</b>	<b>Council</b>	
<b>Date:</b>	<b>13 July 2026</b>	
<b>Report Title:</b>	<b>Local Government Reorganisation Update</b>	

## 1 Purpose / Summary

- 1.0 To provide a Local Government Reorganisation (LGR) progress update for the Peterborough and Cambridgeshire area.
- 1.1 For Members to note the recent feedback to government on the Structural Change Order (SCO) which will form the basis of the governance framework for the new Shadow Authorities.

## 2 Key Issues

- 2.0 On 16 December 2024, the White Paper on English Devolution was published, outlining extensive reforms to the local government framework across England. These changes include increased devolution from central government to strategic authorities and local government reorganisation in two-tier areas, and in some adjoining Unitary Authority areas. The White Paper can be accessed here: [English Devolution White Paper: Power and partnership: Foundations for growth - GOV.UK](#)
- 2.1 As set out in the White Paper, the Government intends to implement local government reorganisation in all two-tier areas and in some adjoining Unitary Authority areas. All Councils in an area have been expected to collaborate on unitary proposals that serve the best interests of the region.
- 2.2 Generally, the Government anticipated new unitary authorities will have populations of 500,000 to 1,000,000, but in exceptional cases the Government later stated it would be willing to consider a new unitary authority which has a population as low as 300/350 thousand, which has been seen in other areas subject to LGR and, in one case under the Government's Review, a Unitary Council with fewer than 150,000 residents has been approved.
- 2.3 Leaders and Chief Executives of the 7 Councils in Cambridgeshire and Peterborough have been working together on the LGR process. Members will recall meeting in March, July and November 2025 and March 2026, to discuss progress on LGR, to give feedback on the emerging proposals and to express the Council's opposition to the LGR process but, if the process does nevertheless proceed, Council recommended Option D to government as the least bad option available.
- 2.4 Members will recall that a Cambridgeshire and Peterborough wide engagement process on LGR took place between 19 June and 20 July 2025.

The results of which can be found here; [Joint engagement with other local councils - Fenland District Council](#)

- 2.5 Details of the other options submitted can be found below.
- 2.6 On 5<sup>th</sup> February 2026, the government launched the statutory consultation on the four options submitted by constituent Councils. The deadline for responses was 26 March 2026. Council recommended to Cabinet, and Cabinet also agreed that Option D should be supported as the least bad option available. FDC's consultation response can be found here: [Fenland District Council Local Government Reorganisation Consultation Response](#)
- 2.7 MHCLG have informed the Peterborough and Cambridgeshire Councils that a decision on the future structure of unitary government in our area should be received prior to summer recess which starts on 17<sup>th</sup> July 2026. Informally, we have been advised that that decision should be received prior to the date of the Full Council meeting at which this Report will be considered.
- 2.8 Whilst we await the government's decision, MHCLG have been engaging with Leaders and Chief Executives on the draft content of the Structural Change Orders (SCO) which will be laid before Parliament to legalise the future new unitary arrangements in Cambridgeshire and Peterborough. This includes future arrangements for Joint Committees, Councillor numbers for the new authorities and the establishment of an Implementation team.
- 2.9 FDC submitted a response to MHCLG in partnership with other Councils in Cambridgeshire and Peterborough and also submitted its own standalone response which was circulated to all Members and published on the Council's website here: [LGR proposals - Fenland District Council](#)
- 2.10 We await the decision from Government on what unitary government will look like in Cambridgeshire and Peterborough and that is expected in July 2026. The SCO should be laid in Parliament by December 2026, should be passed by March 2027 and should be implemented by April 2027 with Shadow Authority elections expected in May 2027. The new Unitaries will be created on 1<sup>st</sup> April 2028 and on this basis, Fenland District Council will cease to exist on 31<sup>st</sup> March 2028.
- 2.11 A further report will be tabled at Cabinet and Council in September 2026 regarding specific arrangements for the establishment of a Joint Committee across the different Councils that make up the new unitary Councils and relevant appointments.

### **3 Recommendations**

- 3.0 For Council to note the progress towards Local Government Reorganisation (LGR) in Cambridgeshire and Peterborough.

Wards Affected	All Fenland wards
Portfolio Holder(s)	Cllr Boden – Leader of the Council
Contact Officers	<p>Paul Medd, Chief Executive  Carol Pilson, Corporate Director and Monitoring Officer  Peter Catchpole, Corporate Director and Section 151 Officer  Amy Brown, Assistant Director  Anna Goodall, Assistant Director  Dan Horn, Assistant Director  David Wright, Head of Policy and Communications</p>

Background Papers

White Paper on English Devolution published on 16 December 2024

[English Devolution White Paper: Power and partnership: Foundations for growth - GOV.UK](#)

Council Report: LGR – draft proposals; 14 March 2025

[Draft Council report - Local Government Reorganisation - Draft Proposals NA 1.pdf](#)

Cabinet Report: LGR – draft proposals; 14 March 2025

[Draft Cabinet report - Local Government Reorganisation - Draft Proposals 1.pdf](#)

Council Minutes; 14 March 2025

[Agenda for Council on Friday, 14th March, 2025, 5.30 pm - Fenland District Council](#)

Cabinet Minutes; 14 March 2025

[Agenda for Cabinet on Friday, 14th March, 2025, 6.15 pm - Fenland District Council](#)

Council Report: LGR – draft proposals; 21 July 2025

[Draft Council report - Local Government Reorganisation - July 2025.pdf](#)

Cabinet Report: LGR – draft proposals; 21 July 2025

[Draft Cabinet report - Local Government Reorganisation - July 2025 1.pdf](#)

Council Minutes; 21 July 2025

[Agenda for Council on Monday, 21st July, 2025, 4.00 pm - Fenland District Council](#)

Cabinet Minutes; 21 July 2025

[Agenda for Cabinet on Monday, 21st July, 2025, 5.00 pm - Fenland District Council](#)

Council Minutes; 7 November 2025

[Agenda for Council on Friday, 7th November, 2025, 4.00 pm - Fenland District Council](#)

Cabinet Minutes; 7 November 2025

[Agenda for Cabinet on Friday, 7th November, 2025, 5.15 pm - Fenland District Council](#)

[Joint engagement with other local councils - Fenland District Council](#)

Overview and Scrutiny; 3 November 2025

[Agenda for Overview and Scrutiny Panel on Monday, 3rd November, 2025, 2.30 pm - Fenland District Council](#)

[Local Government Reorganisation - Fenland District Council](#)

## 1 BACKGROUND AND INTENDED OUTCOMES

- 1.0 On 16 December 2024, the White Paper on English Devolution was published, outlining extensive reforms to the local government framework across England. These changes include increased devolution from central government to strategic authorities and local government reorganisation in two-tier areas. The White Paper can be accessed here: [English Devolution White Paper: Power and partnership: Foundations for growth - GOV.UK](#)
- 1.1 The Government intends to implement local government reorganisation in two-tier areas and in some adjoining Unitary Authority areas. All Councils in an area have been expected to collaborate on unitary proposals that serve the best interests of the region. Generally, the Government anticipates new unitary authorities will have resident populations of 500,000 to 1,000,000, but in exceptional cases the Government later stated that it would be willing to consider a new unitary authority which has a resident population as low as 300/350 thousand.
- 1.2 Cambridgeshire currently has approximately 700,000 residents, while Peterborough, which already operates as a unitary council, has around 220,000 residents.
- 1.3 The five districts within Cambridgeshire (Fenland, Huntingdonshire, East Cambridgeshire, South Cambridgeshire and Cambridge) have approximate resident populations, respectively, of 104,000, 186,000, 91,000, 169,000 and 150,000.
- 1.4 On 5 February 2025, the Minister of State for Local Government and English Devolution invited all seven councils in Cambridgeshire and Peterborough to submit their reorganisation proposals by 28 November 2025. We were told that proposals would be judged on the following six criteria:
1. Forming coherent economic areas and supporting housing.
  2. Ensuring financial resilience and efficiency.
  3. Delivering sustainable, high-quality services.
  4. Demonstrating collaboration and community engagement.
  5. Enabling further devolution.
  6. Strengthening democratic representation and neighbourhood empowerment.
- 1.5 The Council responded to the Government's request for an initial response in regards LGR proposals which was sent following the Council and Cabinet meetings held on 14 March 2025 and can be found here:  
[https://www.fenland.gov.uk/media/21970/FDC-LGR-Letter-21-March-2025/pdf/FDC\\_LGR\\_Letter\\_21.03.25.pdf?m=1742572592553](https://www.fenland.gov.uk/media/21970/FDC-LGR-Letter-21-March-2025/pdf/FDC_LGR_Letter_21.03.25.pdf?m=1742572592553)  
<https://www.cambridgeshire.gov.uk/asset-library/210325-response-to-jm-lgr-invitation-to-leaders.pdf>

- 1.6 Council and Cabinet also met on 21 July 2025 and considered and provided feedback on the emerging proposals at that time; minutes below:

Council:

<https://moderngov.fenland.gov.uk/documents/g3064/Printed%20minutes%2021st-Jul-2025%2016.00%20Council.pdf?T=1>

Cabinet:

<https://moderngov.fenland.gov.uk/documents/g3072/Printed%20minutes%2021st-Jul-2025%2014.00%20Cabinet.pdf?T=1>

- 1.7 Overview and Scrutiny Committee received an update on LGR at its meeting on 3<sup>rd</sup> November 2025 and were able to provide comments on the information presented.
- 1.8 Each constituent Council, through their own democratic processes, independently considered their favoured proposal and a joint letter was sent to Government setting this out by the deadline of 26 November 2025.

## 2 PROPOSALS FOR LOCAL GOVERNMENT REORGANISATION IN CAMBRIDGESHIRE AND PETERBOROUGH

- 2.0 The Council, through the Leader and Chief Executive, have been working with the other constituent Councils to develop proposals. Leaders across Cambridgeshire & Peterborough met on several occasions and worked productively together to consider different proposals for unitary government.
- 2.1 This process concluded with 5 proposals for unitary government across the Cambridgeshire and Peterborough area. The 5 proposals were:

Proposal	Unitary 1	Unitary 2	Unitary 3
<b>Proposal A:</b> <b>North-West / South-East</b>	Peterborough City, Fenland District, Huntingdonshire District and County Council functions	Cambridge City, East Cambridgeshire District, South Cambridgeshire District and County Council functions	N/A
<b>Proposal B:</b> <b>North / South</b>	Peterborough City, East Cambridgeshire District, Fenland District, Huntingdonshire District and County Council functions	Cambridge City, South Cambridgeshire District and County Council functions	N/A
<b>Proposal C:</b> <b>East / West</b>	Peterborough City, East Cambridgeshire District, Fenland District and County Council functions	Cambridge City, Huntingdonshire District, South Cambridgeshire District and County Council functions	N/A

<b>Proposal D:</b> <b>Greater Peterborough / Cambridgeshire Fens/ Greater Cambridge</b>	Peterborough City, West Huntingdonshire District and County Council functions	East Cambridgeshire District, Fenland District, East and South Huntingdonshire District and County Council functions	Cambridge City, South Cambridgeshire District and County Council functions
<b>Proposal E:</b> <b>Huntingdonshire Unitary</b>	Huntingdonshire District and County Council functions	Peterborough City, East Cambridgeshire District, Fenland District and County Council functions	Cambridge City, South Cambridgeshire District and County Council functions



**Option A**



**Option B**



**Option C**



**Option D**



**Option E**

2.2 However, following consideration by all constituent Councils, only 4 proposals were submitted to government with Option C not proposed by any Council. There was a reduction from 5 to 4 proposals because Huntingdonshire were

originally supporting 2 proposals, however they were only able to submit one proposal to government.

2.3 The options were supported by different Councils as follows:

<b>OPTION</b>	<b>PROPOSED UNITARIES</b>	<b>SUPPORTED BY</b>
<b>A</b>	<p><b>Unitary 1:</b> Fenland, Huntingdonshire, and Peterborough</p> <p><b>Unitary 2:</b> Cambridge City, East Cambridgeshire, and South Cambridgeshire</p>	Cambridgeshire County Council
<b>B</b>	<p><b>Unitary 1:</b> East Cambridgeshire, Fenland, Huntingdonshire, and Peterborough</p> <p><b>Unitary 2:</b> Cambridge City and South Cambridgeshire</p>	<p>Cambridge City Council</p> <p>South Cambridgeshire District Council</p> <p>East Cambridgeshire District Council</p>
<b>D</b>	<p><b>Unitary 1:</b> Peterborough and part of Huntingdonshire</p> <p><b>Unitary 2:</b> Cambridge City and South Cambridgeshire</p> <p><b>Unitary 3:</b> East Cambridgeshire, Fenland, and part of Huntingdonshire</p>	<p>Fenland District Council</p> <p>Peterborough City Council</p>
<b>E</b>	<p><b>Unitary 1:</b> Huntingdonshire</p> <p><b>Unitary 2:</b> East Cambridgeshire, Fenland, and Peterborough</p> <p><b>Unitary 3:</b> Cambridge City and South Cambridgeshire</p>	Huntingdonshire District Council

2.4 The Government retains the authority to proceed with reorganisation on the basis they see fit following the statutory consultation. Active participation in

this process ensures the Council has a say in shaping the future outlook for unitary government within our area. We expect a decision in July 2026.

### **3 PUBLIC ENGAGEMENT & STATUTORY CONSULTATION**

3.0 Between 19 June and 20 July 2025, a survey asking for views on the future of local government in Cambridgeshire and Peterborough was live. The engagement focused on the connections people have to different areas; where they work, socialise or receive healthcare, for example. It also covered what priorities they think new unitary Councils should have and what is important to them when it comes to interacting with local government.

3.1 3,406 people from across the area responded and a summary of the feedback from the survey can be found here [Joint engagement with other local councils - Fenland District Council](#)

3.2 The statutory consultation on LGR was launched by government on 5 February 2026 and ran for 7 weeks until 26 March 2026. FDC submitted a response following debate at Council and Cabinet - [https://www.fenland.gov.uk/media/22958/FDC-Local-Government-Reorganisation-Consultation-Response/pdf/FDC Local Government Reorganisation Consultation Response.pdf?m=1774442136957](https://www.fenland.gov.uk/media/22958/FDC-Local-Government-Reorganisation-Consultation-Response/pdf/FDC%20Local%20Government%20Reorganisation%20Consultation%20Response.pdf?m=1774442136957)

### **4 Structural Change Order**

4.0 A Structural Change Order (SCO) is a legal instrument made by the Secretary of State. It provides the formal mechanism for local government reorganisation in a specific area.

4.1 An SCO will:

- Abolish existing county, city and district councils.
- Transfer their functions, assets and responsibilities to one or more new unitary authorities.
- Set out arrangements for managing the transition to the new structure.

4.2 This includes establishing temporary governance arrangements such as Joint Committees and Implementation Teams which are responsible for overseeing key transitional activities during the reorganisation period.

4.3 The seven councils in Cambridgeshire and Peterborough gave initial SCO feedback to Government in June 2026. This included feedback on the proposed number of Members on each Joint Committee for the new Unitary Councils prior to the Shadow Council being formed. Each new unitary will have their own set of arrangements with an overarching officer

Implementation Team ensuring preparations for unitary government are put in place so they each unitary is safe and legal on 1 April 2028.

- 4.4 FDC also submitted a specific consultation response on Councillor numbers for the 4 proposed unitary options, pointing out the heavy burden Councillors in Fenland have in terms of ensuring representation on Internal Drainage Boards.
- 4.5 Both consultation responses can be found here: [LGR proposals - Fenland District Council](#)

## **5 Next Steps**

- 5.0 We await the outcome of the statutory consultation and the announcement from government on which LGR option will be implemented in Cambridgeshire and Peterborough. This is expected prior to the summer recess which starts on 17<sup>th</sup> July 2026. Informally, we have been advised that that announcement should be made prior to the date of the Full Council meeting at which this Report will be considered.

## **6 CONSULTATION**

- 6.0 Between 19 June and 20<sup>th</sup> July 2025, a survey asking for views on the future of local government in Cambridgeshire and Peterborough was live. 3,406 people from across the area responded and a summary of the feedback from the survey can be found here: [LGR consultation - Fenland District Council](#)
- 6.1 The statutory consultation on future arrangements for local government in Cambridgeshire and Peterborough ran from 5 February to 26 March 2026 and FDC submitted a response.
- 6.2 MHCLG have further engaged with Councils on arrangements for the SCO.

## **7 ALTERNATIVE OPTIONS CONSIDERED**

- 7.0 FDC continues to engage with Government to ensure they take in to account the uniqueness of Fenland and to ensure that is taken in to account in any decision making at a national level. Continued participation is advised to ensure the best outcome for the residents of Fenland. Therefore, alternative options are not available.

## **8 IMPLICATIONS**

### **8.0 Legal Implications**

- 8.1 Local government reorganisation is governed by the Local Government and Public Involvement in Health Act 2007. The Secretary of State has the authority to invite or direct proposals and make final decisions.
- 8.2 The law says that Local Authority boundaries may not cross police force boundaries but can otherwise be whatever best meets criteria. The invitations

issued under previous governments often say that existing districts must be used as the 'building blocks' from which new authorities are to be constructed, and whilst this is not required by Government, we were told that it was expected, unless there are compelling reasons to split an existing district between more than one new unitary authority. However, when the Government's decisions on LGR for Norfolk, Suffolk and Hampshire were announced in March 2026, a significant number of existing District Councils were split between different new Unitary Authorities.

8.3 Existing Councils in Cambridgeshire and Peterborough are unlikely to continue in their current form, with new Unitary Councils expected to operate in a shadow capacity from May 2027 before full implementation in April 2028.

8.4 Statutory consultation is a legal requirement of the LGR process.

8.5 Structural Change Orders will be laid in Parliament to set out the transitional arrangements from two tier local government to unitary government across Cambridgeshire and Peterborough.

#### 8.6 **Financial Implications**

8.7 At this stage, direct financial implications are minimal. However, extensive partnership working will be essential within any transitional arrangements to form new Unitary Councils.


8.8 There are many factors to consider when thinking about the creation of new, financially sustainable organisations. All Councils are struggling with forecast budget gaps in future years due to national pressures being experienced in demand for services and huge uncertainty around future government funding levels.

8.9 A finance workstream has been established to understand costs associated with LGR so they can be understood and discussed by Leaders and apportioned accordingly.

#### 8.10 **Equality Implications**

8.11 Not applicable.

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<b>Agenda Item No:</b>	12	
<b>Committee:</b>	Council	
<b>Date:</b>	13 July 2026	
<b>Report Title:</b>	Overview & Scrutiny Panel Annual Report 2025/26	

## 1 Purpose / Summary

1.1 The Overview and Scrutiny Annual Report reflects what has been undertaken and achieved by the Overview and Scrutiny Panel during 2025/26 and takes a forward look at the programme of work and challenges for Overview and Scrutiny in 2026/27.

## 2 Key Issues

2.1 The Local Government Act 2000 sets out the requirements of a modernised democratic structure for local authorities. The Act includes the establishment of an Overview and Scrutiny Panel or Panel.

2.2 Article 6 of the Council's Constitution sets out the Overview and Scrutiny Panel's terms of reference. There is a stated requirement for the work and working methods of the Overview and Scrutiny Panel to be reported annually to the Council.

## 3 Recommendations

3.1 That Full Council acknowledges the broad scope of work undertaken by the Overview and Scrutiny Panel during 2025/26.

Wards Affected	All
Report Originator(s)	<p>Amy Brown, Assistant Director for Legal and Governance  <a href="mailto:amybrown@fenland.gov.uk">amybrown@fenland.gov.uk</a></p> <p>Elaine Cooper, Member Services Team Leader  <a href="mailto:ecooper@fenland.gov.uk">ecooper@fenland.gov.uk</a></p>
Contact Officer(s)	As above
Background Papers	Overview and Scrutiny Panel Agendas, Report and Minutes for 2025/26: <a href="#">Browse meetings - Overview and Scrutiny Panel - Fenland District Council</a>

## OVERVIEW & SCRUTINY PANEL ANNUAL REPORT 2025/26

### **1 CHAIRMAN'S FOREWORD**

In the delivery of my role as Chair of the Overview and Scrutiny Panel, I am pleased to be able to present to you the Annual Report for 2025/26 and a forward look to 2026/27.

I became Chairman in January 2026 taking over the position from Councillor Maureen Davis and during 2025/26 the Panel welcomed Councillors Miscandlon and Murphy as new members.

Working together, the Overview and Scrutiny Panel has sought to diligently fulfil its important role in overseeing the performance and delivery of priorities. We have had a busy and varied year receiving and scrutinising information from Cabinet and officer colleagues, partners and outside bodies. We have benefitted from detailed presentations complemented by pertinent Q&A sessions as well as an informative update training session in relation to scrutinising the budget.

Looking ahead to 2026/27, the future work programme will be published with the Agenda for each meeting and will continue to focus on issues that are of paramount importance to local residents and businesses. This will include the return of some long-standing annual items such as the budget, business plan and a review of core priorities but there will also be opportunities to consider matters of emerging importance as the year progresses.

I would like to take this opportunity to thank everyone who has played a part in contributing towards the work of the Panel this year. I am looking forward to continuing in my role as Chairman for 2026/27. I remain confident that the Panel can maintain the high standards expected of it and that it will continue to work with colleagues and partners to make a positive difference to the people of Fenland.

Andrew Woollard  
Chairman, Overview and Scrutiny Panel 2025/26

## 2 THE OVERVIEW AND SCRUTINY PANEL 2025-2026

Councillor Andrew Woollard	Chairman from 19 January 2026 Vice-Chairman from September 2025 until 19 January 2026
Councillor Maureen Davis	Chairman and member until 5 January 2026
Councillor Lucie Foice-Beard	Vice-Chairman from 19 January 2026
Councillor Elisabeth Sennitt Clough	Vice-Chairman and member until 3 September 2025
Councillor Brenda Barber	
Councillor Gavin Booth	
Councillor James Carney	
Councillor Alan Gowler	
Councillor Anne Hay	
Councillor Paul Hicks	
Councillor Alex Miscandlon	from 23 February 2026
Councillor Peter Murphy	from 23 February 2026
Councillor Dal Roy	
Councillor John Clark	(substitute)
Councillor Stuart Harris	(substitute)
Councillor Charlie Marks	(substitute)
Councillor Jason Mockett	(substitute)

## 3 INTRODUCTION

### What is Overview and Scrutiny?

- 3.1 The Local Government Act 2000 requires Councils to have a committee with the power to review or scrutinise decisions or actions affecting the authority's area or residents. Scrutiny is an essential part of ensuring that local government remains effective and accountable. Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve Council policies.
- 3.2 The power to scrutinise was further expanded by the Police and Justice Act 2006, which provided powers to scrutinise the work of Crime and Disorder Reduction Partnerships, known locally as the Community Safety Partnership.
- 3.3 The Local Government and Public Involvement in Health Act 2007 provides more powers to local government to scrutinise other partner organisations. It also brings in other provisions that affect how scrutiny committees work, including powers over the creation of joint committees.
- 3.4 The Localism Act 2011 consolidated the wide range of scrutiny legislation into a single place, largely unamended from previous legislation. This aims to increase local accountability and transparency of public services as well as enhancing the involvement of local service users.

3.5 All Overview and Scrutiny meetings are held in public session and attendance and involvement of the public is actively encouraged either via questions or suggestions for our work programme.

### **Main responsibilities of Overview and Scrutiny**

3.6 The role of Overview and Scrutiny has five broad functions:

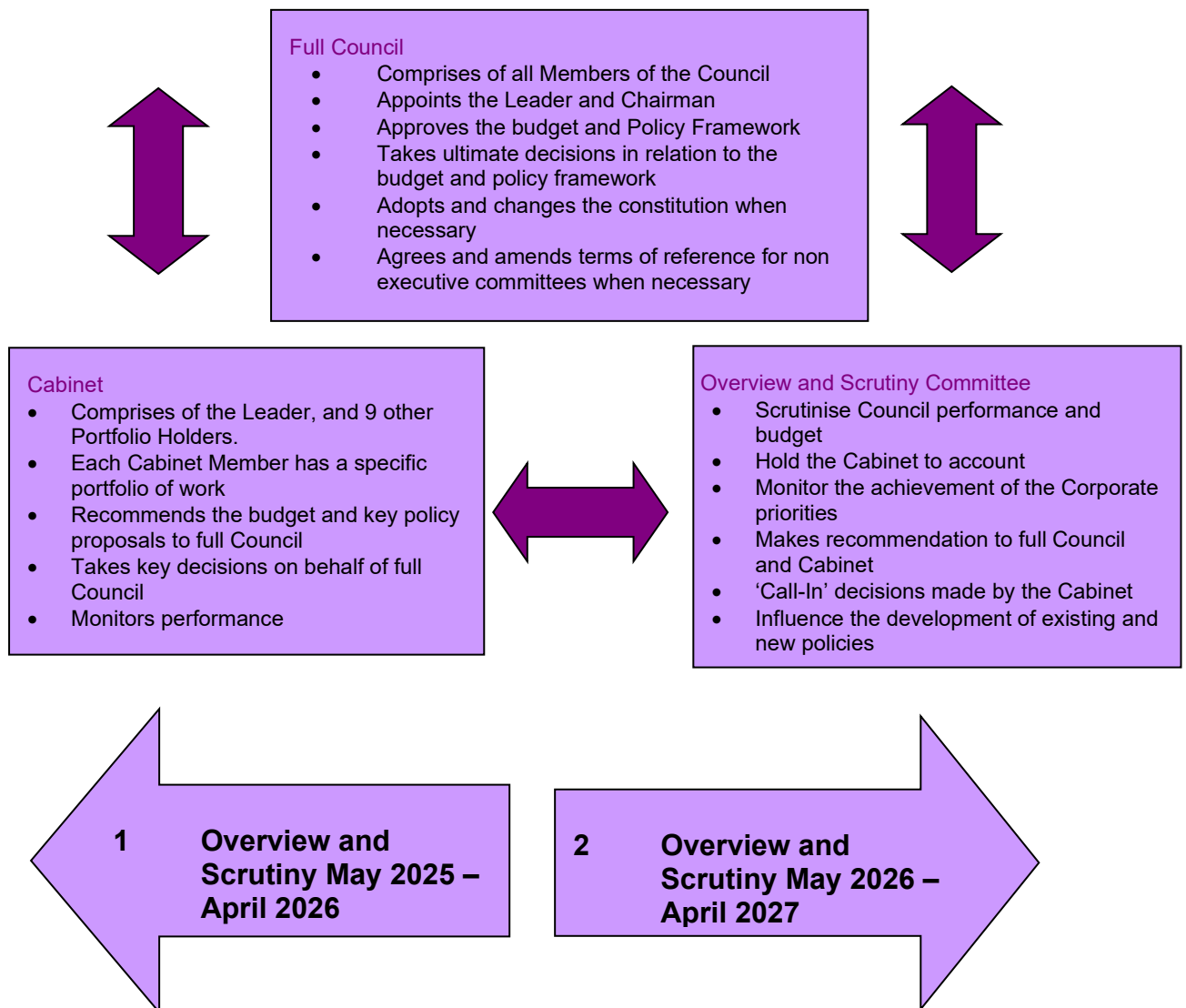
- Holding the Council’s Executive and its statutory partners to account in the public interest. This enables more transparent and effective decision making.
- Supporting the development of effective policies and initiatives which have a beneficial impact on the community through policy overview and development.
- Contributing to continuous improvement in the delivery of the Council’s corporate priorities.
- Having a positive impact on the work and outcomes of external agencies and providers of public services.
- Aiding Councillors in engaging with their communities and undertaking the role of community representatives and leaders.

Overview	Scrutiny
Advising on the development of policies.	Ensuring that the Council’s policies have been effectively implemented by the Cabinet.
Recommending how the Council’s corporate priorities can be delivered.	Helping to monitor and drive improvements within the Council’s corporate priorities.
Bringing a wider perspective to problem solving.	Holding decision makers to account
Examining broader issues affecting local communities.	Ensuring all service providers within a local community are providing ‘value for money’

### **Appointing Members onto Overview and Scrutiny**

3.7 On an annual basis and with input from the group leaders, it is the responsibility of full Council to appoint an Overview and Scrutiny Panel at their annual meeting which usually takes place in May. The Overview and Scrutiny Panel consists of thirteen members drawn from the political groups in the same proportion as they are represented on the Council as a whole. There are also up to 6 substitutes allocated on a politically proportionate basis.

## Relationship between Overview and Scrutiny, Cabinet and Full Council



### 4 A BACKWARD LOOK TO 2025 - 2026

#### What the Overview and Scrutiny Panel achieved in 2025/26

##### External Advisors/Partners

- 4.1 The panel looked at an array of different topic areas; most could be dealt with by drawing on the knowledge and expertise of Fenland District Council Councillors and Officers. However, sometimes there is a need to call in external advisors to help the panel with their knowledge and to provide a different vantage point.
- 4.2 Fenland's Overview and Scrutiny Panel continues its commitment to collaborating with partner organisations. The table below highlights the external partners the Overview and Scrutiny Panel have already engaged with, when undertaking the scrutiny function during 2025/26.

Agenda item	External Advisor/Partner	Organisation
Fenland Community Safety Partnership	Michael Basford, Neighbourhood Police Team Inspector	Cambridgeshire Police
ASB Issues in Wisbech	Michael Basford, Neighbourhood Police Team Inspector	Cambridgeshire Police
Diagnostic Centre, Wisbech	Greg Lane	NHS
Freedom Leisure	Dal Palframan Matt Wickham	Freedom Leisure
Review of Clarion	Sue Stavers Carl Grimmer Maria Walker Andy Curry Daniel Reed Sally Greetham	Clarion Housing Association
Anglian Water Update	Grant Tuffs Gavin Naylor	Anglian Water
Annual Review of Anglia Revenues Partnership	Lorraine King Theresa Mann Katey Mills Phil Butler	ARP
Road Safety Partnership Update	Simon Burgin	Road Safety Partnership
Public Health	John Rooke	North Cambridgeshire and Peterborough Care Partnership

- 4.3 As well as working with individual partners, the panel have also scrutinised other elements of partnership working through each of the respective corporate priority areas. The panel will continue with this successful approach during 2026/27.

#### **How the Work of Overview and Scrutiny is Linked to the Council's Corporate Priorities**

- 4.4 Fenland District Council's Business Plan is the vision for the future of Fenland, clearly setting out a series of priorities that will be the focus of the organisation for the next twelve-month period. To ensure these priorities are correct, deliver on targets and achieve outcomes, the Overview and Scrutiny work programme reflects the Council's priorities to ensure robust scrutiny in meaningful priority areas is achieved.
- 4.5 The table below illustrates how agenda items link in with Fenland's priorities:

C – Communities  
 Env – Environment  
 E – Economy  
 QO – Quality Organisation

Topic/Issue	C	Env	E	QO
Annual Meeting with Leader and Chief Executive including LGR				
CIS & Investment Board Update				
Progress of Corporate Priority: Transformation & Communications				
Progress of Corporate Priority: Environment				
Progress of Corporate Priority: Communities				
LGO & 3 C's Update				
O&S Annual Report 2024/25				
Draft Business Plan 2026/27				
Budget Report				
Fees and Charges 2026/27				

## 5 Overview and Scrutiny Call – In

- 5.1 The Overview and Scrutiny Panel have the opportunity to scrutinise Executive decisions that have been made but not implemented through the 'call-in' mechanism.
- 5.2 In accordance with the Council's Constitution, decisions of the Executive or a Portfolio Holder decision are published within 3 working days. There is then a further 5 working day period prior to the implementation of the decision in which Members are able to call in the decision. If the necessary number of Members, either the Chairman or Vice Chairman, or any 3 members of the Overview and Scrutiny Panel or any 10 members of the Council, ask for a decision to be called in for scrutiny, the Overview and Scrutiny Panel has to meet within 15 working days to consider the issue. Whilst this process takes its course, the decision taking process is suspended. If no call-in occurs, the decision is adopted.
- 5.3 If, having considered the decision, the Panel remains concerned about it, then it may refer it back to the decision-making person or body for reconsideration, setting out in writing the nature of its concerns or, in exceptional circumstances, refer the matter to full Council. If referred back, the decision maker shall then reconsider the matter within a further 10 working days and amend the decision or not, before adopting a final decision. If, however, the Panel decides not to refer the matter back, no further action is taken, and the decision can take effect.

- 5.4 The call-in procedure does not apply where the decision being made by the Executive is deemed to be urgent i.e. where any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. This should be clearly stated in the record of the decision. The Chairman of the Overview and Scrutiny Panel or in his/her absence the Chairman of the Council must agree that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of urgency must be reported to the next available meeting of the Overview and Scrutiny Panel together with the reasons for the urgency.
- 5.5 Because of the nature of the call-in procedure, it is generally recognised as a mechanism of last resort. Indeed, Government guidance states that it would clearly be detrimental to efficient decision making if every individual decision of the Executive were called in for overview and scrutiny as a matter of course.

The call-in procedure is therefore utilised when other means of influencing decision making have failed. Fenland District Council did not utilise the call-in procedure at all during 2025/26. There were 8 occasions during 2025/26 when the Chairman exercised their power to waive the need for call-in on grounds of urgency, as follows:

- The procurement process to deliver services for the bulking and transfer of Fenland's collected municipal dry recycling materials
- Funding for a pathway around the perimeter of Manor Field
- To accept transitional UK Shared Prosperity Funding from the Combined Authority
- To proceed with the proposed roof repair at Longhill Road industrial unit due to the level of deterioration and escalating health and safety concerns
- Application of funds to the delivery of the Civil Parking Enforcement Fenland Inspire! Project
- Urgent purchase of software for garden waste direct debits
- Acceptance of £1.5m of Pride in Place funding
- Whittlesey Southern Relief Road outline business case.

## **6 A FORWARD LOOK TO 2026/2027**

### **Fenland's Priorities**

- 6.1 In Fenland's Business Plan 2026/27 the Council's corporate priorities remain:
- Communities
  - Economy
  - Environment
  - Quality Organisation
- 6.2 It is important that the work of Overview and Scrutiny complements these priorities to ensure services are being delivered to the highest quality and any

scrutiny work adds value. In addition to our four core priorities, our Cabinet Members have selected a number of capital investment projects they are aiming to deliver across Fenland in the next two years. The Fenland Inspire! projects focus on enhancing our much-loved sport, leisure, and open space facilities, as well as preserving and celebrating the district's rich heritage and built environment. The Overview and Scrutiny work programme will also be informed by The Fenland Inspire! projects agenda.

## **What the Overview and Scrutiny Panel will achieve in 2026/27**

### **Strategic Priorities**

- 6.3 The Overview and Scrutiny Panel will continue to articulate recommendations associated with the work plan and monitor how effectively the recommendations have been received and endorsed by the associated decision-making bodies.

### **Work Programme**

- 6.4 The Overview and Scrutiny work programme is a detailed programme that indicates the topics that the Overview and Scrutiny Panel will scrutinise. The work programme is developed on a rolling basis and has been updated and revised for the forthcoming municipal year. Topics already identified for inclusion include a review of the Council's Corporate Priorities including Communities, Economy and Planning, Quality Organisation and Environment, Bulky Waste/Flytipping, CSP and CCTV as well as Q&A sessions with partner organisations such as Clarion Housing Association, Anglian Water and education. This will also sit alongside regular items such as scrutiny of the Budget, Fees and Charges, Business Plan, CPCA Growth Service and impact on Economic Development, Commercial Investment Strategy and Investment Board update and the Council's management of complaints.

## **7 CONTACTS**

- 7.1 Work of the Overview and Scrutiny Panel is enhanced by the involvement of Fenland residents, service users, our partners and local businesses as they bring an alternative perspective whilst also providing external challenge. If, therefore, you would like further details about any of the work mentioned in this report, or on how residents and partner organisations can contribute to the work of Overview and Scrutiny within Fenland we would very much welcome your input, please contact:

**Helen Moore - Member Services Officer**

[hmoore@fenland.gov.uk](mailto:hmoore@fenland.gov.uk)


**Amy Brown – Assistant Director**

[amybrown@fenland.gov.uk](mailto:amybrown@fenland.gov.uk)

**Elaine Cooper – Member Services Team Leader**

[ecooper@fenland.gov.uk](mailto:ecooper@fenland.gov.uk)

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<b>Agenda Item No:</b>	13	
<b>Committee:</b>	Council	
<b>Date:</b>	13 July 2026	
<b>Report Title:</b>	Housing Enforcement – s.113 Agreement	

## 1 Purpose / Summary

- 1.1 To recommend Council approve entry into a Section 113 agreement with Cambridgeshire County Council to assist delivery of the Council's approved Housing Enforcement Policy for Fenland.

## 2 Key Issues

- 2.1 Cabinet approved on the 15<sup>th</sup> June 2026 a revised Housing Enforcement Policy and Civil Penalty Notice Policy to reflect the changes brought into place by the Renters Right Act.
- 2.2 As part of the Council's Housing Enforcement approach since 2018/19, powers relating to Energy Performance Certificates and Energy Efficiency Standards that are the responsibility of Trading Standards at Cambridgeshire County Council, has been delegated to Officers at Fenland District Council to enforce.
- 2.3 This is because it is inefficient for Trading Standards to resource enforcement in this area when our Officers are on a day-by-day basis inspecting and undertaking prevention, intervention and enforcement action in Fenland properties utilising Housing regulatory powers that is our duty to undertake.
- 2.4 This approach was considered by Full Council in July 2018 when agreeing the new Housing Enforcement Policy at that time as a conclusion to the member led working group's findings into how to deliver Housing Enforcement in our district.
- 2.5 Therefore, the Council needs to re-enter into a further Section 113 agreement with Cambridgeshire County Council to continue to undertake the statutory duties relating to:
- The Energy Performance of Buildings (England and Wales) Regulations 2012
  - The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- 2.6 All fine income the is retained by Fenland District Council to contribute to the revenue costs of delivering the Housing Enforcement Service.
- 2.7 The legal agreement is set out in Schedule 1

### 3 Recommendations

- 3.1 That Council approves entry into a Section 113 agreement with Cambridgeshire County Council as set out in Schedule 1 for the provision of undertaking Housing Enforcement Powers relating to Energy Performance and Energy Efficiency on their behalf.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Gary Christy, Portfolio Holder
Report Originator(s)	Daniel Horn – Assistant Director
Contact Officer(s)	Carol Pilson – Corporate Director Daniel Horn – Assistant Director
Background Papers	<a href="#">Agenda item - Housing Enforcement Policy - Fenland District Council</a> <a href="#">Report and Schedules 1-3.pdf</a>

### 4 BACKGROUND AND INTENDED OUTCOMES

- 4.1 The Council has a statutory responsibility for Housing Enforcement.
- 4.2 Cabinet approved on the 15th June 2026 a revised Housing Enforcement Policy and Civil Penalty Notice Policy to reflect the changes brought into place by the Renters Right Act.
- 4.3 As part of the Council's Housing Enforcement approach since 2018/19, powers relating to Energy Performance Certificates and Energy Efficiency Standards that are the responsibility for Trading Standards at Cambridgeshire County Council has been delegated to Officers at Fenland District Council to enforce.
- 4.4 Section 113 of the Local Government Act 1972 enables a Local Authority to enter into an agreement as follows:  
“a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him.”

### 5 REASONS FOR RECOMMENDATIONS

- 5.1 This is because it is inefficient for Trading Standards to resource enforcement in this area when our Officers are on a day-by-day basis inspecting and

undertaking prevention, intervention and enforcement action in Fenland properties utilising Housing regulatory powers that is our duty to undertake.

- 5.2 This approach was considered by Full Council in July 2018 when agreeing the new Housing Enforcement Policy at that time as a conclusion to the member led working group's findings into how to deliver Housing Enforcement in our district.
- 5.3 Therefore, the Council needs to re-enter into a further Section 113 agreement with Cambridgeshire County Council to continue to undertake the statutory duties relating to:
- The Energy Performance of Buildings (England and Wales) Regulations 2012
  - The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
- 5.4 The legal agreement is set out in Schedule 1

## **6 CONSULTATION**

- 6.1 There are no specific consultation requirements associated with the recommendations set out in this report.

## **7 ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 To not enter into the agreement which would mean a comprehensive approach to housing prevention, intervention and enforcement could not be undertaken in accordance with our approved policy.

## **8 IMPLICATIONS**

### **8.1 Legal Implications**

- 8.2 Section 113 of the Local Government Act 1972 enables a Local Authority to enter into an agreement as follows:

“a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him.”

- 8.3 Paragraph 2.2 of Article 11 of the Constitution provides that Fenland District Council may, establish joint arrangements with one or more local authorities and/or their executives to exercise functions which are not executive functions.

### **8.4 Financial Implications**

- 8.5 The proposed arrangements can be met within existing service budget provisions which is met by a variety of sources.
- 8.6 All fine income the is retained by Fenland District Council to contribute to the revenue costs of delivering the Housing Enforcement Service.

## **8.7 Equality Implications**

8.8 As set out in schedule 2 of the Housing enforcement cabinet report of the 15<sup>th</sup> June [Report and Schedules 1-3.pdf](#).

## **9 Schedules**

- Schedule 1 – S113 Agreement CCC and FDC

## **SCHEDULE 1**

DATED 24<sup>th</sup> June 2026

CAMBRIDGESHIRE COUNTY COUNCIL

- and -

FENLAND DISTRICT COUNCIL

**Agreement for the delegation of functions under the specified Energy Performance  
legislation from Cambridgeshire County Council to Fenland District Council**

Clause

1. Background
2. Structure
3. Definitions and interpretation
4. Duration
5. Delegation of Functions
6. Agency
7. The District Responsibilities
8. Financial arrangements
9. Monitoring of Performance
10. Intellectual Property Rights
11. Variation
12. Liabilities
13. Confidentiality
14. Data Protection
15. FOIA
16. Termination
17. Disputes
18. Insurance
19. Scrutiny
20. Audit
21. Costs
22. Notices
23. Rights of third parties
24. Entire Agreement
25. Governing law
26. Counterparts

Schedule 1: District Responsibilities

Delegated Functions

Associated Duties

**DELEGATION AGREEMENT** is made the .....day of .....2025

BETWEEN

(1) **Cambridgeshire County Council** of New Shire Hall, Emery Crescent Enterprise Campus, Alconbury Weald, Huntingdon, PE28 4YE (“CCC”) and

(2) **Fenland District Council** of Fenland Hall, County Road, March, Cambs PE15 8NQ (“the District”)

NOW IT IS AGREED as follows:

**1. Background**

- 1.1 CCC wishes to enter into arrangements with the District pursuant to Section 101, 102, 112 and 113 of the Local Government Act, and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts; together with the general power within section 2 of the Local Government Act 2000 and the supporting provisions within section 111 Local Government Act 1972 and pursuant to all other enabling powers for the discharge of their functions relating to energy performance certificates by the District in accordance with the arrangements set out in this delegation agreement (“Agreement”) from the Commencement Date.
- 1.2 The Parties acknowledge that the District has continued to deliver EPC-related activities pending renewal of formal arrangements, and now wish to formalise those arrangements through this Agreement.
- 1.3 CCC has authority to delegate EPC enforcement functions to all Cambridgeshire District Councils pursuant to the decision of Full Council dated 17 December 2019.
- 1.4 Nothing in this Agreement shall be interpreted as giving retrospective effect to the delegation of functions.

**2. Structure**

- 2.1 The Schedules form part of this Agreement and will have the same force and effect as if expressly set out in the body of this Agreement and any reference to this Agreement includes the Schedules.

**3. Definitions and interpretation**

- 3.1 In this Agreement, references to any enactment include references to that enactment as for the time being amended, applied, consolidated, re-enacted by or having effect by virtue of any subsequent enactment, and for this purpose 'enactment' means any Act, whether

public, general, or local and includes any byelaw, order, rule, regulation, scheme or other instrument having effect by virtue of an enactment.

3.2 In this Agreement, the following expressions have the following meanings unless inconsistent with the context:

<b>“Associated Duties”</b>	the associated duties set out Schedule 1;
<b>“Annual Service Report”</b>	the report which the District is required to prepare annually in accordance with Schedule 1 of this Agreement.
<b>“Business Day”</b>	any day other than a Saturday or Sunday or a public bank holiday in England.
<b>“CCC Functions”</b>	means the CCC Functions specified at Schedule 1 including the power to do anything that is calculated to facilitate or is conducive or incidental to the discharge of those functions;
<b>“Change of Law”</b>	means the coming into effect after the date of this Agreement of: <ul style="list-style-type: none"><li>(a) Law other than any Law which on the date of this Agreement has been published:<ul style="list-style-type: none"><li>(i) in a bill;</li><li>(ii) in a draft statutory instrument; or</li><li>(iii) as a proposal in the Official Journal of the European Union;</li></ul></li><li>(b) any guidance; or</li><li>(c) any applicable judgment of a relevant court of law which changes a binding precedent;</li></ul>

<b>“Commencement Date”</b>	means the date of this Agreement is executed by both Parties ;
<b>"Confidential Information"</b>	information that, if disclosed, would or would likely prejudice the commercial interests of any person, including Intellectual Property Rights, of either Party and all Personal Data;
<b>“Contract Year”</b>	a period of twelve (12) months, commencing on the Commencement Date and/or each anniversary of the Commencement Date;
<b>“Data Loss Event”</b>	any event that results, or may result, in unauthorised access to Personal Data held by the Provider under this Agreement, and/or actual or potential loss and/or destruction of Personal Data in breach of this Agreement, including any Personal Data Breach;
<b>“Data Processor Personnel”</b>	means all directors, officers, employees, agents, consultants and contractors of any Data Processor engaged in the performance of its obligations under this Agreement;
<b>“Data Protection Legislation”</b>	<p>this includes:</p> <p>((i) all applicable UK law relating to the processing of personal data and privacy, including but not limited to the UK GDPR, and the Data Protection Act 2018 to the extent that it relates to processing of personal data and privacy; and (ii) (to the extent that it may be applicable) the EU GDPR). The UK GDPR and EU GDPR are defined in section 3 of the Data Protection Act 2018;</p> <p>is an assessment by the Controller of the impact of the envisaged processing on the protection of Personal Data;</p>

<b>“Data Protection Assessment”</b>	<b>Impact</b>	
		is a request made by or on behalf of a Data Subject in accordance with rights granted pursuant to the Data Protection Legislation to access their Personal Data.
<b>“Data Subject Request”</b>	<b>Access</b>	
		means any material breach of the obligations of the relevant party (including but not limited to fundamental breach);
<b>“Default”</b>		
<b>“Default Notice”</b>		means a notice in writing served by one party on the other in accordance with clause 16.3 setting out the details of any Default and the steps required to remedy the Default;
<b>“District Responsibilities”</b>		the CCC Functions and the Associated Duties set out at Schedule1:
<b>“Enquiry Phase Personal Data”</b>	<b>Personal Data</b>	the Personal Data to be Processed by or on behalf of the Council, more particularly described in Schedule 2;
<b>“Exempt Information”</b>		any information or class of information relating to this Agreement which may fall within an exemption to disclosure under the FOIA legislation;
<b>“FOIA”</b>		the Freedom of Information Act 2000 and subordinate legislation made under this and including the Environmental Information Regulations 2004;

<b>“District Manager”</b>	The District manager with responsibility for the District Responsibilities
<b>“Information Request”</b>	a request for information made under the FOIA;
<b>“Intellectual Property Rights”</b>	confidential business information, copyright (including rights in Software), database rights, know-how, rights (whether registrable or otherwise) in design, patents, service marks, and trademarks, trade or business names, trade secrets, applications for any of the foregoing and any similar or analogous rights to any of the above, whether arising from or granted under the Laws of England or any other jurisdiction;
<b>“Parties”</b>	CCC, and the District and any successor authority to CCC or the District arising from local government reorganisation;
<b>“Prohibited Act”</b>	<p>the following constitute Prohibited Acts:</p> <p>(a) to directly or indirectly offer, promise or give any person working for or engaged by the Authority a financial or other advantage to:</p> <ul style="list-style-type: none"> <li>(i) induce that person to perform improperly a relevant function or activity; or</li> <li>(ii) reward that person for improper performance of a relevant function or activity;</li> </ul>

- (b) to directly or indirectly request, agree to receive or accept any financial or other advantage as an inducement or a reward for improper performance of a relevant function or activity in connection with this Agreement;
- (c) committing any offence:
  - (i) under the Bribery Act 2010;
  - (ii) under the Fraud Act 2006;
  - (iii) at common law concerning fraudulent acts relating to this Agreement or any other contract with the Authority;
  - (iv) defrauding, attempting to defraud or conspiring to defraud the Authority; or
  - (v) section 117 of the Local Government Act 1972;

**“Software”**

any and all computer programs in both source and object code form including all modules, routines and sub-routines of such programs and all source and other preparatory materials relating to them, including user requirements, functional specifications, ideas, principles, programming languages, algorithms, flow charts, logic, logic diagrams, orthographic representations, file structures, coding sheets, coding and any manuals or other documentation relating to them and computer generated works;

**“Supervising Officer”** the CCC manager with responsibility for those regulatory services relevant to this Agreement;

3.3 In this Agreement, except where the context otherwise requires:

- a. the masculine includes the feminine and vice versa; and
- b. the singular includes the plural and vice versa.

3.4 References to CCC and FDC in this Agreement shall include any successor authority responsible for the relevant functions following local government reorganisation.

#### **4. Duration**

4.1 This Agreement shall come into effect on the Commencement Date and shall continue for a period of 4 years unless terminated earlier in accordance with the provisions of clause 16 or extended in accordance with clause 4.2

4.2 The Parties may by written agreement extend the term of this Agreement for a further period or periods of 2 years or for such other period as the Parties may agree in writing.

4.3 The conditions and Schedules to this Agreement shall apply for any period of extension of the term of this Agreement agreed by the Parties in accordance with Clause 4.2.

4.4. The Parties shall review this Agreement annually during the Term and any changes agreed shall be made in accordance with the variation procedure at clause 11.

#### **5 Delegation of Functions**

5.1 In consideration of the provisions of this Agreement and pursuant to the above mentioned powers, CCC delegates, its CCC Functions to the District and the District accepts the delegation of the CCC Functions described in Schedule 1.

5.2 Each Party shall ensure that they make any necessary changes to their respective constitutions required to give effect to this Agreement and confirm that CCC has sufficient member authority to enter into this Agreement, pursuant to the decision of Full Council on 17 December 2019.

#### **6. The District Responsibilities**

6.1 Subject to the delegation by CCC the District shall be entitled to undertake the District Responsibilities set out in Schedule 1.

6.2 The District shall ensure that when undertaking the District Responsibilities it shall do so in accordance with all applicable law.

6.3 The District shall ensure that all staff involved in the undertaking the District Responsibilities shall do so with reasonable skill, care and diligence and shall possess such qualifications, skills and expertise as are necessary for the proper supply of the District Responsibilities.

## **7. Agency**

7.1 Except as expressly set out in this Agreement, nothing in this Agreement is intended to, or shall be deemed to, establish any partnership or joint venture between the Parties, constitute any Party the agent of another Party, or authorise any Party to make or enter into any commitments for or on behalf of any other Party.

## **8. Financial arrangements**

8.1 In consideration of the District accepting the delegation of the CCC Functions and associated responsibilities CCC acknowledge and agree that all fees from third parties for fixed penalty notices issued by the District as a result of the exercise of the CCC Functions will be received by the District and that the District may retain all such fees.

8.2 The Parties acknowledge and agree that CCC shall have no liability to make any payments to the District for the exercise by the District of or the performance by the District of any of the District Responsibilities under this Agreement. The District shall be responsible for all costs associated with or arising from its exercise of or performance of the District Responsibilities.

## **9. Performance Monitoring**

9.1 The District shall provide CCC with an Annual Service Report to be submitted by 1st May each Contract Year detailing the information specified at Schedule 1.

## **10. Intellectual Property Rights**

10.1 Any Intellectual Property Rights created as a result of the exercise by the District of or performance by the District of any of the District Responsibilities shall vest jointly in CCC.

## **11. Variation and Local Government Reorganisation**

11.1 This Agreement may be varied from time to time by agreement between the Parties and any variation must be made in accordance with this clause 11.

11.2 Any Party may request a variation to this Agreement by making a written request to the others.

- 11.3 On receipt of a written variation request, the relevant Parties shall consider the request and shall use their best endeavours to accommodate and agree such changes in their absolute discretion with a view to confirming the change in writing within 30 days of the request being received.
- 11.4 The Parties shall review and, if necessary, vary this Agreement in the event of any local government reorganisation affecting either Party, to ensure continued lawful and effective discharge of the delegated functions.

### **Local Government Reorganisation**

- 11.5 In the event of local government reorganisation resulting in the abolition, merger, or restructuring of either Party:
- a. all rights, obligations, and liabilities under this Agreement shall automatically transfer to the successor authority or authorities responsible for the relevant functions, including but not limited to any unitary authority replacing CCC or the District;
  - b. references to “CCC” and “FDC” shall be deemed to include any successor authority to those councils;
  - c. the successor authority shall assume responsibility for the CCC Functions and District Responsibilities as set out in Schedule 1, unless otherwise agreed in writing;
  - d. the Parties (or their successors) shall review the Agreement within six months of the reorganisation to determine whether any variation is required to reflect changes in governance, structure, or statutory responsibilities.

## **12. Liabilities**

- 12.1 CCC shall not be liable for any acts or omissions of the District under this Agreement and the District shall indemnify CCC against any claims which may be made against CCC by third parties arising from any such act or omission relating to the exercise by the District of or the performance of the District of the District Responsibilities and without limitation to the foregoing the District shall indemnify CCC in respect of any liability, loss, damages, costs and expenses it may incur, arising from the breach by the District of its warranties or obligations under this Agreement or by reason of any misrepresentation, or negligent or tortious act or default by the District its employees or agents (except where such liability, loss, damages costs and expenses arise from the negligence or acts or omissions of CCC).
- 12.2 CCC reserves the right to recover from the District the cost of any liabilities which have been caused by the District and which are discovered after this Agreement expires or is terminated.
- 12.3 Each Party shall at all times take all reasonable steps within its powers to minimise and

mitigate any loss for which it is seeking reimbursement from the other.

12.4 This clause 12 shall survive the expiry or termination of this Agreement.

### **13. Confidentiality**

13.1 Each Party undertakes to the other to keep confidential all information (whether written, pictorial in machine readable form or oral) and in whatever form received during the continuance of this Agreement or obtained as a result of entering into or performing this Agreement concerning the business or affairs of the other Parties including without limitation the provisions of or (subject as provided for in this clause 13 ) the subject matter of this Agreement, which shall be deemed 'Confidential Information'

13.2 Each Party undertakes to the other not to use the Confidential Information of any of the other Parties except for the purposes of this Agreement and shall not (without the prior written consent of the other Party) disclose the same to any person save to the extent necessary for the performance of this Agreement and except to the extent that such information:

- a. is required to be disclosed by the law of any relevant jurisdiction;
- b. is trivial or obvious;
- c. is already in the public domain at the time of disclosure or thereafter;
- d. is in the possession of the disclosing Party (as evidenced by written records) otherwise than as a result of a breach of this clause 13;
- e. becomes known to the disclosing Party from a source other than the other Authority otherwise than as a result of a breach of this clause 13;
- f. was disclosed after the express prior written approval of the Party to whom such information belongs; or
- g. is required to be disclosed by the Parties for the purposes of best value or performance assessment;
- h. is required to be disclosed to enable any Party to pursue any action in the courts in relation to the District Responsibilities; and

in any event subject to the disclosing Party having notified the other Party in writing prior to making such disclosure.

13.3 Notwithstanding anything contained elsewhere in this Agreement the provisions of this clause 13 shall survive the expiry or termination of this Agreement.

### **14. Data protection**

- 14.1 The Parties shall observe all of their obligations under the Data Protection Legislation that arise in connection with the District Responsibilities.
- 14.2 For the purposes of this Clause, the terms “Data Controller”, “Data Processor”, “Data Subject”, “Personal Data”, “Personal Data Breach”, “Data Protection Officer” “Process” and “Processing” shall have the meaning prescribed under the Data Protection Legislation..
- 14.3 CCC instruct and authorise the District to Process the Enquiry Phase Personal Data for the purposes set out in Schedule 2 as a Data Processor.
- 14.4 The District shall:
  - 14.4.1 Process the Enquiry Phase Personal Data only on documented instructions from CCC (unless the District or the relevant Sub-Processor is required to Process the Enquiry Phase Personal Data to comply with applicable laws, in which case the District will notify CCC of such legal requirement prior to such Processing unless such applicable laws prohibit notice to the District on public interest grounds). For the purpose of this clause 14.4.1, the Processing detailed in Schedule 2 constitutes documented instructions;
  - 14.4.2 ensure that any individual authorised to Process the Enquiry Phase Personal Data is subject to appropriate confidentiality obligations, is under an appropriate statutory obligation of confidentiality, and complies with clause 14; and
  - 14.4.3 at the option of CCC, securely delete or return to CCC as the case may be any Enquiry Phase Personal Data after the term of the Agreement, and delete any remaining copies. The District will be entitled to retain any Enquiry Phase Personal Data which (a) it has to keep to comply with any applicable law or (b) it subsequently processes as a Data Controller as a result of providing District Responsibilities directly to the Data Subject.
  - 14.4.4 implement appropriate technical and organisational measures to prevent a breach of security, leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Enquiry Phase Personal Data transmitted, stored or otherwise Processed (a “Data Security Incident”);
  - 14.4.5 notify CCC without undue delay after becoming aware of a Data Security Incident;
  - 14.4.6 taking into account the nature of the Processing of Enquiry Phase Personal Data, provide reasonable assistance to CCC in:
    - 14.4.6.1 complying with its obligations under the Data Protection Laws relating to the security of Processing the Enquiry Phase Personal Data;
    - 14.4.6.2 responding to requests for exercising Data Subjects’ rights under the Data Protection Laws, including by appropriate technical and organisational measures, insofar as this is possible;
    - 14.4.6.3 documenting any Data Security Incidents and reporting any Data

Security Incidents to any Supervisory Authority and/or Data Subjects;  
and

- 14.4.6.4 conducting privacy impact assessments of any Processing operations and consulting with Supervisory Authorities, Data Subjects and their representatives accordingly.
- 14.4.7 make available to CCC all information necessary to demonstrate compliance with the obligations set out in the notice and
- 14.4.8 allow for and contribute to audits, including inspections, conducted by CCC or another auditor mandated by CCC.
- 14.5 The Parties shall ensure that Personal Data is safeguarded at all times in accordance with the Law, which shall include without limitation obligations to:
  - 14.5.1 Process the Personal Data in accordance with Schedule 2;
  - 14.5.2 have policies which are rigorously applied that describe individual personal responsibilities for handling Personal Data;
  - 14.5.3 have agreed protocols for sharing Personal Data with other public authorities and non-public organisations;
  - 14.5.4 perform an annual information governance self-assessment.
- 14.6 To the extent that any Party (including its staff) is acting as a "Data Processor" on behalf of any other Party, that Party shall, in particular, but without limitation:
  - 14.6.1 notify the Party acting as "Data Controller" immediately if it considers that any of the Data Controller's instructions infringe the Data Protection Legislation;
  - 14.6.2 shall provide all reasonable assistance to the Data Controller in the preparation of any Data Protection Impact Assessment prior to commencing any processing. Such assistance may, at the discretion of the Data Controller, include:
    - (a) a systematic description of the envisaged processing operations and the purpose of the processing;
    - (b) an assessment of the necessity and proportionality of the processing operations in relation to the District Responsibilities;
    - (c) an assessment of the risks to the rights and freedoms of Data Subjects; and;
    - (d) the measures envisaged to address the risks, including safeguards, security measures and mechanisms to ensure the protection of Personal Data.
  - 14.6.3 only process such Personal Data, as that term is defined in the Data Protection Legislation, as is necessary to perform its obligations under this Agreement, and only in accordance with any instruction given by the another Party under this Agreement. If it is so required the Data Processor shall promptly notify the CCC

Data Controller before processing the Personal Data unless prohibited by Law;

14.6.4 ensure that it has in place Protective Measures, which have been reviewed and approved by the CCC Data Controller as appropriate to protect against a Data Loss Event having taken account of the:

- (a) nature of the data to be protected;
- (b) harm that might result from a Data Loss Event;
- (c) state of technological development; and
- (d) cost of implementing any measures;

14.6.5 ensure that:

- (a) the Data Processor Personnel do not process Personal Data except in accordance with this Agreement;
- (b) it takes all reasonable steps to ensure the reliability and integrity of any Data Processor Personnel who have access to the Personal Data and ensure that they:
  - (i) are aware of and comply with the Provider's duties under this clause;
  - (ii) are subject to appropriate confidentiality undertakings with the Provider or any Sub-processor;
  - (iii) are informed of the confidential nature of the Personal Data and do not publish, disclose or divulge any of the Personal Data to any third Party unless directed in writing to do so by the CCC Data Controller or as otherwise permitted by this Contract;
  - (iv) have undergone adequate training in the use, care, protection and handling of Personal Data; and
  - (v) are aware of and trained in the policies and procedures identified in Clauses 14.5 and 14.6.4 above.

14.6.6 not transfer Personal Data outside of the EU unless the prior written consent of the CCC Data Controller has been obtained and the following conditions are fulfilled:

- (a) the Data Controller or the Data Processor has provided appropriate safeguards in relation to the transfer (whether in accordance with GDPR Article 46 or LED Article 37) as determined by the CCC Data Controller;
- (b) the Data Subject has enforceable rights and effective legal remedies;
- (c) the Data Processor complies with its obligations under the Data Protection Legislation by providing an adequate level of protection to

any Personal Data that is transferred (or, if it is not so bound, uses its best endeavours to assist the Data Controller in meeting its obligations); and

(d) the Data Processor complies with any reasonable instructions notified to it in advance by the CCC Data Controller with respect to the processing of the Personal Data;

- 14.6.7 at the written direction of the CCC Data Controller, delete or return Personal Data (and any copies of it) to the CCC Data Controller on termination of the Contract unless the Data Processor is required by Law to retain the Personal Data.
- 14.6.8 shall maintain complete and accurate records and information to demonstrate their compliance with this clause 14.
- 14.6.9 allow for audits of its Data Processing activity by the CCC Data Controller or the Data Controller's designated auditor.
- 14.6.10 designate a data protection officer if required by the Data Protection Legislation.
- 14.7 Before allowing any Sub-processor to process any Personal Data related to this Contract, the Data Processor must:
  - 14.7.1 notify the CCC Data Controller in writing of the intended Sub-processor and processing;
  - 14.7.2 obtain the written consent of the CCC Data Controller;
  - 14.7.3 enter into a written agreement with the Sub-processor which give effect to the terms set out in this clause 14 such that they apply to the Sub-processor; and
  - 14.7.4 provide the CCC Data Controller with such information regarding the Sub-processor as the CCC Data Controller may reasonably require.
- 14.8 The Data Processor shall remain fully liable for all acts or omissions of any Sub-processor. Subject to clause 14.7, either Party shall notify the other Party immediately if it:
  - 14.8.1 receives a Data Subject Access Request (or purported Data Subject Access Request);
  - 14.8.2 receives a request to rectify, block or erase any Personal Data;
  - 14.8.3 receives any other request, complaint or communication relating to either Party's obligations under the Data Protection Legislation;
  - 14.8.4 receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Contract;
  - 14.8.5 receives a request from any third Party for disclosure of Personal Data where

compliance with such request is required or purported to be required by Law; or

- 14.8.6 becomes aware of a Data Loss Event.
  - 14.9 The Parties' obligations to notify under clause 14.8 shall include the provision of further information to the other Party in phases, as details become available.
  - 14.10 Taking into account the nature of the processing, each Party shall provide the other with full assistance in relation to the other Party's obligations under Data Protection Legislation and any complaint, communication or request made under clause 14.10 (and insofar as possible within the timescales reasonably required by the Parties) including by promptly providing:
    - 14.10.1 the other Party with full details and copies of the complaint, communication or request;
    - 14.10.2 such assistance as is reasonably requested by the other Party to enable it to comply with a Data Subject Access Request within the relevant timescales set out in the Data Protection Legislation;
    - 14.10.3 the other Party, at its request, with any Personal Data it holds in relation to a Data Subject;
    - 14.10.4 assistance as requested by the other Party following any Data Loss Event;
    - 14.10.5 assistance as requested by the other Party with respect to any request from the Information Commissioner's Office, or any consultation by the other Party with the Information Commissioner's Office.
  - 14.11 Any Party may, at any time on not less than 30 Working Days' notice, revise this clause by replacing it with any applicable controller to processor standard clauses or similar terms forming part of an applicable certification scheme (which shall apply when incorporated by attachment to this Agreement).
  - 14.12 The Parties agree to take account of any guidance issued by the Information Commissioner's Office. Any Party may on not less than 30 Working Days' notice to the other amend this Agreement to ensure that it complies with any guidance issued by the Information Commissioner's Office.
  - 14.13 Each Party shall indemnify and keep indemnified the other Parties against all Losses incurred by it in respect of any breach of this clause by the defaulting Party, except to the extent that such breach was attributable to any act, omission or direction of the non-defaulting Party.
- 15. FOIA**
- 15.1 The Parties recognise that they are public authorities as defined within the FOIA and therefore recognise that information relating to this Agreement may be the subject of an Information Request. The Parties shall assist each other in complying with their obligations under the FOIA, including but not limited to assistance without charge in gathering information to respond to Information Requests related this Agreement or in relation to the District Responsibilities.

- 15.2 Each Party shall be entitled to disclose any information relating to this Agreement and the District Responsibilities in response to an Information Request, save that in respect of any Information Request which is in whole or part a request for Confidential Information.
- 15.3 The Party which receives the Information Request shall circulate the Information Request to the other and shall in good faith consider any representations raised by the other when deciding whether to disclose information that is exempt, however the Party which receives the Information Request shall retain the right to determine at their absolute discretion how to respond to the Information Request.
- 15.4 The Parties acknowledge and agree that any decision made by a Party which receives an Information Request as to whether to disclose information relating to this Agreement pursuant to FOIA is solely the decision of that Party.
- 15.5 Neither Authority will be liable to the other for any loss, damage, harm or detrimental effect arising from or in connection with the disclosure of information in response to an Information Request.

## **16. Termination**

- 16.1 Any Party may terminate this Agreement by giving not less than twelve months' written notice to the other of its intention to do so and such notice shall specify the date on which the Agreement shall terminate.
- 16.2 In the event that any Party commits a Default, a non-defaulting party may serve on the other party a Default Notice.
- 16.3 Any Party may terminate this Agreement in whole or part by giving six (6) months' written notice to the other Parties if any other Party commits a Default:
- 16.3.1 which is capable of remedy and the other party has failed to remedy such a breach within thirty (30) Business Days of receipt of a Default Notice, or such longer period as may be specified by the non-defaulting party; or
- 16.3.2 which is not, in the reasonable opinion of the non-defaulting party, capable of remedy.
- 16.4 Any Party may terminate this Agreement in whole or part with immediate effect by giving written notice to the other Parties if any other Party commits a Prohibited Act.
- 16.5 This Agreement may be terminated by either Party with six months' written notice in the event that local government reorganisation materially affects the ability of either Party to perform its obligations under this Agreement.
- 16.6 Upon termination of this Agreement all intellectual and physical properties or any works created prior to or during the provision of the District Responsibilities shall vest in CCC and the District shall co-operate in the prompt transfer of such, including any data and electronic file passwords

## **17. Disputes**

- 17.1 In the event of any dispute arising between the Parties the District Manager and Supervising Officer shall use all reasonable endeavours to resolve the matter
- 17.2 If the dispute cannot be resolved by the District Manager and the Supervising Officer the matter shall be escalated through the management structure of each Party until it is resolved.
- 17.3 Where a dispute cannot be resolved internally between the Parties, in accordance with clauses 17.1 or 17.2, it shall be referred to a single arbitrator. Having regard to the nature of the dispute, the appointment of the arbitrator shall be agreed by the Parties or, where such agreement cannot be reached, shall be nominated by the chairman of Local Government Association. Arbitration will be carried out in accordance with the provisions of the Arbitration Act 1996 as amended.

## **18. Insurance**

- 18.1 The District shall effect and maintain employers liability insurance and public liability insurance cover which shall be in a minimum sum of £5,000,000 in respect of any single claim for the duration of this agreement and six years thereafter and adequate building insurance where it allows its premises to be used by staff to work on matters relating to this Agreement.
- 18.2 The District shall effect and maintain professional indemnity insurance in a minimum sum of £5,000,000 in respect of any single claim for the duration of this Agreement and six years thereafter

## **19. Scrutiny**

- 19.1 Scrutiny will be the responsibility of each Party. The relevant committees of each Party charged with audit and the Parties' officers and external auditors shall have the right to inspect any documents relating to this Agreement and to require the appropriate officers of the District to answer any questions raised by them.

## **20. Audit**

- 20.1 The accounts relating to this Agreement shall be the subject of audit by the District and shall be open to inspection by CCC.

## **21. Costs**

- 21.1 Each Party shall pay its own costs relating to or in connection with its negotiation, preparation, execution and implementation.

## **22. Notices**

22.1 A Party may only serve notice on the other Parties by either delivering it by hand or sending it by recorded delivery post, addressed to:

- a. the Head of Trading Standards, Cambridgeshire County Council, Sackville House, Sackville Way, Cambourne, Cambridgeshire CB23 6HL
- b. The Head of Housing and Community Support, Fenland District Council, Fenland Hall, County Road, March PE15 8NQ for the District; or
- c. such other address as the Parties may notify each other from time to time.

22.2 Every notice will be treated as having been served at the end of the day that it is delivered. Notices sent by recorded delivery post shall be deemed to have been delivered on the next Business Day following despatch.

### **23. Rights of third parties**

23.1 No person who is not a party to this Agreement shall have any right under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this Agreement.

23.2 For the avoidance of doubt nothing contained in this clause 23 shall affect any right to or remedy of any third party which exists or is available other than under the Contracts (Rights of Third Parties) Act 1999.

### **24 Entire Agreement**

24.1 This Agreement together with the schedules constitutes the entire Agreement between the Parties with respect to its subject matter. Each Party acknowledges that in entering into this Agreement it does not do so on the basis of or in reliance upon any representations (save for fraudulent misrepresentations), promises, undertakings, warranties or other statements (whether written or oral) of any nature whatsoever except as expressly provided in this Agreement and accordingly all conditions, warranties or other terms implied by statute or common law are hereby excluded to the fullest extent permitted by law.

### **25 Governing law**

25.1 This Agreement is governed by and shall be construed in accordance with English law and the parties hereto submit to the exclusive jurisdiction of the English courts in respect of any dispute arising from this agreement or its subject matter.

### **26. Counterparts**

26.1 This Agreement may be executed in two or more counterparts, each of which shall be regarded as an original, but all of which together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the original or the same counterpart.

**IN WITNESS WHEREOF** the parties hereto have executed and delivered this document as a Deed on the date of this document:

EXECUTED as a deed under the Common Seal of  
**CAMBRIDGESHIRE COUNTY COUNCIL**  
In the presence of

.....  
Duly Authorised Officer

EXECUTED as a deed under the Common Seal of  
**FENLAND DISTRICT COUNCIL**  
In the presence of

.....  
Duly Authorised Officer

## **Schedule 1: District Responsibilities**

### **Delegated Functions**

Under this Agreement:

CCC delegates the delivery of the following CCC Functions to the District:

#### **1. The Energy Performance of Buildings (England and Wales) Regulations 2012**

- (a) The powers of the enforcement authority under part 7 of Energy Performance of Buildings (England and Wales) Regulations 2012 including:
- (i) power under Regulation 35 to require the production of documents and to require copies of documents,
  - (ii) power under Regulation 36 to give or withdraw a penalty charge notice;
  - (iii) obligation under Regulation 39 to review a penalty charge notice and confirm or withdraw the notice;
  - (iv) the obligation under Regulation 40 to participate in any appeal to the County Court and to repay any amount previously paid as a penalty charge;
  - (v) power under Regulation 41 to recover penalty charges;
  - (vi) power under Regulation 43 to take action for obstruction.

#### **2. The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015**

(a) The powers of the enforcing authority under part 3 of The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 including;

- (i) power under Regulation 37 to serve a Compliance Notice,
- (ii) power under Regulation 38 to serve a penalty notice and to issue further penalty notice;
- (iii) obligation under Regulation 39 to publish breaches of penalty notices;
- (iv) obligation to review, waive or modify penalties in accordance with Regulation 42;
- (v) the obligation to participate fully where any appeal is made to the First-tier Tribunal under Regulation 43;
- (vi) the obligation to repay any amount paid as a financial penalty where a penalty notice is quashed on appeal in accordance with Regulation 44;
- (vii) power to recover a financial penalty in accordance with Regulation 45.

### **Associated Duties**

- 1.1 The District will provide relevant staff training to ensure that all officers exercising the CCC Functions have the necessary levels of competence and knowledge to fulfil those functions in line with legislative requirements.
- 1.2 The District will ensure that all enforcement action is appropriate.

- 1.3 The District shall provide CCC with a written report by 1st May each Contract Year ( the Annual Service Report) to enable CCC to comply with its statutory duty under Regulation 34C of the Energy Performance of Buildings (England and Wales) Regulations 2012 which shall include as a minimum, for the period 1<sup>st</sup> April to 31<sup>st</sup> March, the following information:
- 1.3.1 the number of inspections undertaken;
  - 1.3.2 details of all compliance and enforcement activities undertaken
  - 1.3.3 number of complaints received from the public.
  - 1.3.4 and any other information that shall be introduced by future legislative requirements
  - 1.3.5 to be in a form and contain information in accordance with guidance issued by the Secretary of State;
  - 1.3.6 identify such agreements as the enforcement authority has entered into with any other enforcement authority under regulation 34A(2) of the Energy Performance of Buildings (England and Wales) Regulations 2012 to act as enforcement authority in relation to local authority buildings in the area of either; and
  - 1.3.7 state any changes in the responsibility of enforcement authorities under such agreements.

## Schedule 2: Data Processing


This Schedule shall be completed by the CCC Controller, who may take account of the view of the FDC Controller and Processors, however the final decision as to the content of this Schedule shall be with the CCC Controller at its absolute discretion.

1. The contact details of the Controller's Data Protection Officer at CCC are: Ben Stevenson, Cambridgeshire County Council, New Shire Hall, Alconbury Weald, Cambridgeshire PE28 4YE
2. The contact details of the Processor's Data Protection Officer at FDC are:
3. The Processor shall comply with any further written instructions with respect to processing by the Controller.
4. Any such further instructions shall be incorporated into this Schedule.

Description	Details
Identity of the Controller and Processor	The Parties acknowledge that for the purposes of the Data Protection Legislation, both CCC and FDC have responsibilities as Controller and that FDC is the Processor in accordance with Clause 14.3.
Subject matter of the processing	The processing is needed in order to ensure that the Processor can effectively utilise the powers delegated through receipt of/sharing of Intelligence, analysis of the same and as necessary the issuing of Notices and Penalty Notices.
Duration of the processing	For the duration of this Agreement (including any extensions and subject to earlier termination).
Nature and purposes of the processing	<p>The nature of the processing means any operation such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction of data (whether or not by automated means) etc.</p> <p>The purpose is to enable FDC to identify legislative breaches and use the powers delegated to take appropriate enforcement action</p>
Type of Personal Data being Processed	Landlord name, address, telephone number, email, details of other properties owned, tenant(s) name, email, telephone number, details of tenancy agreement, and health issues of the tenant(s) provided by the tenant where these may be connected with poor EPC measures; managing agent name, address, telephone number, email;

	freeholder/leaseholder name, address, email and telephone number
Categories of Data Subject	Landlord Tenant(s) Agent Freeholder Leaseholder
Plan for return and destruction of the data once the processing is complete  UNLESS requirement under union or member state law to preserve that type of data	Within 30 days of the expiry or termination of this Agreement, the District will return, destroy, or delete any personal data processed pursuant to or in connection with this Agreement unless required to be retained in line with their legal duties (e.g. prior enforcement action for which appeal period had not yet expired)  Upon request, the District shall provide CCC with a certificate confirming such return, destruction, or deletion.

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<b>Agenda Item No:</b>	<b>14</b>	
<b>Committee:</b>	<b>Council</b>	
<b>Date:</b>	<b>13 July 2026</b>	
<b>Report Title:</b>	<b>Constitutional Amendments</b>	

## 1 Purpose / Summary

For Full Council to approve proposed changes to the Constitution as set out in paragraph 2.1 of Article 4.

## 2 Key Issues

- 2.1 In order to comply with good principles of governance and to ensure the overall accuracy and relevance of the Constitution, it is necessary to consider periodic updates and amendments.
- 2.2 This Report proposes amendments to Article 4 and Part 3, Table 5 of the Constitution which are designed to ensure the effective and efficient discharge of the Council's function.
- 2.3 Council should also note that the Monitoring Officer made a minor amendment to the Constitution to enable Members to access the Local Government Pension Scheme (LGPS) as per the legal changes that came into effect earlier this year.

## 3 Recommendations

- 3.1 It is recommended that Council approve the amendments set out in Appendix A and notes the minor amendment made by the Monitoring Officer in relation to the LGPS since the last meeting.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Boden, Leader and Portfolio Holder for Governance
Report Originator(s)	Carol Pilson, Corporate Director & Monitoring Officer Amy Brown, Assistant Director & Deputy Monitoring Officer
Contact Officer(s)	Amy Brown, Assistant Director & Deputy Monitoring Officer
Background Papers	Fenland District Council Constitution:  <a href="#">Agenda for Constitution on Monday, 19th May, 2025 - Fenland District Council</a>

## **1 BACKGROUND & INTENDED OUTCOMES**

- 1.1 It is proposed, in Article 11, paragraph 2, that the current arrangements are amended so that Cabinet can approve entry into joint arrangements in relation to executive functions rather than all such arrangements having to be approved by Full Council. Currently Cabinet is required to recommend changes to Full Council for approval however, this additional layer of governance is not a legal requirement and therefore for expediency it is proposed that Council preside over non-executive functions and Cabinet over executive functions.
- 1.2 It is proposed that Table 5, paragraph 10 is amended so that it is clear that the specified delegations relate to both the receipt and onward administration of grant funding including Pride in Place for which Fenland District Council is the administering authority. These proposals ensure that there is a transparent and consistent mechanism through which decisions can be taken regarding the allocation of grant funding.

## **2 REASONS FOR RECOMMENDATIONS**

- 2.1 The recommended amendments to the Constitution are being proposed to ensure that the Council continues to be able to deliver its functions in a transparent, effective and efficient way.

## **3 CONSULTATION**

- 3.1 There are no specific consultation requirements associated with the recommendations set out in this Report however, all persons potentially impacted by the changes have been involved in the development of the proposals presented for approval.

## **4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The Council could remain as currently drafted however this would not enable the proposed improvements to be made.

## **5 IMPLICATIONS**

### **5.1 Legal Implications**

The Constitution requires that changes to the Constitution are approved by Full Council (except in urgent circumstances). The proposed changes to the Constitution are designed to promote clear and expedient decision making

processes maximising the timeframes within which desired outcomes can be achieved.

## **5.2 Financial Implications**

5.3 There are no specific financial implications associated with the proposals set out in this report.

## **5.4 Procurement Implications**

5.5 There are no specific procurement implications associated with the proposals set out in this report.

5.6 All procurement activity will be undertaken in conjunction with the Procurement Team and will fully comply with the Council's Internal Contract Procedure Rules and the Public Procurement Regulations 2023.

## **5.7 Equality Implications**

There are no specific equality implications associated with the proposals set out in this report.

## **6 SCHEDULES**

Schedule 1 – Proposed Constitutional Amendments

**SCHEDULE 1  
PROPOSED CONSTITUTIONAL AMENDMENTS**

**ARTICLE 11 - JOINT ARRANGEMENTS**

- 2.1 The Council may establish joint arrangements with one or more local authorities ~~and/or their executives~~ to exercise functions which are not executive functions in any of the participating authorities. (Such arrangements may involve the appointment of a joint committee with these other local authorities).
- 2.2 The ~~Council may upon a proposal by the Cabinet~~Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees with these other local authorities.

**TABLE 5 – PARAGRAPH 10 – ACCEPTANCE AND ALLOCATION OF FUNDING**

- 10 To authorise the acceptance of and/or allocation of external funding awarded to the Council (to include but not limited to, Pride in Place Funding), the approval of the Council’s acquisitions of goods, services and works (whether following a procurement exercise or otherwise) and entry in to the associated financial and legal agreements up to the following limits:

<b>Value</b>	<b>Designation</b>
Up to £100,000	Corporate Directors and Assistant Directors in consultation with the relevant Portfolio Holder and Leader of the Council.
Between £100,001 and £500,000	Cabinet Member and Leader of the Council
<del>Over</del> £500,001 <u>and over</u>	Cabinet