



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

Minutes of the meeting of the Finance & Assets Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely at 4.30pm on Thursday, 26th September 2019.

P R E S E N T

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

OFFICERS

Sally Bonnett – Infrastructure & Strategy Manager
Maggie Camp – Legal Services Manager
Spencer Clark – Open Spaces & Facilities Manager
Emma Grima – Director Commercial
Victor Le Grand – Senior Leisure Services Officer
Nicole Pema – HR Manager
Ian Smith – Finance Manager
Janis Murfet – Democratic Services Officer

I N A T T E N D A N C E

Councillor David Ambrose Smith (Agenda Item No. 15)
Nigel Ankers – Finance Manager, ECTC
Rachel Ashley-Caunt – Head of Internal Audit, LGSS
Phil Rose – Head of Development, Palace Green Homes

39. PUBLIC QUESTION TIME

No questions were submitted by members of the public.

40. APOLOGIES AND SUBSTITUTIONS

There were no apologies given or substitutions made.

41. DECLARATIONS OF INTEREST

Councillor Sharp declared a personal interest in Agenda Item 10 (Service Level Agreement Funding - Leisure Centres & Sport Facilities 2019/20), being a Governor of Bottisham Village College.

Councillor Bovingdon also declared an interest in Agenda Item 10, being a member of the Ross Peers Sports Centre Committee.

42. **MINUTES**

It was resolved:

That the Minutes of the meeting of the Committee held on 25th July 2019 be confirmed as a correct record and signed by the Chairman.

43. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made the following announcements:

- **Running Order**

Historically we have separated items for decision from items for noting. As it is quite a large agenda and there are items that flow which happen to mix noting and decision I have agreed that mixing the noting and decision items is acceptable;

- **ECTC Accounts 2018/19**

Agenda Item 20- East Cambs Trading Company Accounts 2018/19. There is a report on the agenda which states that the Accounts would be circulated once the accounts were signed off. At the time of writing the report it was intended that the Managing Director would be signing off the accounts on Thursday 19th Sept. Unfortunately Price Bailey did not produce the final accounts for sign off in time. I am advised that the content of the final accounts is the same as the draft account that have been previously shared, the only difference was correcting typos and some narrative.

They have today been signed by the Managing Director and will be circulated to Members as soon as possible. I am therefore deferring this item until the next meeting;

- **ARP Member Seminar**

At a previous meeting we asked for ARP to do an all Member Seminar to detail how the partnership works. I am advised, and Members will receive an email to confirm this, that the seminar will take place on Monday 25th November at 6pm here in the Council Chamber;

- **ECTC/ECSS**

A reminder that there is an all Member Shareholder meeting being held on 10 October 2019 here in the Council Chamber. The meeting starts at 6pm.

44. **EXTERNAL AUDIT – UPDATE REPORT**

The Finance Manager presented a report (reference U62, previously circulated) which updated the Committee on the latest information regarding the external audit of the Council's statutory accounts.

Suresh Patel had attended Committee on 25th July to inform Members that Ernst & Young (EY) were going to be unable to start the Council's statutory audit by the 31st July deadline, by when it should have been completed. This was as a consequence of significant resourcing issues within the company. Mr Patel said that the audit would be completed in October, with the Audit report coming to the Committee meeting on 28th November 2019.

The Council had since had further communication with EY and had now been given a start date for the on-site audit of 14th October. It was noted that EY were planning to undertake a significant amount of remote testing in advance of this date.

As agreed at July's Committee meeting, the Chairman had written to Public Sector Audit Appointments (PSAA) Ltd expressing the Council's disappointment that it was now in the position of having no audited statutory accounts for 2018/19 and the potential reputational damage that this could cause the Council.

The Finance Manager informed Members that a response had been received from PSAA, requesting a meeting with the Chairman of the Committee. The Chairman added that East Cambridgeshire was not the only local authority or organisation to have suffered this problem and arrangements would be made to get everyone together rather than holding individual meetings.

Councillor A Whelan had two questions. She asked if it was known who would be on the Audit Team, but the Finance Manager said he had yet to be given any names. She then asked whether the staff had been disrupted in their preparations for the audit and was advised that EY had, to the most part, worked around the availability of East Cambs staff, who equally had been as flexible as possible and as such there had been no real disruption, although clearly having the audit at the same time as undertaking detailed budget work for 2020/21 was not ideal.

It was resolved:

That the report be noted.

45. **INTERNAL AUDIT PROGRESS REPORT**

The Committee received a report (reference U63, previously circulated) which advised Members of the work of Internal Audit completed during the period June 2019 to September 2019, and the progress against the Internal Audit Plan.

Rachel Ashley-Caunt summarised the content of the update report highlighting that at the time of reporting, 55% of assignments within the Plan were either complete, in progress or in advanced stages of planning. Three audits had been finalised and had not highlighted any issues or weaknesses which would impact on the overall Internal Audit position.

In connection with the use of Government Procurement Cards, Members noted that recommendations had been made in a couple of areas and discussed with management.

Cardholders should sign the Annex to the User Guide to acknowledge receipt of the card and that they had understood the attached User Guide. Three new procurement cards had been issued since the last review in 2016/17 but only one had been issued with a copy of the User Guide. Individual cardholders were responsible for maintaining a transaction log of expenditure together with VAT invoices/receipts which should be forwarded to the Senior Accountancy Assistant to be posted on Agresso. Testing a sample of 24 purchases covering the period April 2018 to March 2019 identified instances where purchases were not properly supported by invoices or receipts and this had led to the Council being unable to claim back VAT.

With regard to Community Infrastructure Levy (CIL) Income, key controls were examined and it was confirmed that payment periods and amounts were in accordance with the CIL Instalment Policy. Payments were collected in a timely manner and there was evidence of effective recovery action being taken when appropriate. Overall good assurance could be given that there were effective controls in operation.

Councillor Sharp asked Mrs Ashley-Caunt if she was satisfied that the cause of the problem with the procurement cards had been resolved. She replied that the three cards had all been for the same service area and the Finance Manager added that as this service had now gone over to a private company, the issue had gone.

Councillor Cane enquired about the number of transactions and the work done to quantify them. Mrs Ashley-Caunt reiterated that VAT could not be reclaimed without evidence; she was unable to give an answer regarding the number of transactions, but would provide Members with the information.

Councillor Cane said she was aware that in some organisations, if people could not provide receipts or invoices for purchases, they had to reimburse the costs themselves. The Finance Manager responded that while people had to sign for a procurement card, there were no rules about having to reimburse the Council if they could not produce a receipt. He reassured Members that the three cards in question related to the National Homelessness Support Scheme and there would be no detriment to the Council.

Councillor Cane continued, saying that the Committee should see what people were being required to sign to ensure it was sufficiently robust. Without invoices it could be difficult to see if purchases were genuine and paperwork was needed to confirm correct expenditure and reclaim VAT.

Councillor Bovingdon made the point that if people were issued a card without the User Guide, they could not necessarily be expected to know that what they were doing was correct. He agreed that Members should have sight of the Annex.

On a more general point, Councillor Cane asked if the small errors occurred due to a lack of sufficient staff or lack of training. The Director Commercial replied that it was probably the latter, but new members of staff would be given training.

It was resolved:

That the progress made by Internal Audit in the delivery of the Audit Plan and the key findings be noted.

46. **ANTI-FRAUD AND CORRUPTION STRATEGY**

The Finance Manager presented a report (reference U64, previously circulated) which advised Members of the need to review and update the section of the Council's Constitution relating to the Anti-Fraud and Corruption Strategy.

It was noted that the current Strategy was approved by Full Council in May 2016. The revised document had not changed significantly but references had been changed in various places and more detail provided where necessary.

An anti-money laundering policy statement had previously been approved by Council in 2012 as a stand-alone document, but it did not form part of the Constitution and had not been updated since that time. The new Anti-Fraud and Corruption Strategy now incorporated a revised money laundering policy statement, thereby ensuring that the policy gained a greater prominence as part of the Constitution.

Councillor Cane noted that no reference was made to a Register of Gifts & Hospitality and the Director Commercial assured her that such a register was kept. Councillor Cane duly proposed that the Register should come to Committee on an annual basis and the motion having been seconded by Councillor Bovingdon, was declared carried.

Councillor Harries said that having looked through the details of the Strategy, he was against the kind of assertions being made in relation to the culture of the Council, because local authorities had always received public complaints regarding corruption. He felt it would be interesting to review the whole area of openness and make sure that the Council was living up to it. Communications were also a concern and should be systematically looked at in order to improve them.

Councillor Trapp raised the issue of whistleblowing and was advised that the Legal Services Manager was looking at refreshing the current policy; it would come to this Committee with a recommendation of adoption by Full Council.

It was resolved to recommend to Full Council:

That the updated Anti-Fraud and Corruption Strategy, as attached at Appendix 1 to the report, be adopted.

47. **GENDER PAY REPORTING**

The Committee received a report (reference U65, previously circulated) which provided Members with some measurable data on gender pay at the Council.

An amended set of Tables 1 – 4 was tabled at the meeting.

The HR Manager reminded the Committee that the gender pay gap was the difference in the average hourly wage of all men and women across a workforce. If women did more of the less well paid jobs within an organisation than men, the gender pay gap was usually bigger.

As the Council had fewer than 250 employees, it was not required to comply with legislation to publish statutory calculations every year showing the pay gap, but it did so as Members had requested some measurable data to be provided.

As at 31st March 2019, the women's mean hourly rate was 6.1% lower than men's and the median hourly rate was 4.7% lower than men's. The figures had been ranked into quartiles and the new figures were based on the number of employees in each quartile.

Referring to paragraph 4.9 of the report, Councillor Whelan felt that the statement did not make sense and the conclusion was that part time female employees were being paid less than their full time colleagues; the dilution affected all but the upper quartiles. The HR Manager replied that there was a high proportion of females in that quartile but the posts were often filled by people choosing to work part time. However, all posts were evaluated on a full time basis.

Councillor Cane asked how the issue could be addressed and the Director Commercial said she had discussed this with the HR Manager, but there was not a lot that could be done, as it was the nature of the roles.

Councillor Bovingdon wished to know how the Council compared to other authorities and the HR Manager replied that she had struggled to find comparator data from other local authorities with less than 250 employees because they are not required to publish any data. The HR Manager went on to say that the Council's workforce is $\frac{2}{3}$ female, with high proportions of females in each quartile. Councillor Harries commented that he struggled to understand the pay gap when there were women in the upper quartile and he asked if this was affected by one or two males in high earning roles and the HR manager confirmed that it was. The Director Commercial added that neighbouring authorities had female Chief Executives, but they were different sized authorities and workforces; it was like trying to compare apples to oranges. It should be remembered that this Council chose to bring the data into the open.

Councillor A Whelan thought that Members should be satisfied as she believed the figures to be reasonable and they should be pleased that the information was being presented when there was no requirement to do so.

It was resolved:

That the content of the information report be noted.

48. **SERVICE LEVEL AGREEMENT FUNDING (LEISURE CENTRES AND SPORT FACILITIES) 2019/20**

The Senior Leisure Services Officer presented a report (reference U66, previously circulated) from which Members were asked to agree initial funding allocations for the 2019/20 financial year for leisure centres and sport facilities.

The Committee was reminded that grants were offered to leisure facility providers to support material improvements to their services, to strengthen the long term sustainability of the facility, to extend the activity opportunities for the local community, or both.

For the benefit of the newer members of the Committee, the Senior Leisure Services Officer explained that the funding allocations used to be considered by the Community Services Committee. It had been recognised at that time that the purpose of the grants had not really been known and therefore a review was undertaken. The outcome resulted in project focused applications being awarded grants and the submissions before the Committee today were representative of this new approach:

- Learning Trust on behalf of Bottisham Sports Centre (Bottisham Village College) had requested a grant to have works carried out to make good the pool wall fracture, refurbishment of pool plant and replacement of the disabled pool hoist and pool cover.

No partnership funding had been proposed for this element, but the Anglian works formed part of a wider renewals project to which the Trust was making a significant commitment. The specific improvements would be used by the school and community and officers felt that this was the type of grant that the Council would wish to encourage.

It was recommended that a grant of £10,000 be supported.

- Soham and District Sports Association (Ross Peers Sports Centre) had requested a grant towards the installation of a new gym floor in the fitness suite, the provision of lockers and kit storage for users.

This project was one element in a wider programme of improvements being carried through, where possible, by staff at the Centre, and otherwise through maintenance funds.

Officers remained of the opinion that given the age and condition of the Centre as a whole, an integrated programme of renewals was needed. The Community Services Committee had wanted a co-ordinated plan so that the Centre could be encouraged to take a more positive direction in

the long term. It was felt that the application was well worth supporting and consideration should be given to the formulation of a Business Plan.

It was recommended that a grant of £5,450 be supported.

Councillor Cane said the Bottisham pool was a very important facility because it provided a service to the public and many local primary schools; she was supportive of the proposal. With regard to the Ross Peers Centre, it catered for young people as well as offering good socialising facilities. She agreed that the application should be supported, but that officers should press for a Business Plan before any further award of grant.

Councillor C Ambrose Smith concurred, saying that everyone had been struck by just how down at heel the Centre appeared. Soham was the second largest settlement in the District and needed a good sports centre.

Councillor Harries said it was a real pleasure to be voting for projects that would benefit the community.

It was resolved:

That the recommended allocations, as set out below, be agreed:

- Anglian Learning Trust on behalf of Bottisham Sports Centre (Bottisham Village College) - £10,000;
- Soham & District Sports Association (Ross Peers Sports Centre) - £5,450.

49. **COMMUNITY INFRASTRUCTURE LEVY (CIL) INSTALMENT POLICY**

The Infrastructure & Strategy Manager presented a report (reference U67, previously circulated) from which Members were asked to approve an amendment to the Council's CIL Instalment Policy.

It was noted that Internal Audit had recently conducted a review of CIL Income and their report concluded that 'overall good assurance can be given that there are effective controls in operation'.

However, the review recommended that the CIL Instalment Policy be amended to provide additional information regarding discretion to vary instalments. Currently the Policy did not make reference to the discretion to vary instalments for lower value CIL liabilities or the approval process. Not evidencing this discretion could leave the Council open to challenge by developers.

It was therefore recommended that the following text be included in the Instalment Policy:

'In exceptional circumstances the Council may agree to vary the instalment policy where the CIL Liability is below £1million or to apply an instalment policy where one was not previously in place. This will be done in consultation with the Chairman of the Finance & Assets Committee.'

Referring to Appendix 1 of the report, Councillor Bovingdon asked if '*The full balance is payable on occupation/opening of the development ...*' was referring to the developer or the purchaser. The Director Commercial replied that it referred to the end user at first handover.

Councillor Trapp enquired whether developers could be encouraged to pay CIL earlier and the Director Commercial advised that this was regulated and therefore constrained by legislation. Developers had to start paying within 60 days of commencing construction.

In response to a comment from Councillor Hunt about making the Policy clearer, the Director Commercial said that a small glossary and guide would be included in the document.

Councillor Cane requested, and the Committee agreed that the recommended text at paragraph 4.3 be amended to read '*... This will be done in consultation with the Chairman of the Finance & Assets Committee **and reported to the following Finance & Assets Committee.***' Whereupon,

It was resolved:

To approve the amendments to the Council's Community Infrastructure Levy Policy, as set out at paragraph 4.3 and attached at Appendix 1 to the report.

50. **EAST CAMBRIDGESHIRE BUS SERVICES REVIEW**

The Committee received a report (reference U68, previously circulated) which sought Member approval to establish a Member Working Party to oversee the East Cambridgeshire Bus Services Review and to approve the Terms of Reference for the group.

The Infrastructure & Strategy Manager summarised the background to her report and said that the Council was planning to conduct a consultation exercise to help inform the Combined Authority's review of bus services across Cambridgeshire and Peterborough. It was envisaged that all Councillors would be involved in the consultation to identify key bus routes for local residents that met one or more of the journey purposes as set out in paragraph 4.1 of the report.

The aim was to identify routes that were viable or could become viable over a period of time, and to seek funding from the Cambridgeshire & Peterborough Combined Authority and other sources for a trial period to allow routes to become established and self-financing.

It was proposed that a Member Working Party be set up to guide the work and to assist officers in carrying out the consultation and review. The Working Party would comprise 5 Members and report back to this Committee. A draft Terms of Reference was attached as Appendix 1.

Councillor A Whelan said that this had come out of a decision that Members should work collaboratively. She wondered if it would be more appropriate to have an even number of Councillors on the group and the

Director Commercial confirmed that political proportionality did not apply to working groups.

Councillor Hunt thought the Working Party should be proportionate with one Group having a clear majority, as an even number of Members could cause delays.

The Chairman reminded Members that the Working Party would not have any decision-making powers; it would make recommendations to the Finance & Assets Committee.

Councillor Cane said the Working Party had been set up as an effort for the political groups to co-operate. She felt there should be equal representation rather than running on Party lines. This should be about getting the best for the people of East Cambridgeshire and it would be sending a jarring message if one Party had control.

Councillor Sharp did not have a strong opinion regarding the composition of the Working Party but he expressed the hope that it would be apolitical.

Councillor Harries remarked that the remit of the body would be very technical and that the difference should be made between the technical and political aspects. It would be very helpful if it could be agreed that everyone was working for the good of the community. In some respects, this was a kind of test case; in the past there had been acrimony but the Leaders of the two Groups had met and the aim was now to try and work collaboratively.

It was duly proposed by the Chairman and seconded by Councillor Trapp that the Working Party should comprise 6 Members, with the Chairman being elected from the Conservative membership. When put to the vote, the motion was declared carried by majority.

It was resolved:

- i. That Councillors David Ambrose Smith, Charlotte Cane, Lorna Dupré, Lis Every, Simon Harries and Alan Sharp be appointed to the Working Party;
- ii. That the Chairman of the Working Party be elected from the Conservative Group membership; and
- iii. That the draft Terms of Reference for the Working Party, as attached at Appendix 1 to the report, be approved.

51. **COMMUNITY TRANSPORT GRANT SCHEME**

The Committee received a report (reference U69, previously circulated) from which Members were asked to agree the allocation of the Community Transport Grant Scheme funding to the East Cambridgeshire Bus Services Review.

The Infrastructure & Strategy Manager reminded the Committee of the background to the Community Transport Scheme and drew Members' attention

to paragraphs 3.4 – 3.7 of the report, which set out details of the four applications received.

Since the meeting of the Community Services Committee in January 2019, the Cambridgeshire & Peterborough Combined Authority had published a Strategic Bus Review and established a cross-organisational ‘Bus Reform Group’ to consider the findings and develop an implementation strategy based on the recommendations of the Review. This had given rise to a more strategic use for the funding which was not an option when the Community Services Committee agreed to invite expressions of interest.

It was proposed that the Community Grant Scheme funding available to date be used to help seed fund routes identified through the Bus Services Review in the first year, as this would enable the money to have a greater impact on bus services across the District.

Members noted that the requests for grant funding only provided an in-year funding solution. Whilst a service could be provided for 2019/20, the applicants had indicated that they were reliant on income from users and further grants to support the services from 2020 onwards. A further benefit of using the funding towards routes selected via the Bus Services Review would be that it offered an opportunity for the long term sustainability of services and to reduce reliance on public sector subsidies, making it a more efficient use of the money.

The ECDC Bus Service Review would complement rather than compete with existing Community Transport schemes and providers would be consulted as part of the Review process. If Members agreed, the routes proposed through the grant scheme would be considered as part of the Review.

Councillor Cane expressed concern that any delay in making decisions could have a significant effect on the applicants. Expressions of interest had been invited and to her, the Isleham Parish Council bid looked to be very worthwhile. She thought the bid could go into the Bus Plan for 2020, adding that she did not think it right to say that the use of the money had been changed.

Councillor Trapp agreed, saying that funding the Isleham bid could be a test case; as the Review could possibly last six months, why not run with it.

The Chairman said his own view was that there was only a certain amount of money and it could only be used once, therefore it should be kept for pump priming.

Councillor Sharp understood Councillor Cane’s concerns regarding Isleham, but as a decision could not be made tonight, he thought that perhaps the Working Party could take an early look at it and bring it back to this Committee.

Councillor C Ambrose Smith supported keeping the funding pot, and Councillor Harries said he liked Councillor Sharp’s approach that the Working Party should look at ideas as a matter of priority.

Councillor Hunt agreed with pump priming and proposed that the officer’s recommendation be supported. The motion was seconded by the Chairman and when put to the vote, was declared carried by a majority.

It was resolved:

That the Community Grant Scheme funding be allocated to the East Cambridgeshire Bus Services Review.

52. **COUNCIL RESPONSE TO CPCA CONSULTATION ON THE CAMBRIDGESHIRE AND PETERBOROUGH LOCAL TRANSPORT PLAN**

The Infrastructure & Strategy Manager presented a report (reference U70, previously circulated) which sought Member agreement to the Council's submission to the Cambridgeshire & Peterborough Combined Authority (CPCA) consultation on the Cambridgeshire & Peterborough Local Transport Plan.

Appendix 1 to the report set out the Council's response to the Plan and stated that the Council supported the draft aims and objectives and suggested additions and amendments to the draft text.

All Councillors had had the opportunity to input to the development of the consultation response and two Member seminars had been held to discuss the Local Transport Plan.

Councillor Cane thought it hugely regrettable that there was a concentration on dual carriageways rather than bus routes, as public transport was a key priority.

Councillor Ambrose Smith commented that Littleport had many 'white van' businesses; such people could not use public transport and for that reason she believed there should be a concentration on improving the roads.

Councillor Harries said a radical and transformational solution was needed, as there had been a series of projects that had taken up a lot of money and not delivered what was wanted.

Councillor Sharp considered some of the Plan to be aspirational and said that if it was to be achieved, major infrastructure would have to be delivered. There was no mention of the Cambridge – Ipswich line in the south of the District and improvements to rail freight were not going to be achieved overnight.

Councillor Trapp agreed that a better rail infrastructure was essential; the daily commute was a problem and if there was better public transport, it would help to take more cars off the road.

Councillor Hunt said a survey had been sent to residents of East Cambridgeshire regarding the dualling of the A10 from Ely to Cambridge and the responses were supportive. The construction of a new railway station in Soham was a first step towards connecting residents to the wider rail network and bringing jobs and investment into the area. The new section of the Littleport station car park was only half full, so there would be capacity when the 8-car trains were introduced. The approach should be one of carrot rather than stick, to make people want to use the trains.

Councillor Cane reiterated that public transport should be included in the response. She gave the instance of three days when students were unable to use the Cambridge – Ipswich rail line. The bus journey was approximately two hours each way or the alternative was to travel by car. The whole issue needed to be sorted as a matter of urgency.

The Chairman asked that a sentence be added to the Council's response to inform the Combined Authority that ECDC was setting up a Bus Review Working Party. He also requested that if Members had any comments, they should be submitted directly to the Combined Authority.

It was resolved:

That the submission to the CPCA, attached as Appendix 1 to the report, be agreed.

53. **LITTLEPORT VISION 2030**

The Infrastructure & Strategy Manager presented a report (U71, previously circulated) which sought Member approval of the Littleport 2030 document for submission to the Cambridgeshire & Peterborough Combined Authority for adoption.

At the invitation of the Chairman, Councillor D Ambrose Smith addressed the Committee in his capacity as a Local member for Littleport. He thanked the Infrastructure & Strategy Manager for her report and applauded her for the way in which the document had been put together.

Councillor Harries declared his support for the plan but sought clarification regarding its status. The Director Commercial replied that it was a prospectus which would be submitted to the Combined Authority. It was to be hoped that it would be adopted as strategy, after which the real work would begin. This was the first of two or three stages and although it was the Combined Authority's plan, the decision had been taken to let local people develop it.

Councillor Cane wished to know who had been involved in the consultation and was advised that it included local Members, Parish Councils and stakeholders.

Councillor C Ambrose Smith stressed the importance of the Vision document, saying that there were levels of deprivation in Littleport and young people needed to have something to inspire them. Bringing employment to the town would be great and Main Street should 'tweaked' to bring it into the 21st century.

Councillor D Ambrose Smith agreed, adding that there was an excellent partnership between the new school and the leisure centre.

It was resolved:

That the Littleport Vision 2030 document, as set out in Appendix 1 to the report, be approved and submitted to the Cambridgeshire & Peterborough Combined Authority for adoption.

54. **ASSETS UPDATE**

The Committee received a report which provided an update on Council owned assets, and Members were asked to appoint Councillor Bill Hunt as Member Champion for Assets.

The Director Commercial said that the report had been produced in response to a request by Members, and an update would be provided at each meeting of Committee. With regard to a Member Champion for Assets, it was recognised that Council assets were important and it was for this reason that the appointment was recommended; paragraph 3.2 of the report set out the role of the Member Champion.

Councillor Harries agreed that the list of assets was long, but he did not consider it complex and said he did not see the need for a Member Champion. He felt it extremely inappropriate that the Chairman of the Planning Committee should be appointed and said that someone else should fulfil the role. Councillor Cane concurred, saying that she thought the Chairman of the Committee could undertake the function.

Councillor Cane then raised the issue of planting trees on public open space. It was her understanding that the Leader of the Council had said it would be left to the Parish Councils and communities to plant trees, and she queried how they would know which land was owned by the Council and how to apply for permission. She thought it a shame that the District Council was not involved in the 'Plant a Tree' scheme. The Director Commercial replied that the Land/Assets Register was published on the District Council website and the Open Spaces team could respond to any queries.

Councillor Christine Ambrose Smith said that as a Parish Councillor, she thought tree planting would be better dealt with at a Parish and Town Council level.

Councillor Sharp said he could understand Councillor Harries' concerns about the Member Champion, but the role did not have any decision making powers and would be reporting back to the Finance & Assets Committee. The Chairman added that Councillor Hunt would bring considerable experience to the role.

It was resolved:

- i. To note the update on Council owned assets; and
- ii To appoint Councillor Bill Hunt as Member Champion for Assets.

55. **E-SPACE SOUTH**

The Committee received a report (reference U73, previously circulated) from which Members were asked to consider the winding up of East Cambridgeshire Business Centres Limited and transferring assets to East Cambridgeshire District Council.

Officers, working with Price Bailey, had reviewed whether there was still a need for E-Space South to continue to operate as a trading company or whether ECBC Ltd should be wound up with assets being transferred to ECDC.

The Director Commercial said the conclusion of the review was that there was neither an operational nor foreseeable strategic benefit to having a separate company. However, there would be benefits to winding up ECBC Ltd and transferring the asset to the District Council.

It was therefore recommended that ECBC Ltd be wound up and the asset transferred to ECDC. The Director Commercial reiterated that ECDC would continue to run the service as is and this was merely an exercise in ensuring administrative efficiency.

It was resolved unanimously:

- i. To approve the winding up of East Cambridgeshire Business Centres Limited and transferring assets to East Cambridgeshire District Council; and
- ii. To delegate authority to the Finance Manager and Legal Services Manager to complete the necessary financial and legal documentation.

56. **APPOINTMENTS TO OUTSIDE BODIES**

The Committee considered a report (reference U74, previously circulated), from which Members were asked to confirm the appointment of the proposed nominated representatives to the outside bodies as set out in paragraph 2.1.1.

Following the meeting of Committee on 20th June 2019, there remained a number of vacancies in respect of the following Internal Drainage Boards: Cawdle Fen, Haddenham Level, Littleport & Downham Level, and Padnal & Waterden.

No appointment had been made to the Paradise Centre Management Committee, Ely.

Using the procedure previously followed in 2018/19, the Democratic Services Officer wrote to the City of Ely, Haddenham, Little Downham and Littleport Parish Councils to seek nominations to the Internal Drainage Boards.

The nominations received were for Parish Councillors who had either been able to evidence previous experience or had expressed an interest in representing ECDC on Internal Drainage Boards.

It was noted that in the case of the Littleport & Downham IDB, there was one vacancy, but two nominations: Councillor Mark Taylor (Little Downham Parish Council) and Councillor Sue Kerridge (Littleport Parish Council).

Members agreed that Councillor Mark Taylor should be appointed to the Littleport & Downham Internal Drainage Board. However, in the event that a vacancy arose on any other Drainage Board, it was suggested that Councillor Kerridge should be approached to see if she would be willing to serve.

With regard to the Paradise Centre Management Committee, it was noted that the Leader of the Council had advised that Councillor David Ambrose Smith was content to be appointed.

Councillor Trapp remarked that he found it gratifying that Parish Councillors were putting themselves forward for the appointments.

It was resolved:

To make the following appointments:

- 1) Cawdle Fen IDB:
Councillor Michael Rouse (City of Ely Council);

Haddenham Level IDB:
Councillor Steve Cheetham (Haddenham Parish Council);

Littleport & Downham IDB:
Councillor Mark Taylor (Little Downham Parish Council)

Padnal & Waterden IDB:
Councillor Edward Carlsson Browne (City of Ely Council)
Councillor Maria Stableford (Littleport Parish Council)
Councillor Debra Jordan (Littleport Parish Council).
- 2) Paradise Centre Management Committee, Ely:
Councillor David Ambrose Smith

57. **ACTION TAKEN BY THE CHIEF EXECUTIVE ON THE GROUNDS OF URGENCY**

The Committee received a report (reference U75, previously circulated) which asked Members to note the action taken by the Chief Executive on the grounds of urgency.

Following the resignation of the Independent Person appointed at the Annual Council meeting, the Council had no Independent Person in office to deal with a number of complaints received under the Members Code of Conduct. Therefore, on the recommendation of the Monitoring Officer, the Chief Executive had appointed Gillian Holmes and Stuart Webster as the two Independent Persons for this Authority to enable the complaints to be dealt with in accordance with the requirements of the Localism Act 2011.

In accordance with Part 3(4) paragraph 4.1, of the Constitution, the Chief Executive consulted the Chairman of Finance & Assets Committee and the Leader of Council prior to the delegated decisions. The Chairman of Council, Lead Member for the opposition on the Finance & Assets Committee and the Leader of the Liberal Democrat Group were subsequently notified of the delegated action taken.

It was noted that in accordance with paragraph 4.1 of the Constitution, the urgent action was being reported to Council for information.

It was resolved:

That the action taken by the Chief Executive on grounds of urgency be noted.

58. **EAST CAMBS TRADING COMPANY ACCOUNTS 2018/19**

It was noted that the ECTC Accounts for 2018/19 had not been received in time for the Managing Director to sign them off.

Consideration of this item would therefore be deferred until the next meeting of the Committee on 28th November 2019.

59. **ECTC BUSINESS PLAN 2019/20**

The Committee considered a report (reference U77, previously circulated) that detailed the ECTC Business Plan for 2019/20.

The Director Commercial advised Members that the Finance Manager, ECDC, would take over as Lead Officer for the Committee during consideration of this item, and she would speak in her capacity as a director of the Trading Company. For the benefit of the new Members of the Committee, she introduced Phil Rose, Head of Development, Palace Green Homes and Nigel Ankers, Finance Manager, ECTC.

The annual Business Plan was produced and considered by the then Shareholder Committee on 11th February 2019. The Committee requested further specific financial information to be included in the Plan and this was appended as an exempt appendix.

The Business Plan set out the two key business areas, the first being Commercial Services which currently delivered Ely Markets and Grounds Maintenance, and the second being Property & Community Housing. It was noted that both areas carried out business on behalf of ECDC as well as other customers.

The document also contained details relating to Service Level Agreements, the Board of Directors, Managing Director and Company Secretary and the Company's structural relationship with East Cambridgeshire District Council.

The Director Commercial said that an individual Risk Management Plan would be drawn up for Property & Community Housing.

Members were advised that with regard to the table of current CLT projects in East Cambridgeshire, the Stretham & Wilburton CLT might change as it went through the planning process, but they did not want to be prescriptive. In connection with this, Councillor Hunt asked whether the CLT homes were to be built at Camps Field or Hinton Way. The Director Commercial replied that she was unable to answer this today as the officer dealing with it was on leave, but she would provide Members with a written response early next week.

Councillor Cane said she could not support the Business Plan for a number of reasons. Given the current climate and housing emergency, there was nothing in the Plan about sustainable, secure housing. She believed the Company Directors were displaying a cavalier attitude towards the Finance & Assets Committee as the Trading Company's quorum required the presence of one elected Member and one should be present today. The Committee had received some of the papers late and the accounts were not presented; officers were aware of the deadlines and should have provided everything in good time.

Councillor Harries believed that Kennett should be shown as a risk to the Company rather than an asset. The structure of the Board caused him considerable concern in that the Chairman was not named and he saw the Chief Executive as being a major risk due to a conflict of interests. He continued, saying that the Trading Company could cause major harm to the Council and its executives were showing contempt by not being present today to be held to account. In view of this, he felt that the Business Plan could not be approved.

In the absence of further comments, it was proposed by the Chairman and seconded by Councillor Hunt that Full Council be recommended to approve the Business Plan. When put to the vote, the motion was declared carried by majority and,

It was resolved to recommend to Full Council:

That the ECTC Business Plan 2019/20 be approved.

60. **FORWARD AGENDA PLAN**

It was noted that the ECTC Accounts 2018/19 would be added to the Forward Plan for the meeting to be held on 28th November.

It was further noted that the report from the Member Champion for Assets would be incorporated into the Assets Update.

It was resolved:

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

61. **EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during the consideration of the remaining items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1 & 3 of Part I Schedule 12A to the Local Government Act 1972 (as amended).

62. **EAST CAMBS TRADING COMPANY BUSINESS PLAN 2019/20 – EXEMPT APPENDIX**

The Committee considered the exempt appendix to the East Cambs Trading Company Business Plan for 2019/20.

Officers responded to specific points raised by Members.

It was resolved:

That the exempt appendix to Report No. U77 be noted.

63. **ECTC MANAGEMENT ACCOUNTS**

The Committee considered an exempt report from which Members were asked to note the ECTC Management Accounts for the period April – July 2019.

The Finance Manager ECTC summarised the key points of the report and officers responded to Members' comments and questions.

It was resolved:

That the ECTC Management Accounts (April 2019 – July 2019) be noted.

64. **WRITE OFF OF UNRECOVERABLE DEBT**

The Committee considered an exempt report regarding the write off of debts owed by the two companies referred to in the submitted report.

Members were also asked to note that an amount of £2,409.20 owed by various debtors had been written off using delegated powers.

The Chairman requested that for the future, the Committee be provided with more detail on the smaller amounts written off under delegated powers.

Councillor Hunt commented that, as a public body, while the Council should be fair, reasonable and understanding, it should be active in the firmness of its financial controls.

It was resolved:

- 1) That the write off of £1,260.86 and £5,386.15 owed by the companies referred to in the submitted report, be approved; and
- 2) To note that an amount of £2,409.20 owed by various debtors has been written off using delegated powers.

65. **ASSET MANAGEMENT MATTER**

The Committee considered an exempt report from which Members were asked to consider a proposed course of action as set out in the submitted report.

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

A number of concerns were raised during the course of discussion, and it was agreed that further information should be sought before making a decision.

It was resolved:

That a decision be deferred in order to allow the Director Commercial to seek clarification on a number of matters raised in the meeting.

66. **ASSET MANAGEMENT MATTER**

The Committee considered an exempt report from which Members were asked to consider the proposed course of action as set out in the submitted report.

The Director Commercial summarised the key points of her report and advised Members of the options available to them.

It was resolved:

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

The meeting closed at 7:15pm.