

ENVIRONMENT AND GREEN INVESTMENT COMMITTEE



Thursday, 14 March 2024

Democratic and Members' Services
Emma Duncan
Service Director: Legal and Governance

10:00

New Shire Hall
Alconbury Weald
Huntingdon
PE28 4YE

Red Kite Room
New Shire Hall, Alconbury Weald, Huntingdon, PE28 4YE

AGENDA

Open to Public and Press

CONSTITUTIONAL MATTERS

1 Apologies for Absence and Declarations of Interest

Guidance on declaring interests is available at
<http://tinyurl.com/cc-conduct-code>

2 Minutes - 18 January 2024

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3 Public Questions and Petitions

KEY DECISION

4 Low Carbon Heating Programme For Council Buildings

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DECISIONS

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The Environment and Green Investment Committee comprises the following members:

Councillor Lorna Dupre (Chair) Councillor Nick Gay (Vice-Chair) Councillor Anna Bradnam Councillor Steve Corney Councillor Steve Count Councillor Piers Coutts Councillor Stephen Ferguson Councillor Ian Gardener Councillor John Gowing Councillor Ros Hathorn Councillor Peter McDonald Councillor Brian Milnes Councillor Catherine Rae Councillor Mandy Smith and Councillor Steve Tierney

Clerk Name:	Nick Mills
Clerk Telephone:	01223 699763
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Environment and Green Investment Committee Minutes

Date: 18 January 2024

Time: 10:00 a.m. – 11:30 a.m.

Venue: New Shire Hall, Alconbury Weald

Present: Councillors Lorna Dupré (Chair), Nick Gay (Vice-Chair), Anna Bradnam, Steve Corney, Piers Coutts, Ian Gardener, John Gowing, Ros Hathorn, Brian Milnes, Catherine Rae, Tom Sanderson, Philippa Slatter and Mandy Smith

177. Apologies for Absence and Declarations of Interest

Apologies for absence were received from Councillor Stephen Ferguson (substituted by Councillor Sanderson), Councillor Jonas King, and Councillor Peter McDonald (substituted by Councillor Slatter).

There were no declarations of interest.

178. Minutes – 12 October 2023

The minutes of the meetings held on 12 October 2023 and 30 November 2023 were agreed as a correct record and signed by the Chair.

The Committee noted the Minutes Action Log.

179. Petitions and Public Questions

No public questions or petitions were received.

180. Business and Financial Plan 2024-2029

The Committee received a report summarising the business and financial planning proposals for 2024-29 which fell within its areas of responsibility. This included proposals relating to investment from Just Transition Fund to further support the Climate Change and Environment Programme, a reprofiling of major energy projects, investment to enable the Council to undertake a statutory review of the Minerals and Waste Development Plan, investment to support the Archaeological service, the delivery of energy projects and to enable the continuation of the Connecting Cambridgeshire project. The report also provided information relating to waste management.

While discussing the report, Members:

- Paid tribute to the work of officers in the progress made in the decarbonisation of the Council's assets, noting the forward-thinking approaches and vision that had been employed over many years since 2015, and highlighting the importance of Members' support for innovative projects.
- Expressed concerns about investing in the decarbonisation of buildings that the Council then disposed of, noting the risk of some schools becoming academies after such work had been undertaken, although it was acknowledged that this still represented progress towards achieving Net Zero in county by 2045. Members were assured that the rationalisation of the Council's assets, itself achieving a level of decarbonisation simply by reducing the size of the Council's estate, considered the carbon footprint of the buildings as well as their long-term viability, alongside other factors, before identifying where investment should be made. It was confirmed that the rationalisation programme and the environment programme were closely linked in this regard, and assurance on this would be provided to the Assets and Procurement Committee, which had oversight of the asset rationalisation proposals.
- Queried the potential additional revenue that could be raised as a result of the review of services at the Council's household recycling centres. It was clarified that the relatively small, proposed increase of £10k was for the 2025/26 financial year and related to a potential increase in the charges for trade waste at household recycling centres, although the committee was assured that a consultation would be carried out before any firm proposals were developed or made. Members emphasised the importance of maintaining a high quality and easy to access system for recycling and waste disposal, highlighting the need to work with neighbouring authorities to achieve this.
- Drew attention to recent flooding issues and suggested that additional resources could be considered for emergency planning and resilience to enable an efficient and effective response, particularly given the small size of the Emergency Planning team which had to work with a large number of partners and increasing levels of extreme weather events. Members highlighted the importance of regularly clearing gullies to reduce high levels of water, as well as reviewing the effectiveness of responses to emergencies once they had finished. Attention was also drawn to problems caused by drivers ignoring road closure signs during flooding and it was suggested that more education and signage could be beneficial to reduce this. Members were informed that the budget proposal included resources to establish an evidence base of climate impact for the region to enable strategic long-term planning, and it was also noted that it proposed investment in highways, part of which was for drainage, cutting, ditch management and other such issues.
- Noted the high cost of grid connections to the distribution network, and queried whether the Council could support efforts to reduce grid connection costs. Members were informed that the distribution network in Cambridgeshire and Peterborough, as well as much of the country, was operating at capacity and new connections were either significantly delayed and/or required the payment of significant upgrade costs. A lot of work was being undertaken on the national level to unlock the problem. It was noted that Ofgem and the Department for Energy Security and Net Zero had

recently published documents on speeding up grid connections to the distribution and transmission networks, and it was agreed to provide Members with a briefing note once the measures they were proposing were understood and how this could benefit connecting energy projects. **Action required**

- Observed that the Connecting Cambridgeshire programme was working with progressively more difficult properties that were more expensive to connect.
- Requested an update on the next steps for the major energy projects. Members were informed that, as a large organisation with significant assets, the Council was establishing its role in participating in and supporting the process of achieving Net Zero in Cambridgeshire. Following a period of identifying and trialling approaches, Local Area Energy Planning was now under development with partners, including the Combined Authority, district and city councils, and UK Power Networks. Looking to the future, the scope of the next pipeline of energy projects and work was under development and would be presented to the committee. This included reviewing the existing set of projects to assess and identify how they could be further commercialised to develop additional income streams and create even greater returns, while another area of focus would be supporting businesses and communities to benefit from the energy system changes.
- Expressed concern at the scale of change needed to transition the distribution network to two way flow allowing users to provide energy back into the electricity grid. Members were informed that the Council was working with UK Power Networks to develop and populate a digital map of all the energy infrastructure across Cambridgeshire, to identify future infrastructure requirements and how households and businesses needed to engage in the changes to achieve Net Zero by 2045.

The Executive Director of Place and Sustainability summarised the debate to be reported to the Strategy, Resources and Performance Committee at its meeting on 30 January 2024 as follows:

- The Committee noted the excellent work to date on delivering the Council's Net Zero carbon ambitions. Clarity was sought on ensuring that the Council's proposals around office rationalisation and investment would account for this ambition. It was confirmed that it would and officers would update, via the Assets and Procurement Committee, but ask they note any issues and forward to this Committee.
- Clarity was also sought on the position of Household Recycling Centre fees and charges. Officers clarified it was a 2025/26 proposal and they would be looking at potential fees and charges for trade waste, but confirmed the first step was to review and if there were any firm proposals, these would be taken forward, including consultation as part of that process.
- It was also recommended that the Strategy, Resources and Performance Committee at its meeting on 30 January 2024 look further at the investment in Emergency Planning and the need for more prioritisation of funds for continued improvements in forward planning and response capacity. Officers did note that there was other investment in other proposals within the remit of the Highways and Transport Committee, including drainage and gullies within the £3m Highways and

footways investment, as well as the Just Transition Fund proposal for developing the evidence base for climate risk and impacts on the Council's services. This would include flood risk, drought, overheating for example and will complement and inform service planning and emergency planning support.

- It was noted in clarity the progress with the delivery of the Council's energy projects, including the development of a Local Area Energy Plan, which would be brought back to this Committee.
- Tributes were made towards Connecting Cambridgeshire and the Energy Projects foresight, and Members welcomed the continued prioritised investment.

The Chair sought confirmation from Committee members that this was an accurate summary of the debate, and there was no dissent.

It was resolved unanimously to:

- a) Consider and scrutinise the proposals relevant to this Committee within the Business and Financial plan put forward by the Strategy, Resources and Performance Committee, 19 December 2023;
- b) Recommend changes and /or actions for consideration by the Strategy, Resources and Performance Committee at its meeting on 30 January 2024 to enable a budget to be proposed to Full Council on 13 February 2024; and
- c) Receive the fees and charges schedule for this Committee included at appendix 2.

181. Annual Carbon Footprint Report 2022-23

The Committee received a report on the Council's annual carbon footprint, which outlined the main sources of greenhouse gas emissions from the Council's activities in the 2022/23 financial year and the Council's progress against its carbon targets.

While discussing the report, Members:

- Considered the carbon footprint impact of changes in home working trends during and after the Covid-19 pandemic, noting that home working reduced the level of commuting but also increased the number of buildings being heated during cold periods. It was clarified that the home working figures in the report were based on data from a travel survey of Council staff, rather than the wider workforce, and the Committee was informed that sustainable travel guidance was being prepared for staff to provide support in further reducing the impact of travel either to or for work.
- Expressed concern about the high cost of electric vehicle acquisition and maintenance and queried whether the Council had developed a policy on the use of electric vehicles. It was emphasised that most of the Council's transport emissions were in Scope 3, which included vehicles used for the delivery of its services that were not owned or controlled by the Council. Members were informed that work was

ongoing to install electric vehicle (EV) charging points at Council buildings, while a broader EV charging infrastructure strategy was being developed in partnership with the Combined Authority and district / city councils.

- Expressed concern about the hotspots of lower air quality in areas of higher traffic congestion across the county and requested an update on the progress of moving the Council's fleet to hydrotreated vegetable oil (HVO) as an interim measure before it became fully electric. It was confirmed that a full review of the Council's fleet, including vehicles commissioned through contracts, was about to be undertaken, which would result in proposals for further reducing carbon emissions.
- Noted that methane could serve as a source of hydrogen for fuel and queried whether the Council had considered using methane produced by landfill for this purpose. It was agreed to provide Members with a briefing note on the matter.

Action required

- Highlighted the significant carbon footprint of home to school transport, particularly through minibuses that were used for other purposes during the day and suggested that the Council could support such providers in accessing funding to change to electric vehicles, noting that some district and city councils proactively encouraged the use of low emissions vehicles in their private hire fleets.
- Noted that agricultural emissions had not been included in the report and queried whether they would be reintroduced in the future. Members were informed that as it was very difficult to accurately calculate the carbon footprint from land use and land use change due to the lack of data and complexity in gathering it, it had not been possible to include such figures. However, work was being undertaken to address this, including an ongoing piece of consultancy work looking at the Council's rural estate, and it was hoped that future reports would include information on agricultural emissions. It was noted that countywide agricultural emissions were easier to assess because of how the figures were extrapolated from national figures.
- Observed significant differences in levels of emissions in the different districts and sectors across the county, subject to the local industry, transport infrastructure and geography, among other factors, but emphasised that transport emissions were the main issue that the Council needed to confront. It was clarified that emissions were generally more concentrated in urban areas due to population density, leading to smaller carbon footprints per person.

It was resolved unanimously to:

Approve the annual carbon footprint report, attached at Appendix 1 to this report, as a record of the Council's known greenhouse gas emissions for the financial year 2022-23.

182. Corporate Performance Report (Quarter 2- 2023-24)

The Committee received a report providing an update on the performance of services within its remit over Quarter 2 of the 2023/24 financial year.

While discussing the report, Members:

- Suggested that it would be helpful to be provided with a breakdown of the individual recycling, reuse, composting and recovery rates, rather than just the combined rate that was demonstrated in Performance Indicator 150b, and it was agreed to provide Members with a breakdown. **Action required**
- Clarified that the recent increase in household waste generated per head, as demonstrated in Performance Indicator 223, was largely due to increased green waste tonnages in comparison to the drought in Summer 2022, and that the general downwards trend was expected to continue.

It was resolved unanimously to:

Note and comment on the performance information provided and highlight any areas for action required.

183. Environment and Green Investment Committee Agenda Plan and Appointments

The Committee noted its agenda plan.

Chair
14 March 2024

Environment and Green Investment Committee - Minutes Action Log

This is the updated action log as at 6 March 2024 and it captures the actions arising from recent Environment and Green Investment Committee meetings and updates Members on the progress on compliance in delivering the necessary actions.

Minutes of the Committee Meeting Held on 13 October 2022

Minute No.	Agenda Item	Officer(s)	Action	Comments	Status
98.	Draft Interim Corporate Tree and Woodland Strategy	P Clark	Arrange workshop for Committee members to input into development of the final strategy next year.	A workshop will be organised shortly.	Action ongoing

Minutes of the Committee Meetings Held on 18 January 2024

Minute No.	Agenda Item	Officer(s)	Action	Comments	Status
180.	Business and Financial Plan 2024-2029	S French	Provide Members with a briefing note on documents recently published by Ofgem and the Department for Energy Security and Net Zero about speeding up grid connections to the distribution and transmission networks.	Awaiting update.	Action ongoing

181.	Annual Carbon Footprint Report 2022-23	S Wilkinson	Provide Members with a briefing note on whether the Council had considered using methane produced by landfill as a source of hydrogen for fuel.	A briefing was circulated to Members on 2 February 2024.	Action complete
182.	Corporate Performance Report (Quarter 2- 2023-24)	F Jordan	Provide Members with a breakdown of the individual recycling, reuse, composting and recovery rates, demonstrated as a combined rate in Performance Indicator 150b.	As outlined in the Performance Monitoring report on the Committee's agenda for the March 2024 meeting, the data is currently being collated and will be shared once that has been done.	Action ongoing

Low Carbon Heating Programme For Council Buildings

- To: Environment and Green Investment Committee
- Meeting Date: 14 March 2024
- From: Executive Director for Place and Sustainability
Executive Director for Finance and Resources
- Electoral division(s): Bar Hill, Cambourne, Littleport, Ramsey and Bury, Romsey, St Ives South and Needingworth, Whittlesey North, Whittlesey South, Wisbech East.
- Key decision: Yes
- Forward Plan ref: 2024/045
- Executive Summary: This report provides an update on the low carbon heating programme which is aimed to reduce carbon emissions from the Council's buildings. The report seeks approval to proceed with the next phase of the programme and to delegate authority for the procurement and contracting for the required works.
- Recommendation: The committee is recommended to:
- a) Agree to proceed with the projects, as set out in section 3.5 of this report; and
 - b) Delegate authority to the Executive Director of Finance and Resources, in consultation with the Chair and Vice-Chair of the Environment and Green Investment Committee to enter into grant agreements, and to award and execute the required contracts for the provision of design, consultancy services and construction services for the delivery of the programme.

Officer contact:

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1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1. Ambition 1: Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

This programme directly supports this ambition by cutting fossil fuel for heating and improving energy efficiency which reduces carbon emissions from buildings.

2. Background

- 2.1. The Council's annual carbon footprint report shows that heating of buildings with oil and gas accounts for the majority of the Council's direct carbon footprint from its own assets. These are known as Scope 1 emissions and are those that the Council has the greatest control over. It will not be possible to meet the Council's carbon reduction targets unless it replaces fossil fuel-based heating systems with low carbon alternatives.
- 2.2. Currently, the only technically feasible technologies for heating buildings from renewable sources are Air Source Heat Pumps (ASHPs) and Ground Source Heat Pumps (GSHPs). Air Source Heat Pumps work well even when the outside air temperature is very low. They are generally very reliable sources of heat and require very little maintenance. It is to be noted that whilst heat pumps do use electricity, they are very different to direct electric heating, in that the electricity is not the source of heat and so heat pumps are much more efficient. Heat pumps typically produce a heat output three to four times as much as the amount of electricity they use. Ground source heat pumps are considerably more expensive than air source heat pumps.
- 2.3. Within the Council's capital programme, an allocation has been made for the decarbonisation of its buildings; this is the Council's Decarbonisation Fund.
- 2.4. In July 2023, the Environment and Green Investment Committee approved revised investment criteria for the Decarbonisation Fund to enable the delivery of energy efficiency measures, solar PV installations and undertaking whole building retrofit works, alongside low carbon heating systems for Council buildings.
- 2.5. The current approved investment criteria for the Decarbonisation Fund are as follows:
- The site(s) are owned (either freehold or long-term leaseholds) and occupied by the Council;
 - The individual site is not planned to be sold, demolished or let out within the next five years (based on currently known and approved plans);
 - The proposed design must include a low carbon heating system such as air source/ water source/ ground source heat pumps. The heat demand of the building must be considered and heating systems sized appropriately to meet demand. Selection of air source heat pump models should consider the Seasonal Coefficient of Performance (SCOP) and those models with higher SCOPs are preferred, providing they meet other technical and practical requirements.

- The design may also include energy efficiency measures and upgrades to the fabric of the building (e.g. insulation, draught-proofing, LED lighting) or to other elements of the plumbing and heating system (e.g. radiators, controls), and/or on-site renewable energy generation (such as solar PV), where these are specifically recommended either in the site's Heat Decarbonisation Plan or in the site's Energy Performance Certificate (EPC) Advisory report or the Display Energy Certificate (DEC) Recommendation Report, and the measures demonstrate good value for money and energy savings.
- Design proposals must include information detailing the estimated financial costs of the works, current and expected energy usage, projected energy savings, projected operational cost savings or increases, and carbon reductions from the project;
- For sites where heating systems are at/nearing end of life and need to be replaced anyway, the Decarbonisation Fund will only pay for the additional capital cost over and above the cost of replacing with a like-for-like / comparable gas heating system.
- The Council buildings programme is expected to achieve a simple average payback of 20 years or better for the total portfolio investment, when taking into account the value of carbon. (Individual projects may exceed this as long as the average is maintained);
- If the capital cost contribution from the Decarbonisation Fund for any individual project for Council buildings decarbonisation is likely to be greater than £500,000, the business case will come forward to Environment and Green Investment Committee for approval. (Projects valued less than £500,000 may be approved by delegated authority to the Executive Director Finance and Resources, in consultation with the Executive Director Place and Sustainability and the Chair and Vice-Chair of the Committee);
- The total investment for the Decarbonisation Fund remains within the overall programme budget, taking into account committed projects at both council buildings and schools.

2.6. The government's Public Sector Decarbonisation Scheme (PSDS), administered by Salix Finance, offers grant funding to local authorities for heating decarbonisation projects. The grant application window usually opens once a year in Autumn and securing this funding helps extend the number of projects that the Council can implement. This scheme is extremely competitive. Nonetheless, the Council has been successful in securing around £3.4m of grant funding to date, contributing towards the cost of its low carbon heating programme for its own buildings. Separately, further grant funding was also awarded for some projects at schools.

2.7. Twenty-two projects were included in the Council's programme under phases 1 and 2 of the programme, between 2020-21 and 2022-23. All twenty-two sites have had low carbon systems installed to replace the old fossil fuel-based heating systems. Some sites have also required upgrades to the incoming electricity supply. These projects between them are expected to save around 357 tonnes of carbon emissions per year and reduce the Council's gas use by about one third. The total capital cost of these projects is forecast to

be £5.4m. This is funded through a combination of grants (approx. £3m) and the Decarbonisation Fund for Council buildings (which is funded through borrowing).

- 2.8. As part of the Council’s Climate Change and Environment Programme, two consultants were appointed to produce Heat Decarbonisation Plans for 40 more Council sites. These plans provide the information to assess the high-level feasibility and likely costs of installing low carbon heating and other energy efficiency and electricity generation measures at more sites in future.
- 2.9. The funding for the implementation of some of the Heat Decarbonisation Plans will come through a combination of further applications to grants and the remaining budget available (currently approximately £5.2m) for the Council buildings low carbon heating programme.
- 2.10. The Low Carbon Heating Programme is aligned with the proposed asset rationalisation proposals which were approved at Full Council in February 2024.
- 2.11. This report provides an update on progress to date on the low carbon heating programme and details of the next phase of the programme that is being planned for 2024-25 and 2025-26. This outlines which buildings have been selected for decarbonisation work and the estimated costs. The report also includes the level of Public Sector Decarbonisation Scheme grant applied for to part-fund the projects and the balance of costs that the Council will need to pick up via the existing Decarbonisation Fund. The overall outcome of the next phase of works is expected to deliver carbon savings of 178 tonnes CO₂e per year.

3. Main Issues

- 3.1. Programme Update: Three more projects (at St Neots Library, Tennyson Lodge and March Community Centre) are currently in progress on site at the time of writing. These projects are supported by phase 3b of the Public Sector Decarbonisation Scheme. The work for these projects will be mostly completed in 2023-24 and is being managed by Property Services.
- 3.2. Table 1 below provides a summary on the current projected cost of the programme and the level of external grant funding that has been secure. Appendix 1 provides a full list of sites included in the programme together with costs and carbon savings.

Financial Years	PSDS Grant funding received for Council buildings (£)	Decarbonisation Fund net expenditure for Council buildings (excluding grant funded portion) (£)	Total costs (£)
2020-21 to 2022-23 actual	3,036k	1,958k	4,994k
2023-24 forecast	360k	994k	1,354k
Total to date	3,396k	2,953k	6,348k

Table 1

- 3.3. There is currently approximately £5.2m left in the Decarbonisation Fund that is not yet allocated and available for more projects at County Council buildings. As of January 2024,

there were still 26 Council buildings heated by gas and 3 using oil, that do not already have a project in progress. This only includes buildings for which the Council is the energy bill payer. It does not include the commercial estate or schools.

3.4. Next phase of the programme: The Council submitted an application for phase 3c of the Public Sector Decarbonisation Scheme during the application window in November 2023, for funding towards the costs of low carbon heating systems and other energy efficiency measures (where appropriate) at 9 sites. In February 2024, the Council was notified by Salix that this grant application was successful and a Grant Offer Letter was issued. The projects specified in the grant application would be implemented over two financial years during 2024-25 and 2025-26, with design work commencing from April 2024 and the majority of physical works on site to take place in the Spring and Summer of 2025.

3.5. The projects included in the grant application, and estimated costs, are as follows:

Site	Measures included in proposed project	Estimated annual carbon savings (tCO ₂ e)	Estimated total project costs (£)	Grant value (£)	CCC 'Decarbonisation Fund' contribution (£)
Horizon Resource Centre, Cambridge	ASHPs, roof insulation, wall insulation, electricity supply upgrade	81.21	1,417,404	553,548	863,856
Whittlesey Youth Centre (Scaldgate)	ASHPs, roof insulation, wall insulation, solar PV, electricity supply upgrade	14.42	661,968	107,052	554,916
Ramsey Youth Centre (Ailwyn)	ASHPs, roof insulation, wall insulation, LED lighting, solar PV	8.02	552,796	64,716	488,080
Whittlesey Branch Library	ASHPs, roof insulation, wall insulation, double glazing, LED lighting, solar PV	13.89	531,843	113,368	418,475
Awdry House, Wisbech	ASHPs	10.22	396,851	66,400	330,451
Sackville House, Cambourne	ASHPs, LED lighting	34.59	551,329	224,831	326,497
Bar Hill Branch Library	ASHPs, double glazing, solar PV	9.43	381,572	64,270	317,303

Site	Measures included in proposed project	Estimated annual carbon savings (tCO ₂ e)	Estimated total project costs (£)	Grant value (£)	CCC 'Decarbonisation Fund' contribution (£)
St Ives Branch Library	ASHPs	2.75	267,419	17,846	249,573
Littleport Branch Library	ASHPs, roof insulation	3.91	277,108	32,520	244,588
TOTAL		178.44	5,038,291	1,244,550	3,793,741

- 3.6. The sites were chosen because they were among the highest carbon emitting sites owned and occupied by the Council, that met the Decarbonisation Fund criteria, after ruling out those sites not eligible for the PSDS grant under the grant scheme rules. The proposed site list also excluded those sites where the long-term future of the Council's occupation was uncertain. The measures to be included were selected based on the recommendations in the site's Heat Decarbonisation Plan, and the property's latest condition survey. However, the programme will be reviewed further to ensure that it does align with the Council's asset strategy before we finalise the commitments to enter into these projects.
- 3.7. The grant value is the maximum that the project would be eligible for under the scheme rules. This is based on a combination of the potential carbon savings, and the difference in costs compared to equivalent like-for-like costs of boiler replacement. The estimated total project costs are estimated based on a combination of the site Heat Decarbonisation Plans, experience of previous similar projects, and allowing for inflation and contingency sums. Final exact costs will not be known until the design work is completed and the projects put out to tender. For the combination of these nine sites, the maximum grant value would cover about 25% of the estimated total project costs. These allocations also allow for a contingency amount.
- 3.8. The overall programme across all Council sites is still within the agreed payback criteria (as set out in paragraph 2.5) for the Decarbonisation Fund. With the nine new proposed projects proposed, the portfolio payback is currently estimated at 17 years (including the value of carbon savings and based on the differential costs compared to replacing like for like with fossil fuel heating). If the value of carbon was not considered, then the projects may not pay back within 25 years. This is based on actual gas and electricity prices for 2020 to 2023 and forecast prices from ESPO for 2024 and from the Treasury Green Book for 2025 onwards. The payback period is dependent on the relative prices of gas and electricity and is likely to improve in future as gas and electricity prices are rebalanced.
- 3.9. The Decarbonisation Fund funding is included in the proposed business plan and capital budgets for 2024-25 and 2025-26.
- 3.10. Procurement implications: All project works will be carried out using an existing framework, likely to be the Eastern Shires Purchasing Organisation (ESPO) framework no.2664 for the design/consultancy work, and the Council's own property minor works

framework for the construction work. The most appropriate framework will be selected by the Property team on a case-by-case basis, depending on the size and nature of each project. The property framework is used for general minor construction works and mechanical/electrical work. This requires a secondary competition to award a contract, which ensures value for money.

- 3.11. The design work and project management and consultancy requirements will be procured using an existing framework in advance to enable the programme to be delivered (without obligation to appoint). This will enable the Council to have a design consultant appointed by April 2024, and enable swift progression with the projects, in line with the programme required in the grant conditions. Design work would need to start around April 2024 to keep on track with the timetable required by Salix in the terms of the grant offer, so the Council would preferably need to be ready to appoint a design consultant in April, having already gone through tender evaluation by then.
- 3.12. The proposed timetable for the new phase of projects is as follows:
- November 2023 – submit grant application – complete
 - February 2024 – notification of grant offer - received
 - February to March 2024 – complete preparations to start work in 2024-25 (including securing all required approvals and tender and evaluation for design consultant)
 - April to August 2024 – site surveys followed by detailed designs.
 - September to November 2024 – procurement of construction phase contractor
 - December 2024 – construction contractor appointed, and orders placed.
 - January to March 2025 – lead time for equipment and electricity supply upgrade applications
 - April to October 2025 – construction works on site (most sites – some may be done earlier)
 - October / November 2025 – final commissioning
 - 31 March 2026 – last date for all grant money to be spent.
- 3.13. Engagement and communications implications. The Council's Energy and Property FM teams have worked together to identify a list of properties to bring forward projects to replace oil or gas heating with air source heat pumps. The project teams have worked closely with building users to co-ordinate works at the sites where projects are taking place. The oversight for the Low Carbon heating Programme is provided through this committee and assurance shall also be provided to the Assets and Procurement Committee given the link to the development of the Council's asset strategy.
- 3.14. Public Health Implications. There are no significant implications within this category. However, reducing the Council's carbon footprint and helping to mitigate climate change has public health benefits in the long term.

4. Alternative Options Considered.

- 4.1. If we do nothing, then the Council will not be able to meet its climate target of net zero by 2030 for scope 1 and 2 carbon emissions.

- 4.2. Various other sites were considered but ruled out as they were not eligible for the public sector decarbonisation scheme grant (for example, they did not have a Heat Decarbonisation Plan, or the existing fossil fuel heating system was less than 10 years old) or other reasons (for example, the Property team were uncertain about the site's long-term future).
- 4.3. The PSDS 3c grant offer is specific to the sites and measures included in the application, so it would not be possible to add different sites into this phase programme, although it would be theoretically possible to reduce the programme and take out some sites or measures (with partial loss of grant) if necessary.
- 4.4. If the grant application had not been successful, that would have provided an opportunity to review the site list in the programme and the prioritisation of the Decarbonisation Fund. For example, we could consider sites that were not eligible for the grant, or sites that were uncertain at the time of the grant application could be added back in if their future occupation by the Council becomes more certain, once the Property Asset Strategy is finalised. Alternatively, the programme could be delayed until 2025-26 and another grant application made in Autumn 2024 (if and when further grant rounds are announced).

5. Conclusion and reasons for recommendations

- 5.1 Further investment in decarbonisation of heating systems is recommended in order to meet the Council's decarbonisation ambitions and specifically the target to reduce scope 1 and 2 emissions to net zero by 2030. The next phase of the low carbon heating programme will make a significant contribution to this ambition, whilst the external grant funding will provide part of the funding to enable those works. This programme aligns closely with the Council's asset disposal strategy (which in itself reduces the Council's total carbon emissions) to ensure that any remaining assets are decarbonised to achieve Net Zero.

6. Significant Implications

6.1 Finance Implications

The financial implications are set out in the report above in paragraphs 3.2 to 3.9.

6.2 Legal Implications

All building works will need to comply with Building Regulations and relevant Health and Safety legislation. Procurement and contractual matters are detailed in the report above in paragraphs 3.10 to 3.12.

6.3 Risk Implications

All building works will need to comply with Building Regulations, Health and Safety legislation and policies, and Property's pending Asset Strategy and Corporate Landlord Model.

6.4 Equality and Diversity Implications

Access to some buildings by staff and service users may, for some of the projects, be temporarily restricted whilst works on site are taking place. This could include temporarily closing buildings or relocating access routes, workspaces and services to other parts of the building or other buildings. Alternative plans will be put in place where required to ensure staff and service users with protected characteristics are not negatively impacted.

A completed Equality, Impact Assessment (EqIA) form is attached at Appendix 2 to this report.

6.5 Climate Change and Environment Implications

This programme will directly help to deliver energy efficient, low carbon buildings. The projects will enable more low carbon heating systems (such as air source heat pumps), energy efficiency measures (such as LED lighting, insulation, heating system controls) and renewable energy generation (such as rooftop solar PV) to be installed.

7. Source Documents

None.

Appendix 1 – Previous and Current Project List

Site	Project status	Forecast total capital cost	Grant funded	Forecast carbon savings (tCO ₂ e/year)
33 Haviland Way	Finished	£ 183,872	38%	16.5
78 Victoria Road	Finished	£ 118,239	47%	8.3
Bargroves Resource Centre	Finished	£ 386,212	56%	30.2
Cottenham Library	Finished	£ 76,807	53%	3.0
Ely Branch Library	Finished	£ 273,648	28%	6.1
Hereward Hall	Finished	£415,576	74%	22.1
Huntingdon Community Centre	Finished	£ 356,227	76%	32.8
Huntingdon Library	Finished	£ 400,196	26%	14.9
Larkfield Resource Cent	Finished	£ 524,369	75%	41.3
Scott House	Finished	£ 505,985	27%	19.8
Victoria Lodge	Finished	£ 129,123	32%	12.2
Woodland Lodge	Finished	£ 325,072	27%	15.5
Burwell House	Finished	£ 580,706	60%	24.1
Roger Ascham	Finished	£ 97,962	50%	5.0
Cambridge Central Lib	Finished	£ 376,896	85%	43.7
Chatteris Library	Finished	£ 95,223	85%	8.3
March Library	Finished	£ 90,066	137%	13.8
Ramsey Library	Finished	£ 77,582	92%	7.8
Shortsands Day Centre	Finished	£ 92,348	100%	13.3
Stanton House	Finished	£ 141,657	98%	20.4
Wisbech Library	Finished	£ 51,697	42%	3.2
Bassingbourn preschool	Finished	£ 44,917	0%	7.4
March Community Cen	In progress	£ 410,502	36%	32.8
St Neots Library	In progress	£ 259,422	36%	14.3
Tennyson Lodge	In progress	£ 313,845	37%	18.0

EQUALITY IMPACT ASSESSMENT - CCC582959172

Which service and directorate are you submitting this for (this may not be your service and directorate):

Directorate	Service	Team
Finance and Resources	Property, Facilities Management and Building Compliance	Property Services

Your name: Sarah Wilkinson

Your job title: Carbon and Energy Manager

Your directorate, service and team:

Directorate	Service	Team
Place and Sustainability	Climate and Energy Services	Climate and Energy Staffing Budgets

Your phone: 01223729157

Your email: Sarah.Wilkinson@cambridgeshire.gov.uk

Proposal being assessed: Low carbon heating programme for council buildings, phase 3c

Business plan proposal number: n/a

Key service delivery objectives and outcomes: The Council's annual carbon footprint report shows that heating of buildings with oil and gas accounts for the majority of the Council's direct carbon footprint from its own assets. These are known as Scope 1 emissions and are those that the Council has the greatest control over. It will not be possible to meet the Council's carbon reduction targets unless it replaces fossil fuel based heating systems with low carbon alternatives. The Council's Climate Change and Environment Strategy includes the target to reach net zero for scope 1 and 2 emissions by 2030. This programme directly supports this ambition by cutting fossil fuel for heating and improving energy efficiency which reduces carbon emissions from buildings. Currently, the only technically feasible technologies for heating buildings from renewable sources are Air Source Heat Pumps (ASHPs) and Ground Source Heat Pumps (GSHPs). Within the Council's capital programme an allocation has been made for the decarbonisation of its buildings; this is the Council's Decarbonisation Fund. The overall outcome of the next phase of works is expected to deliver carbon savings of 178 tonnes CO₂e per year.

What is the proposal: This report provides an update on progress to date on the low carbon heating programme and details of the next phase of the programme that is being planned for 2024-25 and 2025-26. This outlines which buildings have been selected for decarbonisation work and the estimated costs. The report also includes the level of Public Sector Decarbonisation Scheme grant applied for to part-fund the projects and the balance of costs that the Council will need to pick up via the existing Decarbonisation Fund. The Council submitted an application for phase 3c of the Public Sector Decarbonisation Scheme during the application window in November 2023, for funding towards the costs of low carbon heating systems and other energy efficiency measures

(where appropriate) at 9 sites. The outcome of the grant application is unknown at the time of writing and not expected to be confirmed until March 2024, although informal conversations with Salix have suggested that we may be informed sooner than that. If successful, the projects would be implemented over two financial years during 2024-25 and 2025-26, with design work commencing from April 2024 and the majority of physical works on site to take place in the Spring and Summer of 2025. The projects included in the grant application are as follows: Site Measures included in proposed project Horizon Resource Centre, Cambridge ASHPs, roof insulation, wall insulation, electricity supply upgrade Whittlesey Youth Centre (Scaldgate) ASHPs, roof insulation, wall insulation, solar PV, electricity supply upgrade Ramsey Youth Centre (Ailwyn) ASHPs, roof insulation, wall insulation, LED lighting, solar PV Whittlesey Branch Library ASHPs, roof insulation, wall insulation, double glazing, LED lighting, solar PV Awdry House, Wisbech ASHPs Sackville House, Cambourne ASHPs, LED lighting Bar Hill Branch Library ASHPs, double glazing, solar PV St Ives Branch Library ASHPs Littleport Branch Library ASHPs, roof insulation

What information did you use to assess who would be affected by this proposal?: The Low Carbon Heating Programme is aligned with the proposed asset rationalisation proposals which are planned to be approved at Full Council in February 2024. However, the programme will be reviewed further to ensure that it does align with the Council's asset strategy before we finalise the commitments to enter into these projects. The sites were chosen because they were among the highest carbon emitting sites owned and occupied by the Council, that met the Decarbonisation Fund criteria, after ruling out those sites not eligible for the grant under the grant scheme rules. The proposed site list also excluded those sites where the long term future of the Council's occupation was uncertain. The measures to be included were selected based on the recommendations in the site's Heat Decarbonisation Plan, and the property's latest condition survey. The estimated total project costs are estimated based on a combination of the site Heat Decarbonisation Plans, experience of previous similar projects, and allowing for inflation and contingency sums. Final exact costs will not be known until the design work is completed and the projects put out to tender. The Council's Energy and Property FM teams have worked together to identify a list of properties to bring forward projects to replace oil or gas heating with air source heat pumps. The project teams have worked closely with building users to co-ordinate works at the sites where projects are taking place. If we do nothing then the Council will not be able to meet its climate target of net zero by 2030 for scope 1 and 2 carbon emissions. Various other sites were considered but ruled out as they were not eligible for the public sector decarbonisation grant (for example, they did not have a Heat Decarbonisation Plan, or the existing fossil fuel heating system was less than 10 years old) or other reasons (for example, the Property team were uncertain about the site's long term future).

Are there any gaps in the information you used to assess who would be affected by this proposal?: No

Does the proposal cover: Specific teams, All service users/customers/service provision in specific areas/for specific categories of user

Which particular employee groups/service user groups will be affected by this proposal?: Staff and service users based at or using the 9 sites listed above.

Does the proposal relate to the equality objectives set by the Council's EDI Strategy?:No

Will people with particular protected characteristics or people experiencing socio-economic inequalities be over/under represented in affected groups: Don't know

Does the proposal relate to services that have been identified as being important to people with particular protected characteristics/who are experiencing socio-economic inequalities?: No

Does the proposal relate to an area with known inequalities?: Don't know

What is the significance of the impact on affected persons?: Access to some buildings by staff and service users may, for some of the projects, be temporarily restricted whilst works on site are taking place. This could include temporarily closing buildings or relocating access routes, workspaces and services to other parts of the building or other buildings. Alternative plans will be put in place where required to ensure staff and service users with protected characteristics are not negatively impacted.

Category of the work being planned: Project

Is it foreseeable that people from any protected characteristic group(s) or people experiencing socio-economic inequalities will be impacted by the implementation of this proposal (including during the change management process)?: Yes

Please select: Age, Disability, Socio-economic inequalities

Research, data and /or statistical evidence: Information on the location and use of the buildings. All building users (incl staff and service users / public) considered. However detailed plans for each building have not been made yet as this is currently an outline proposal pending funding. If approved, more detailed plans and consultations with building users will take place prior to works on site. This will be done in the same way that the property team do this for any other work on the buildings that could cause disruption.

Consultation evidence: The Council's Energy and Property FM teams have worked together to identify a list of properties to bring forward projects to replace oil or gas heating with air source heat pumps. The project teams have worked closely with building users to co-ordinate works at the sites where projects are taking place at previous similar projects and will do the same again for these projects if they go ahead.

Based on all the evidence you have reviewed/gathered, what positive impacts are anticipated from this proposal?: Improvements to the heating systems at these buildings.

Based on consultation evidence or similar, what negative impacts are anticipated from this proposal?: Access to some buildings by staff and service users may, for some of the projects, be temporarily restricted whilst works on site are taking place. This could include temporarily closing buildings or relocating access routes, workspaces and services to other parts of the building or other buildings.

How will the process of change be managed?: Alternative plans will be put in place where required to ensure staff and service users with protected characteristics are not negatively impacted.

How will the impacts during the change process be monitored and improvements made (where required)?: Regular meetings between property team, consultants/contractors and building users.

Equality Impact Assessment Action Plan:

Details of negative impact (e.g. worse treatment/outcomes)	Groups affected	Severity of impact	Action to mitigate impact with reasons/evidence to support this or justification for retaining negative impact	Who by	When by
Potential for temporary restricted access to some buildings, not yet confirmed. 	Age, Disability, Socio-economic inequalities	Low	alternative facilities provided temporary heating where needed regular meetings and updates timing of works 	Property team project manager	14/04/2024

Head of service: Sheryl French

Head of service email: sheryl.french@cambridgeshire.gov.uk

Confirmation: I confirm that this HoS is correct

Cambridgeshire's Policy and Protocol for Enforcement Action under the Land Drainage Act 1991

To: Environment and Green Investment Committee

Meeting Date: 14 March 2024

From: Executive Director for Place and Sustainability

Electoral division(s): All

Key decision: No

Forward Plan ref: Not Applicable

Executive Summary: The Council's Flood Risk Enforcement Policy was adopted in March 2013. The policy sets out the criteria for enforcement intervention and the principles of regulation and enforcement. Given that the document is over the years old, the policy has been refreshed and updated to ensure it is up to date and still fit for purpose. The committee is asked to agree the 'Policy and Protocol for Enforcement Action under the Land Drainage Act 1991', to ensure officers can operate effectively and transparently to an agreed management policy.

Recommendation: The committee is recommended to:

Adopt the Policy and Protocol for Enforcement Action under the Land Drainage Act 1991, attached at Appendix 1 of this report.

Officer contact:

Name: Hilary Tandy
Post: Flood Risk Manager
Email: hilary.tandy@cambridgeshire.gov.uk

1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 Ambition 1: Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

As the climate changes, the risk of flooding increases and the need to ensure proper maintenance of watercourses becomes even more important. The updated policy sets out a framework for educating those with a responsibility for watercourse maintenance to help deter them from wrongdoing that may increase the risk of flooding to other people.

- 1.2 Ambition 4: People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs.

The consequences of flood risk impact on everyone, particularly the most vulnerable in society. The updated policy provides the framework for reducing flood risk through enforcement. The policy means the Council takes responsibility for its decisions and will justify them where appropriate.

2. Background

- 2.1 Cambridgeshire's Flood Risk Enforcement Policy (v1.1, attached at Appendix 2) was adopted by the Cabinet in March 2013. The aim of the policy was to:

- Clarify the Council's approach to flood risk management
- Define the criteria for enforcement intervention
- Explain the Council's principles for regulation and enforcement
- Explain the Council's flood risk enforcement process

- 2.2 The policy was to be read in conjunction with the 'Flood Risk Enforcement Process' which was appended to the policy.

- 2.3 The Council's enforcement powers, which derive from Sections 23, 24 and 25 of the Land Drainage Act 1991, were transferred to the Council in 2010 following the implementation of the Flood and Water Management Act 2010. Whilst these powers have not changed since the policy was adopted in 2013, knowledge and understanding of Cambridgeshire's water environment has advanced and the Council has much greater experience of dealing with contraventions than it did in 2013. The updated policy takes account of this experience (and that of neighbouring authorities) to ensure it is fit for purpose and accords with the Council's ambition to create a greener, fairer and more caring Cambridgeshire.

- 2.4 As with the previous policy, the approach is to educate those with a responsibility for watercourse maintenance, including landowners, developers, farmers, homeowners and businesses, to enable compliance. The desired outcome is always to ensure compliance through discussions and negotiations but where the Council is unable to make progress through these means, it will need to take actions to ensure that lives, properties and land are not put at undue risk. Such actions may include the serving of work's notices, prosecution or the Council carrying out remedial works itself. The document has been

updated to ensure the policy supports officers to work in a way that, wherever possible, achieves good outcomes at every point prior to formal action.

3. Main Issues

3.1 Key elements of the updated policy are set out below.

3.2 Criteria for Enforcement Intervention

- The policy sets out the definition of 'enforcement' to mean any action the Council takes where it suspects an offence has occurred, or in some cases is about to occur. It also defines what is meant by 'remedial works' which the Council may be requiring landowners to undertake.
- An initial assessment process is outlined, which will enable the officer to establish whether a contravention meets the threshold for intervention.
- The updated policy outlines that there may be occasions where it is necessary to select initial assessments judiciously, such as during a major flood incident as occurred in December 2020.
- Unlike the previous policy, examples of contraventions have been included in the updated policy (section 3.2) to provide clarity on what may lead to enforcement action being taken.
- There is often an assumption that 'enforcement' means taking legal action, however this is not always the case. Instead, the Council will take a risk based and proportionate approach to choosing which enforcement action(s) to take. The new policy sets out the definitions of 'informal' action and 'formal' action. The experience of the Lead Local Flood Authority over the 14 years since the enforcement powers were transferred to the Council is that most contraventions can be resolved through informal action. However, it is recognised that this will not always be the case so formal action such as the issuing of notices, direct remedial action and prosecution remain an option (section 3.3).

3.3 Principles of Regulation and Enforcement

- This section explains how the Council must take account of the Regulator's Compliance Code, including the aim to change the behaviour of the offender, to be responsible and consider what is appropriate for the offender/issue and be proportionate to the nature of the offence and harm caused.
- The principles of firm but fair regulation are outlined, including proportionality, consistency, transparency and accountability. To aid transparency and consistency, formal enforcement letter templates have been appended to the policy. It should be noted however that informal letter templates have not been appended, as these are tailored to the individual case.

3.4 Flood Risk Enforcement Process

- A clear process for enforcing under the Land Drainage Act 1991 has been included as an appendix to the policy. This provides a greater level of detail than the existing policy and distinguishes between high and low impacts on water quality, flow and flood risk, based on officers' professional judgement

3.5 More general updates to the policy include:

- Utilising the Council's most up to date document templates and accessibility requirements.
- Addition of a glossary of terms as it is recognised that terminology related to flood risk can often be confusing.
- A full review of the updated policy and enforcement process has been undertaken by Pathfinder Legal Services.

3.6 The Flood Risk team recently dealt with an enforcement case that was raised up to the Ombudsman. The Ombudsman found in the Council's favour that due processes had been correctly followed. The Council wants to ensure these processes are formalised into the new policy. As part of the review, the policy was cross-referenced with policies from surrounding Local Authorities including Norfolk County Council, Central Bedfordshire Council and Leicestershire County Council, which had been updated in the twelve months prior to commencing the Cambridgeshire County Council's update. These had also been through a full legal review/approval process.

4. Alternative Options Considered

4.1 The alternative option that has been considered is to 'do nothing' and continue with the flood risk enforcement policy as currently adopted. This was not considered appropriate, as the existing policy has been in place for over ten years without review. It would result in the continuation of outdated procedures in relation to flood risk enforcement and would not take account of changes in processes and experience gained by the Lead Local Flood Authority since its establishment in 2010.

5. Conclusion and reasons for recommendations

5.1 To have an up-to-date flood risk policy that is reflective of legislation, professional experience of officers and knowledge of flood risk in Cambridgeshire will ensure the Council can help prevent unnecessary flooding resulting from unconsented changes to watercourses across the county.

6. Significant Implications

6.1 Finance Implications

There are no significant risks arising from the proposed recommendations in this report.

6.2 Legal Implications

The Flood and Water Management Act 2010 requires the Council to manage flooding from Ordinary Watercourses, amongst other duties. The updated policy has been reviewed in full and approved by Pathfinder Legal Services.

6.3 Risk Implications

There are no significant risks arising from the proposed recommendations in this report.

6.3 Equality and Diversity Implications

An Equality Impact Assessment, attached at Appendix 3, has been undertaken which determined there are no significant risks arising from the proposed recommendations in this report.

7. Source Documents

7.1 The following documents have supported the development of the updated policy:

- Buckinghamshire Land Drainage Enforcement Policy - [Buckinghamshire Council Land Drainage Enforcement Policy | Buckinghamshire Council](#)

The policies of Central Bedfordshire Council and Leicestershire Council were also used but these are not available online at this time. Copies are held on the Council's network and can be viewed on request.

Policy and Protocol for Enforcement Action under the Land Drainage Act 1991 – Cambridgeshire County Council

DRAFT

Produced by the Lead Local Flood Authority

Version 1.0

January 2024

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1 Statement and Aims

Cambridgeshire County Council is a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act (2010).

Our Flood Risk Enforcement Policy aims to:

- Clarify our approach to flood risk management
- Define the criteria for enforcement intervention
- Explain our principles for regulation and enforcement
- Explain our flood risk enforcement process

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2 Introduction

2.1 Background and Legislative Framework

This document is provided in the context of specific requirements arising from the [Flood and Water Management Act 2010](#) the [Land Drainage Act 1991](#), and Objective 2 of the Cambridgeshire Flood Risk Management Strategy

Cambridgeshire County Council (CCC) is the [Lead Local Flood Authority](#) (LLFA) for the county. Under the Land Drainage Act 1991, the LLFA has permissive powers for consenting and enforcement of [Ordinary Watercourses](#), collectively referred to as Watercourse Regulation.

This policy is to be used by officers of Cambridgeshire County Council where there is [an impediment](#) to an Ordinary Watercourse, outside of the Internal Drainage Board [rateable areas](#), which is likely to cause harm.

Officers hold enforcement powers derived from sections 14A, 21, 23, 24 and 25 of the Land Drainage Act 1991, and powers of entry onto land for enforcement purposes derived from section 64 of the Land Drainage Act 1991. Please see **Table 1**:

Section 14A	Permissive power for a local authority to perform works for the prevention or mitigation of flood risk.
Section 21	Permissive power to serve notice on persons to repair or maintain Ordinary Watercourses, bridges, or drainage work.
Section 23	Permissive power to consent works which affect the flow of Ordinary Watercourses.
Section 24	Permissive power to serve notice requesting the removal of structures or rectification of alterations to a watercourse which have not received consent under Section 23 of the same act.
Section 25	Permissive powers to serve notice on persons requiring them to carry out necessary works to maintain the flow of any watercourse, and the power to carry out works in default and recover its reasonable expenses should the riparian owner fail to carry out their responsibility.
Section 64	Permissive power to enter any land for the purposes of carrying out their functions under the Act and to survey any land and inspect the condition of drainage works on it.

Table 1: Officers Permissive Powers

2.2 Our Approach

Cambridgeshire County Council takes a risk-based approach to managing flooding. This approach ensures that our response to any contravention of the legislation will be proportionate to the flood risk issues faced at the location.

For the Council to prevent unnecessary flooding we reserve the right to take enforcement action where the Council considers that an Ordinary Watercourse is in such a condition that the proper flow of water is impeded, and that this impediment is

causing or is likely to increase the risk of flooding to surrounding land and/or properties.

Any enforcement action will be proportional to the risk and the public interest.

This risk assessment may exclude those cases of nuisance caused by water, which should be dealt with under [civil nuisance](#) legislation directly between landowners.

Officers may also take into consideration the welfare of vulnerable residents in their approach to enforcement and decisions on the method and level of intervention to pursue.

The level of increase in flood risk is at the discretion of the Council having taken into account factors such as the risk of surface water flooding data, local knowledge, planning considerations. While flooding may exist, its severity may not warrant the taking of action but that does not prejudice the Council from acting later should the flooding, or damage caused by this, become more severe.

Where the Council is made aware of potential breaches to other legislation during an assessment, the appropriate authorities will be informed.

2.3 Our Target and Desired Outcome

In line with Cambridgeshire County Council's core objectives and values, our general approach is to educate landowners, residents, developers, farmers and businesses to enable compliance.

In the first instance, after being informed of a possible contravention, the council will seek to gain the landowners' informal co-operation in ensuring they are aware of their rights and responsibilities and that appropriate remedial works take place.

The desired outcome is always to ensure compliance through discussions and informal negotiations.

2.4 Principles

Underlying our commitment to regulation under the Land Drainage Act 1991 are the principles of:

- Proportionality in the application of the law and in securing compliance
- Consistency of approach
- Transparency about how the Council operates and what those we regulate may expect from us
- Targeting of enforcement action, and accountability for the enforcement action taken

3 Our Criteria for Enforcement Intervention

3.1 Definition

For the purpose of this statement **ENFORCEMENT** means any action the council takes where we suspect an offence has occurred, or in some cases is about to occur.

This may range from providing advice and guidance, serving notices, through to prosecution, or any combination that best achieves compliance.

REMEDIAL WORKS on a watercourse means works for protecting or for cleansing it, removing any matter which impedes the flow of water, or otherwise putting it in proper order. The extend of the work required will be proportionate to the scale of the problem.

3.2 Criteria for Intervention

On becoming aware of any contravention, the Council will carry out an initial assessment to establish whether the actual or potential flood risk meets the [threshold](#)¹ for intervention. Officers will undertake an investigation to establish the following:

Key Factors	Identity of the offender
	Location of the contravention
	Type of contravention
	Impacts of the contravention
Supporting Data	Flood prone areas from data held on the Council's flood investigation records
	Any available historic data or evidence of internal property flooding at or in the vicinity of that location
	Any indicators of potential risk, such as the Environment Agency Flood Risk Maps
	Information identified in the strategies and plans of other risk management authorities.
	Any other status of land, e.g., conservation designations, common land etc.

Table 2: Initial investigation factors and data

Following a major flood event the Council may choose to investigate some of these incidents if they re-occur. However in the event of a major flood incident occurring it

¹ Under *Section 19* of the Flood and Water Management Act 2010, the County Council investigates flood incidents that meet the threshold set out in our [Cambridgeshire Flood Risk Management Strategy](#)

will be necessary to prioritise incidents so that they meet the strict criteria for a formal flood investigation.

Contraventions that may lead to enforcement action being taken include, but are not limited, to:

- The failure to repair or maintain watercourses, bridges, culverts, or drainage works by the body or person with responsibilities to maintain the channel, also referred to as '*neglect*'
- Diversion of a watercourse for any reason
- Impediments, stopping up or other obstruction of the proper flow of water
- [Un-consented works](#)²

Where works are found to be un-consented the Council may require the landowner, person and/or persons responsible to prove that the un-consented works would not cause a nuisance or increase flood risk. Officers will also apply their own professional consideration of the likely harm or flood risk too. If this is not achievable enforcement action may be taken.

In some cases, the available evidence that would lead to successful enforcement action may be insufficient to meet the requirements to take enforcement action as set out in the Land Drainage Act 1991. In situations such as this, the Council will decide whether a case can be closed. A case may be re-opened pending the receipt of further, satisfactory evidence (e.g., photographs of a flood event/impact with date stamp or detailed historic records).

Where the council are unable to take action, a landowner may also be advised of their right to take their own private or civil action.

3.3 Enforcement Actions

The Council will take a risk based and proportionate approach to choosing which enforcement action(s) to take.

This will consider whether there has been a flood incident related to the contravention, the impact, scale and duration of any flood incident, and/or whether the contravention significantly increases the likelihood of a flood incident occurring.

Informal Action Informal action will be the normal means of securing compliance with legislation, except where more formal courses of action are warranted. Where it is considered remedial works are needed, the Council will inform and advise individuals of their riparian ownership and responsibility for ensuring flow. Informal action includes (but is not limited to):

² *Un-consented works* refers to any works carried out without Consent under Section 23 of the Land Drainage Act 1991, circumstances for un-consented works could include,

- a Consent application was refused but works were still carried out,
- a Consent application was approved but the works undertaken were not in accordance with the conditions of the Consent,
- no application for Ordinary Watercourse Land Drainage Consent was made.

It is not possible to provide retrospective Consent for un-consented works. [Cambridgeshire's Culvert Policy](#)

- Site visits and face to face advice meetings
- Sending of advisory letters
- Negotiating agreements between complainants and other residents or businesses
- Sending of warning letters and advising the responsible party that they must contact the case officer to discuss the matter or carry out the necessary maintenance works within a specified time (e.g., 14 days for contact; 28 days for works, 8 weeks for complex works)

It is generally considered appropriate to take informal action where the act or omission is not serious enough to warrant statutory enforcement, where there is a reasonable expectation that informal action will achieve compliance with the Land Drainage Act 1991 and any other statutory requirements, and where the consequence of non-compliance is unlikely to pose an unacceptable increase in risk.

Letters setting out the informal action that needs to be taken will be written at the discretion of the Case Officer and be proportionate to the level of risk. The Council will promote consistency in this correspondence through sharing of example text and training of Officers.

Formal Action

Formal notices will normally be served where the informal action required has not been actioned and achieved compliance, where there is lack of confidence that the individual/company will respond to the informal approach, where there is a history of non-compliance with informal action, and/or the consequences of non-compliance could be potentially serious to the health and safety of the public.

Formal action includes (but is not limited to):

- Issuing of Notices to enforce, prohibit or carry out works to an acceptable standard, and the date by which the works should be completed
- Direct remedial action carried out as necessary to comply with the notice (work in default), plus recharge of costs of remedial action
- Prosecution and reclaiming costs of prosecution

The Council may also issue press releases and other publicity relating to offences and offenders, proportionate to the flood risk, which could serve to draw attention to the need to comply with the law, or deter anyone tempted to act in a similar manner.

Where possible the Council will endeavour to find the most cost-effective solution in setting out the remedial works required when informal action is taken or a notice is served under s.21 LDA 1991 to resolve the nuisance or flood risk or s.25 LDA 1991 as applicable.

4 Principles of Regulation and Enforcement

4.1 Penalty Principles

We expect full voluntary compliance to Sections 23, 24 and 25 of the Land Drainage Act 1991. However, when considering the appropriate course of action to ensure compliance we aim to follow the Macrory Penalty Principles which are set out in the Regulators' Compliance Code. These state that enforcement should:

- Aim to change the behaviour of the offender
- Aim to eliminate any financial gain or benefit from non-compliance
- Be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction
- Be proportionate to the nature of the offence and the harm caused
- Aim to restore the harm caused by regulatory non-compliance, where appropriate
- Aim to deter future non-compliance

Where the Council has been compelled to undertake works on behalf of the responsible party manage flood risk and comply with the notice, we will seek to recover the following costs from the responsible party

- Officer costs including time and mileage costs associated with the investigations and eventual works
- Legal costs
- Full costs for undertaking the works including labour, materials, equipment and services
- Full contractual costs for consultants and contractors hired to provide evidence during the investigation

4.2 Regulators Compliance Code

The Council must take account of the provisions in the Regulators' Compliance Code (2014) when devising and implementing regulatory policies and systems. However, those provisions do not apply directly to individual cases.

The requirements of the Code do not apply in certain situations, for example:

- Where it is necessary to respond immediately to either prevent or respond to a serious breach or incident
- Where following the provisions would defeat the purpose of the proposed enforcement action
- Where there are reasonable grounds to suspect that a serious criminal offence has been committed, in particular where such offending would have a damaging effect on legitimate business and desirable regulatory outcomes

4.3 Principles of firm but fair regulation

The Council believes in firm but fair regulation. Underlying our commitment to firm but fair regulation are the principles of:

- Proportionality in the application of the law and in securing compliance
- Consistency of approach
- Transparency about how we operate and what those we regulate may expect from us
- Targeting of enforcement action
- Accountability for the enforcement action we have taken

Proportionality

Any enforcement action the council takes will be proportionate to the risks posed to people and the environment and to the seriousness of the breach of the law and its impact on the lives of the communities with the County.

Consistency

Having a risk-based approach means the Council will apply its procedures consistently whilst giving due regard to the criteria for enforcement intervention. The Council aims to be consistent in the advice it gives, how it responds to incidents, the use of its powers, and the application of its criteria for intervention.

However, we recognise that consistency does not mean simple uniformity. Officers need to take account of many variables, the impacts of the contravention and the history of previous incidents of breaches.

Decisions on enforcement action are a matter of professional judgement and our officers need to be able to exercise this judgement, particularly on estimating the potential impacts of a contravention.

The Council will continue to develop arrangements to promote consistency, including effective ways to liaise with other enforcing authorities.

Transparency

Transparency is important in maintaining public confidence in our ability to regulate. It means helping regulated entities and others to understand what is expected of them and what they should expect from us. It also means making clear why an officer intends to take, or has taken, enforcement action.

Transparency is integral to an officer's role and the Council will continue to train staff and to develop procedures to ensure that:

- Where action is required, we clearly explain why the action is necessary and when it must be carried out, making a distinction between best practice advice and statutory legal requirements
- We provide the opportunity to discuss what is required to comply with the law before formal enforcement action is taken, unless urgent action is required, for example to protect people from flooding

- The Council's enforcement notices will provide an explanation of any rights of appeal against formal enforcement action at the time the action is taken

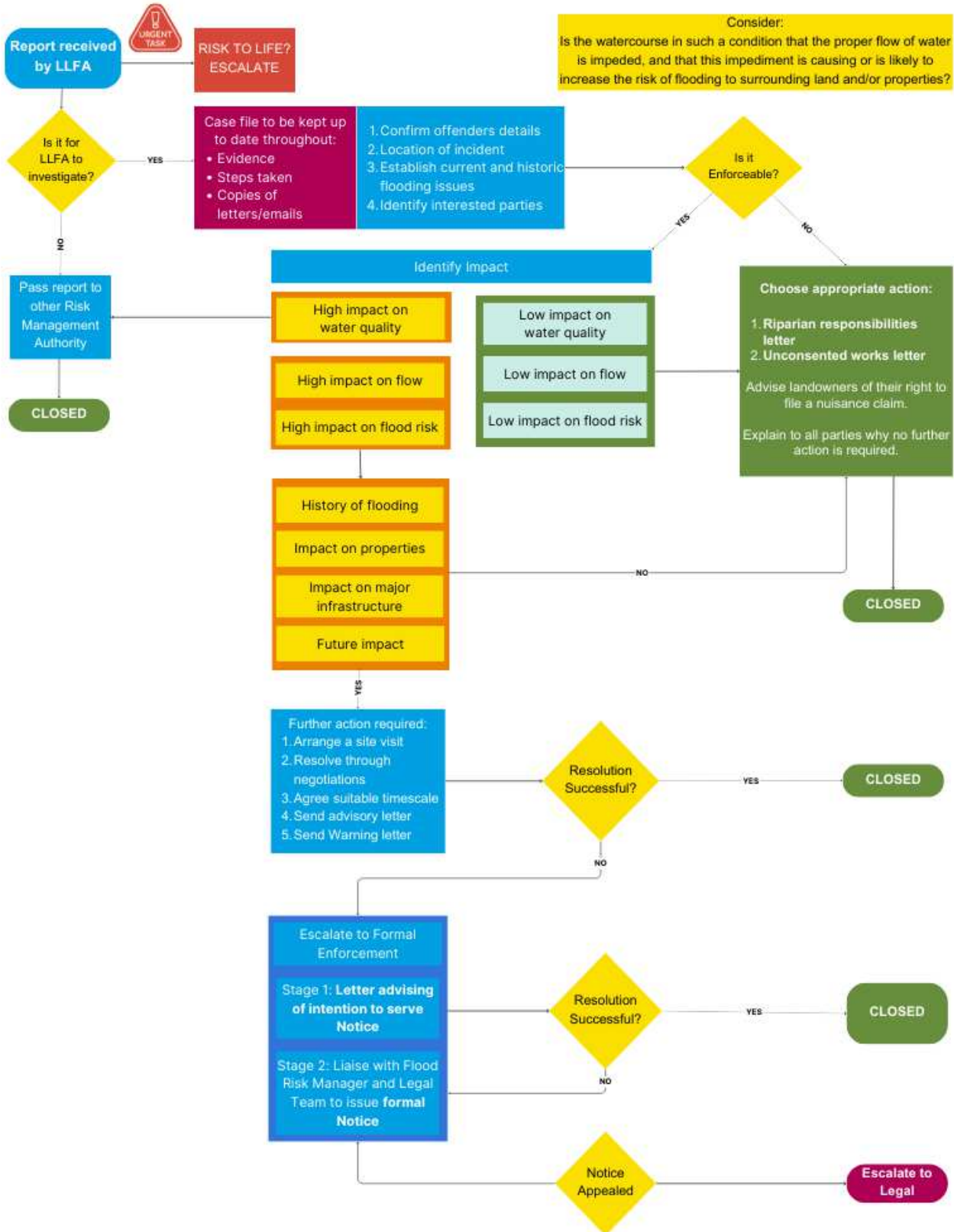
Accountability

Accountability means that the Council takes responsibility for its decisions and will justify them where appropriate. Notices will include relevant information on how to appeal and complain.

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Appendix A - Flood Risk Enforcement Process

Flood Risk Enforcement Process under the Land Drainage Act (1991)



Appendix B - Formal Enforcement Procedure and Letter Templates

Criteria for Formal Intervention

Where the actual or potential flood risk meets the threshold for FORMAL intervention the next steps are:

1. If the works are not carried out in the specified time of an informal letter, the Council may serve a notice under Section 21(2) of the Land Drainage Act 1991 requiring the nuisance to be abated. Where a contravention poses a significant flood risk, the first step may be by-passed, and the legal notice may be served immediately.
2. Where there is non-compliance with the Section 21(2) notice, the Council may then have the power under Section 21(4) of the Land Drainage Act 1991 to carry out remedial works and under Section 21(5) of the Land Drainage Act 1991 recover the costs of the works from the responsible party.

Where possible the Council will endeavour to find the most cost-effective solution in setting out the remedial works required when informal action is taken or a notice is served under s.21 LDA 1991 to resolve the nuisance or flood risk or s.25 LDA 1991 as applicable.

If the responsible party has been informed of the nature of remedial works required and the deadline for completion, and on inspection, no works have been satisfactorily undertaken, then a letter setting out the intent to serve notice under the relevant section of the Land Drainage Act 1991 will be prepared in consultation with the Council's legal services. A further 28 days will be given for completion of the works, before a formal Notice is served.

There may be cases where it is necessary to extend the period of compliance for more complex matters and/or to accommodate exceptional circumstances (e.g., weather, flood conditions etc.). The most likely being where works might cause disruption to wildlife and accounting for nesting season, between 1st March and 31st August. Whether any works need to be deferred or amended will be considered on a case-by-case basis.

Supporting evidence must be maintained by the Case Officer in the appropriate case file with an audit of steps taken in the investigation.

Serving Notice Under the Land Drainage Act 1991

Section 25 of the Land Drainage Act 1991 gives the Drainage Authority (in this case the Lead Local Flood Authority) the power to serve Notice for maintaining the flow of a watercourse. A Notice is a legal document formally requesting specific work to be carried out within a set timescale.

A Notice can be served in accordance with Section 25(3);

- (3) Subject to subsection (4) below, a notice under this section in relation to a watercourse may be served on –*
- a) any person having control of the part of the watercourse where any impediment occurs; or*
 - b) any person owning or occupying land adjoining that part; or*
 - c) any person to whose act or default the condition of the watercourse mentioned in subsection (1) above is due*

The Notice will include the provisions set out in Section 25(5) of the Land Drainage Act 1991. If the works are not carried out in accordance with the notice served then the authority has the right under Section 25(6) Land Drainage Act 1991 to enter the land, carry out the works and recover the costs of doing so.

- (5) A Notice under this section shall indicate –*
- a) the nature of the works to be carried out and the period within which they are carried out; and*
 - b) the right of appeal to a magistrates' court and the period within which such as appeal may be brought under Section 27 below.*
- (6) Subject to the right of appeal provided by Section 27 below, if the person upon whom a notice is served under this section fails to carry out the works indicated by the notice within the period so indicated –*
- a) The drainage board [...] concerned may themselves carry out the works and recover from that person the expenses reasonably incurred by them in doing so; and*
 - b) Without prejudice to their rights to exercise that power, that person shall be guilty of an offence and liable, on summary conviction to a fine not exceeding level 4 on the standard scale.*
- (7) In proceedings by the drainage board [...] concerned for the recovery of any expenses under subsection (6) above it shall not be open to the defendant to raise any question which he could not have raised on an appeal under Section 27 below.*

The person served the Notice can appeal the Notice to the Magistrates' Court under Section 27 of the Land Drainage Act 1991. Any appeal must be made with 21 days.

This allows for the following grounds of appeal;

- (1) A person served with a Notice under Section 25 above may, within twenty-one days from the date on which the Notice is served on them, appeal to a Magistrates' Court on any of the following grounds, that is to say –*

- a) *That the Notice or requirements is not justified by that Section;*
- b) *That there has been some informality, defect or error in, or in connection with, the Notice;*
- c) *That the body which served the Notice has refused unreasonably to approve the carrying out of alternative works, or that works required by the Notice to be carried out otherwise unreasonable in character or extent, or are unnecessary;*
- d) *That the period within which the works are to be carried out is not reasonably sufficient for the purpose;*
- e) *That the Notice might lawfully have been served on another person and that it would have been equitable for it to have been so served;*
- f) *That some other person ought to contribute towards the expenses of carrying out any works required by the notice.*

Steps for Serving Notice under the Land Drainage Act 1991

Following a subsequent period of up to 28 days of the date of the letter stating the Council's intent to serve notice, (or a period of time otherwise specified in the letter), if on inspection works have not been undertaken, then a formal Notice may be served.

The wording on the Notice will include the nature of the work that is to be carried out, the period within which it is to be carried out, and any relevant right of appeal to the Magistrates' Court within 21 days from the date of service of the Notice.

The Notice will inform the responsible person of the consequences in the event of their failure to comply with the nature / satisfactorily undertake the work;

1. **Work in Default** - The Council may carry out the works and recover from the landowner the expenses reasonably incurred by doing so. The Council will obtain a County Court Judgement of the sum owed
2. **Prosecution Case**: - The Council may also prosecute the person served for failure to undertake the works, in addition to carrying out the work and seeking to recover the costs of that work. The landowner will be guilty of an offence and will be liable on summary conviction to a fine not exceeding level 4 on the standard scale,

This section sets out standard template letters and notices which may be served should there be a contravention of the requirements of the Land Drainage Act 1991. Please note that the Council may update or amend these letters depending on the breach to be rectified or updates to legislation.

The Council reserves its right to rely on other powers if it is felt that these would be better suited to resolve the matter in an informal manner.

Appendix B cont. Letter template B1 - Intention to Serve Notice

Dear [landowner name],

INTENTION TO SERVE NOTICE:

MAINTENANCE OF WATERCOURSE AT [LOCATION NAME]

[OR]

UNCONSENTED WORKS AT [LOCATION NAME]

Further to our meeting on [insert date] and my letters dated [insert date] and [insert date] regarding the maintenance works required on the watercourse at [location name]

[OR]

I am writing to you with reference to my letters dated [insert date] and [insert date] regarding the maintenance works required on the watercourse at [location name].

I confirmed that the above works have been carried out without Cambridgeshire County Council's consent. This is in contravention of Section 23 of the Land Drainage Act 1991.

Unless the works detailed in my previous letters are completed within **28 days** from the date of this letter, the Council will have no other alternative but to serve a Legal Notice on you as the landowner, under Section 25 of the Land Drainage Act 1991.

I urge you to respond to this letter either in writing or by telephone at your earliest convenience to advise that the maintenance work will be carried out or to arrange an inspection of the completed works.

Yours sincerely

[Officer Name]

[Job Title]

Telephone number:

Email:

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Appendix B cont. Letter template B2 - Notice Enclosed

Dear [riparian owner name]

NOTICE SERVED: **UNCONSENTED WORKS/MAINTENANCE** ON THE ORDINARY WATERCOURSE AT [LOCATION]

I refer to my letter dated [date] concerning the above watercourse. It appears that from our records we have not received a response from you.

I now enclose formal Notice under Section 25 of the Land Drainage Act 1991.

You are hereby given **28 days** notice from [date] for remedial action to be taken to the above watercourse. You have a right of appeal as set out in the Notice and for your convenience enclosed is a copy of Section 27 of the Land Drainage Act 1991.

I would in particular draw your attention to the notes at the bottom of the attached Notice.

I strongly recommend that you seek independent legal advice on the content of this letter.

Yours sincerely

[Officer Name]

[Job Title]

Telephone number:

Email:

Appendix B cont. Letter template B3 - Notice Template

DELETE ONCE COMPLETED: MUST BE SIGNED OFF BY SENIOR HEAD OF DEPARTMENT

Cambridgeshire County Council

THIS NOTICE AFFECTS YOUR PROPERTY
--

NOTICE REQUIRING WORKS TO MAINTAIN THE FLOW OF AN ORDINARY WATERCOURSE FURTHER TO S25 LAND DRAINAGE ACT 1991

To: **XXXXXXXXXXXXXX** ("the Property")

Pursuant to the provisions of section 25 of the Land Drainage Act 1991 ("the Act") IT APPEARS to Cambridgeshire County Council, of New Shire Hall, Emery Crescent, Enterprise Campus, Alconbury Weald, PE28 4YE, ("the Council") that an ordinary watercourse is in such condition that the proper flow of water is impeded at [e.g. the rear of the Property].

The Council considers that the ordinary watercourse, namely, [e.g. the piped ditch in front of the two properties known as xxxx and xxxx, at address] is in such a condition that the proper flow of water is impeded, namely, by [debris].

You, being a person having control of the watercourse where an impediment occurs and/or being a person who owns or occupies land adjoining that part, are hereby given notice under section 25 of the Act requiring you to remedy the condition of the ordinary watercourse referenced within 28 days of service of this notice.

SCHEDULE 1: WORKS REQUIRED	
Works	By date
1. E.g. Remove the concrete block crossing the ditch at the upstream boundary of your property.	
2. E.g. Remove the blockage in the form a wooden block on the downstream boundary is removed.	
3. E.g. Ensure that the upstream and downstream points of entry of the watercourse across your land are kept free of any blockage or obstruction to the natural conveyance of flow, in perpetuity.	
4. E.g. Ensure that the section of the watercourse through your land is sufficiently graded and maintained.	

5. Ensure the proper flow of water is not impeded	
---	--

If you fail to comply with this notice:

- a) The Council may carry out the works and recover from you the expenses reasonably incurred by doing so.
- b) You will be guilty of an offence and will be liable on summary conviction to a fine not exceeding level 4 on the standard scale

You may, under section 27 of the Act, within twenty-one days from the date on which this notice is served on you, appeal to a magistrates' court on any of the following grounds:

- a) The notice or requirement is not justified by that section.
- b) There has been some informality, defect or error in, or in connection with, the notice.
- c) The body which served the notice has refused unreasonably to approve the carrying out of alternative works, or the works required by the notice to be carried out are otherwise unreasonable in character or extent, or are unnecessary.
- d) The period within which the works are to be carried out is not reasonably sufficient for the purpose.
- e) The notice might lawfully have been served on another person and that it would have been equitable for it to have been so served.
- f) Some other person ought to contribute towards the expenses of carrying out any works required by the notice.

Name:

Role:

Date:

Signed:

Appendix C - Prosecution

All decisions to prosecute will be made by the Officer and approved by the Flood Risk Manager or Head of Service.

A report document will be prepared for the Council's legal services outlining the following:

- The offence(s) committed.
- Evidence to support the prosecution and prospects of success.
- Effect on public/property/environment.
- Any aggravating or mitigating circumstances.

Legal services will consider the report and will prepare a concurrence taking into full account the evidential and public interest tests and the threshold criteria in accordance with the Code for Crown Prosecutors, and subject to these being met the commencement of prosecution will be approved.

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Appendix D Glossary

Civil Nuisance

Civil nuisance in the context of watercourse regulation is defined as unreasonable interference with the use and enjoyment of land.

Flood and Water Management Act 2010

The *Flood and Water Management Act 2010* is Act of Parliament to make provision about water, including provision about the management of risks in connection with flooding and coastal erosion. [Flood and Water Management Act 2010 \(environment-agency.gov.uk\)](https://www.environment-agency.gov.uk). In particular the Act makes it compulsory for all parties involved in risk management to co-operate.

[an] Impediment

Impeded/Impediment meaning an obstruction, including a wilful act leading to a blockage or may be due to lack of maintenance or neglect of the watercourse over time.

Land Drainage Act 1991

The *Land Drainage Act 1991* brought together legislation relating to IDBs and local authorities previously in the Land Drainage Act 1976 concerning inland and sea defence matters (*Land Drainage and Flood Defence Responsibilities*, Institute of Civil Engineers, 2016)

Ordinary Watercourse

Ordinary Watercourse is defined as any watercourse that does not form part of a main river as defined in Section 6.3 Flood and Water Management Act (FWMA) 2010. *Watercourse* includes all rivers and streams and all ditches, drains, cuts, culverts, dykes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows as defined in Section 72 Land Drainage

Rateable Areas

Each internal drainage board (IDB) is a public body that manages water levels in an area, known as an internal drainage district, where there is a special need for drainage. Drainage rates within these districts are levied as a charge on agricultural properties to pay for special local drainage or flood protection works which are

carried out by the internal drainage board of that district. Properties which are not used for agricultural purposes (as defined in the Local Government Finance Act 1988) do not receive a direct drainage rate demand. Rates are however, effectively charged on these properties through the Special Levy issued to the local authority.

Riparian Owner

Riparian Owner refers to those common law powers and duties relating to the use of water associated with the ownership of the bank or bed of a watercourse. The deeds to a property may indicate who the riparian owner is but this is not always the case. The law therefore presumes, in the absence of “contrary evidence” that land adjoining a watercourse includes the watercourse. If there is nothing specific in the property deeds and unless there is something to establish “contrary intention”, the riparian owner is responsible for the watercourse. The owner must pass flows forwards without obstruction, pollution or diversion.

Section 19

Under *Section 19* of the Flood and Water Management Act 2010, the County Council investigates flood incidents that meet the threshold set out in our [Cambridgeshire Flood Risk Management Strategy](#)

Un-consented Works

Un-consented works refers to any works carried out without Consent under Section 23 of the Land Drainage Act 1991, circumstances for un-consented works could include,

- a Consent application was refused but works were still carried out,
- a Consent application was approved but the works undertaken were not in accordance with the conditions of the Consent,
- no application for Ordinary Watercourse Land Drainage Consent was made.

It is not possible to provide retrospective Consent for un-consented works.

[Cambridgeshire's Culvert Policy](#)



Cambridgeshire's Flood Risk Enforcement Policy

March 2013

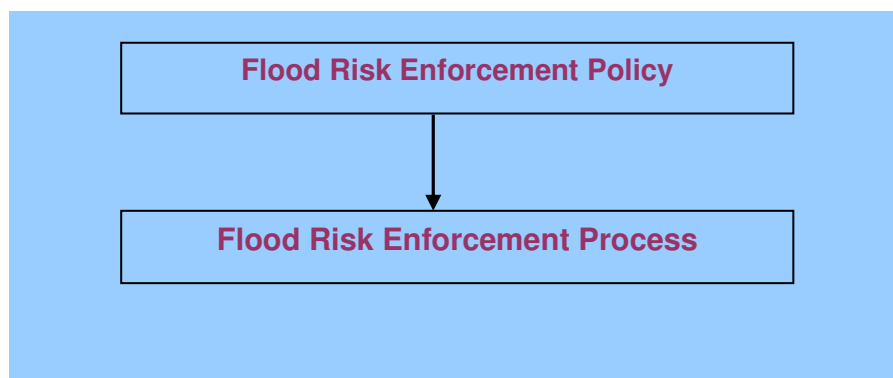
Statement and Aims

Cambridgeshire County Council is a Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010.

Our Flood Risk Enforcement Policy aims to:

- Clarify our approach to flood risk management
- Define the criteria for enforcement intervention
- Explain our principles for regulation and enforcement
- Explain our flood risk enforcement process

How the documents work together



Document History	Details	By	Current Version	Date
	Initial Draft	AN	V0.3	23/01/2013
	Revision following consultations	AN	V0.4	30/01/2013
	Final Report	AN	V1.0	18/02/2013
	Amendments following Cabinet Meeting	AN	V1.1	07/03/2013
Authorisation	Title		Signature	Date
	Graham Hughes	GH		18/02/2013
	Cllr Bates on behalf of CFRMP	IB		20/03/2013
	Cabinet	NC		05/03/2013

Introduction

Background and Legislative Framework

The Flood and Water Management Act 2010 transferred to the LLFAs the powers held by the Environment Agency for managing flooding from Ordinary Watercourses outside of the Internal Drainage Board areas.

Our enforcement powers currently derive from sections 23, 24 and 25 of the Land Drainage Act 1991.

Our powers of entry onto land for enforcement purposes derive from section 64 of the Land Drainage Act 1991.

Our approach

We take a risk based approach in managing flooding within Cambridgeshire County. As the Lead Local Flood Authority, we currently manage flood risk from a variety of sources including; surface water, ordinary watercourses and groundwater.

This approach ensures that our response to any contravention of the legislation will be proportional to the flood risk issues faced at the location.

Our target and desired outcome

We believe prevention is better than cure. In line with Cambridgeshire's core objectives and values, our general approach is to educate landowners, developers, farmers, and businesses to enable compliance.

Our desired outcome is always to ensure compliance through discussions and negotiations. Where we are unable to make progress due to lack of willingness on the part of the offenders to work with us, sadly, we will have to take a number of actions to ensure that lives and properties are not put at risk.

Enforcement actions

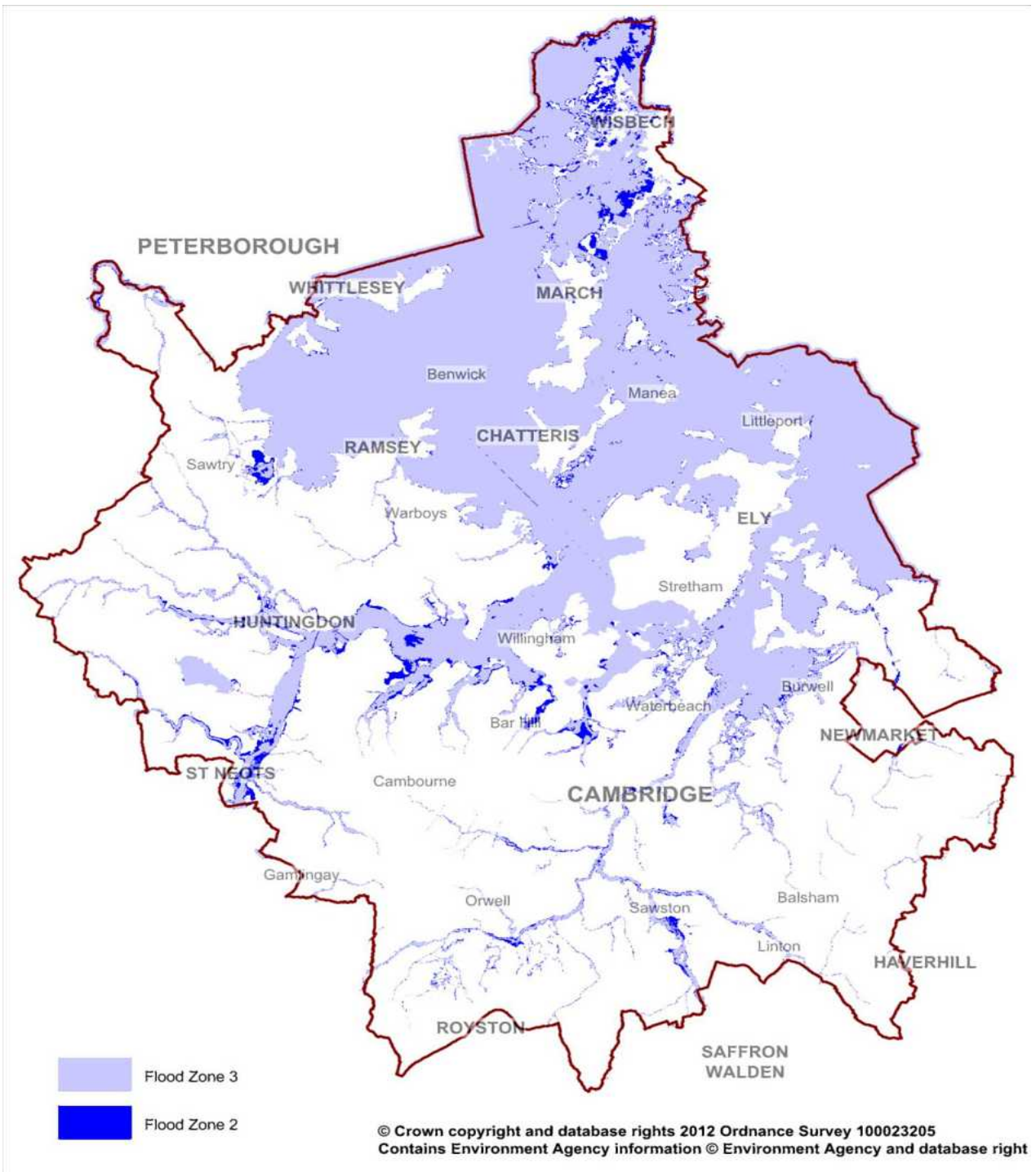
When it is impossible to achieve our desired outcome, we have to enforce compliance through a combination of the following formal options:

- Serving of works notices

- Prosecution
- Carrying out remedial works

We believe that publishing information on our enforcement activities, where appropriate, raises awareness of the need to comply.

We will issue press releases and other publicity relating to offences and offenders, proportionate to the flood risk.



Principles

We believe in firm but fair regulation. Underlying our commitment to firm but fair regulation are the principles of:

- proportionality in the application of the law and in securing compliance;
- consistency of approach;
- transparency about how we operate and what those we regulate may expect from us;
- targeting of enforcement action; and
- accountability for the enforcement action we have taken.

Our criteria for enforcement intervention

Definition

For the purpose of this statement, enforcement means any action we take where we suspect an offence has occurred or in some cases is about to occur. This may range from providing advice and guidance, serving notices through to prosecution, or any combination that best achieves the desired outcome.

Criteria for intervention

On becoming aware of any contravention, we will undertake an initial investigation to establish the following:

- identity of the offender
- the location of contravention
- type of contravention and the
- impacts of the contravention

In considering whether it is expedient to take enforcement action a number of factors will be taken into consideration including the following:

- Where the location of contravention is in any of the following:
- Flood zones 2 and 3 as identified on Environment Agency flood maps
- Strategic Flood Risk Assessment maps issued by District Councils
- Hot spots identified on our Surface Water Management Plans (SWMP)
- Information identified in Internal Drainage Board strategies

- Information provided in Water Cycle Studies
- Flood prone areas from data held on our flood investigation database (locations with history of flooding problems)
- Where there is historical evidence of internal flooding or significant flooding of gardens
- Where the impact of the contravention has any of the following effects:
 - Increases flood risk to other properties
 - Has the propensity to create a bad precedence

Penalty principles

We expect full voluntary compliance to sections 23, 24 and 25 of the Land Drainage Act 1991. However, when considering the appropriate course of action to ensure compliance we aim to follow the Macrory Penalty Principles which are set out in the [Regulators' Compliance Code](#). These state that enforcement should:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from non-compliance;
- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by regulatory non-compliance, where appropriate; and
- aim to deter future non-compliance.

Where we have been compelled to undertake works on the ground to manage flood risk, we will seek to recover the following costs:

- Staff costs including time and mileage costs associated with the investigations and eventual works;
- Legal costs;
- Full costs for undertaking the works including labour, materials, equipment and services; and
- Full contractual costs for consultants and contractors hired to provide evidence during the investigation.

Principles of regulation and enforcement

Regulators Compliance Code

We must take account of the provisions in the Regulators' Compliance Code when devising and implementing regulatory policies and systems. However those provisions do not apply directly to individual cases.

The requirements of the Code do not apply in certain situations, for example:

- where it is necessary to respond immediately to either prevent or respond to a serious breach or incident;
- where following the provisions would defeat the purpose of the proposed enforcement action; and
- where there are reasonable grounds to suspect that a serious criminal offence has been committed, in particular where such offending would have a damaging effect on legitimate business and desirable regulatory outcomes.

Principles of firm but fair regulation

We believe in firm but fair regulation. Underlying our commitment to firm but fair regulation are the principles of:

- proportionality in the application of the law and in securing compliance;
- consistency of approach;
- transparency about how we operate and what those we regulate may expect from us;
- targeting of enforcement action; and
- accountability for the enforcement action we have taken.

Proportionality

Concept

In general, the concept of proportionality is included in much of the regulatory system by balancing action to protect the environment against the risks and costs of such action.

Balancing our response to the risk

Any enforcement action we take will be proportionate to the risks posed to people and the environment and also to the seriousness of the breach of the law and its impact on the lives of the communities within Cambridgeshire County.

Consistency

Approach

Having a risk based approach means that we will apply our procedures consistently whilst giving due regard to the criteria for enforcement intervention.

We aim to be consistent in the advice we give, how we respond incidents, the use of our powers, and the application of our criteria for intervention.

Discretion

However, we recognise that consistency does not mean simple uniformity. Officers need to take account of many variables: the impacts of the contravention and the history of previous incidents or breaches.

Decisions on enforcement action are a matter of professional judgement and our officers need to be able to exercise this judgement, particularly on estimating the potential impacts of a contravention.

We will continue to develop arrangements to promote consistency, including effective ways to liaise with other enforcing authorities.

Transparency

Approach

Transparency is important in maintaining public confidence in our ability to regulate. It means helping regulated entities and others to understand what is expected of them and what they should expect from us. It also means making clear why an officer intends to take, or has taken, enforcement action.

How we do this

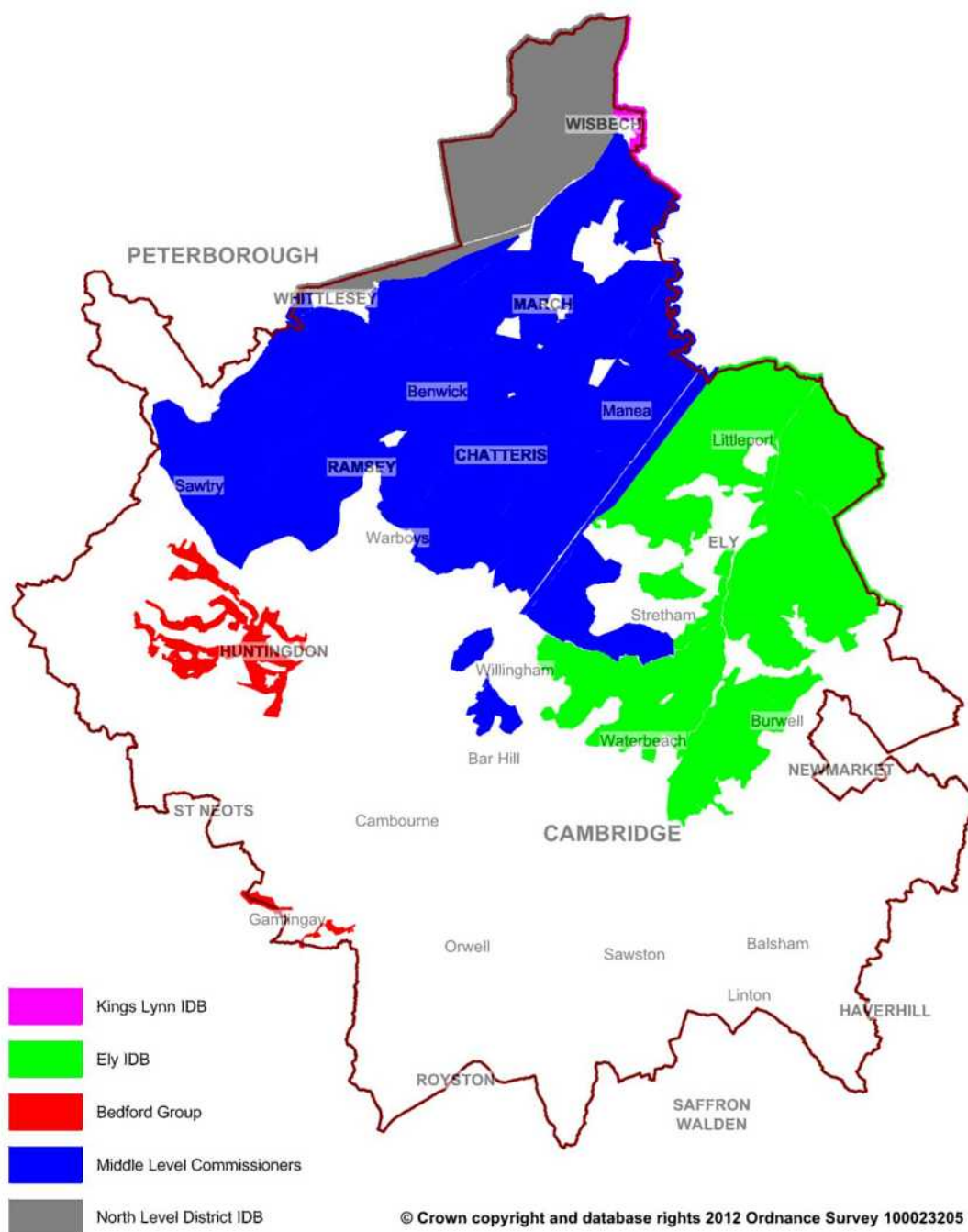
Transparency is integral to an officer's role and we will continue to train our staff and to develop our procedures to ensure that:

- where remedial action is required, we clearly explain why the action is necessary and when it must be carried out, making a distinction between best practice advice and legal requirements;
- we provide the opportunity to discuss what is required to comply with the law before formal enforcement action is taken, unless urgent action is required, for example to protect people from flooding
- our enforcement notices will provide an explanation of any rights of appeal against formal enforcement action at the time the action is taken.

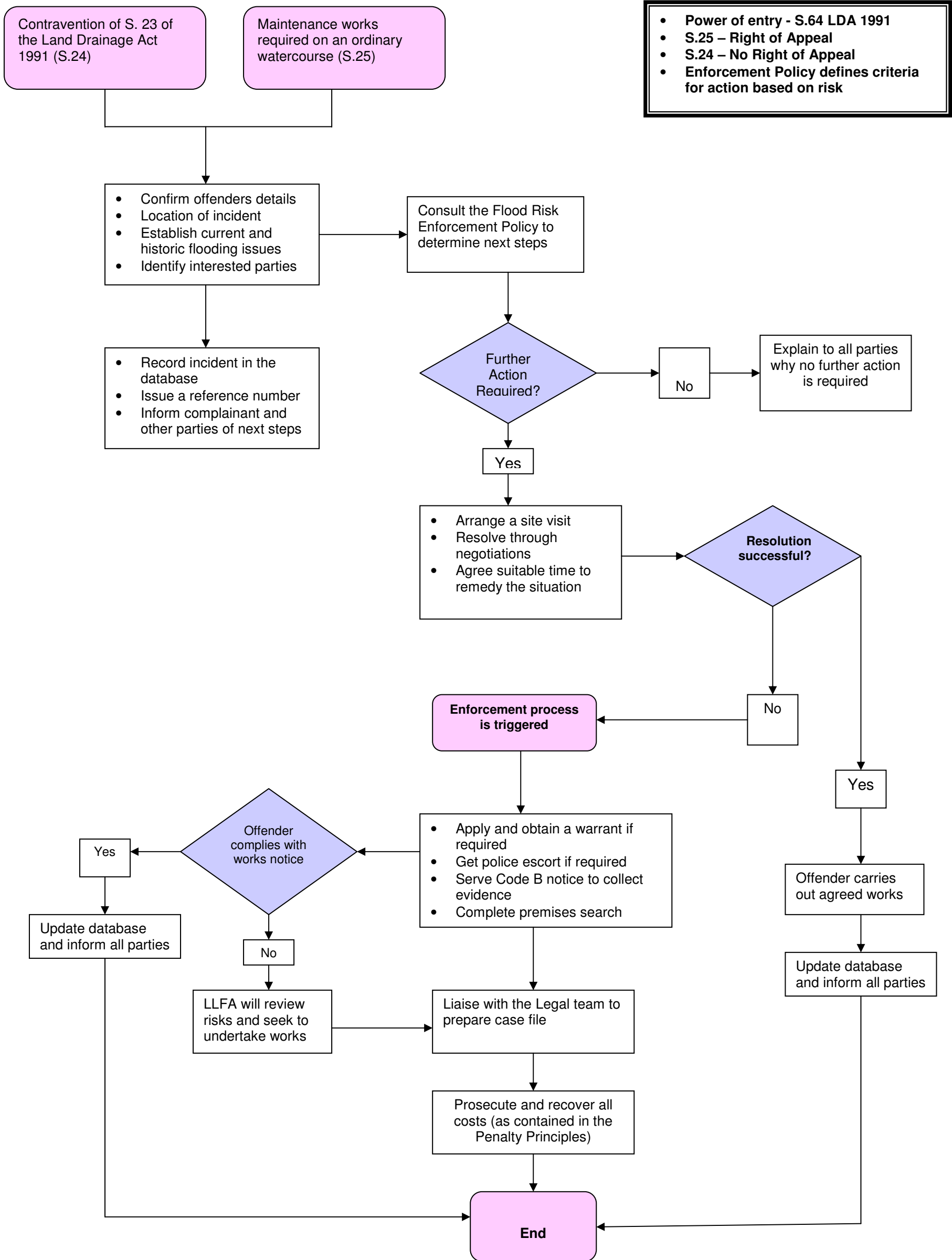
Accountability

Responsibility

Accountability means that we take responsibility for our decisions and will justify them where appropriate. Our notices include relevant information on how to appeal and complain.



Flood risk enforcement process



- Power of entry - S.64 LDA 1991
- S.25 – Right of Appeal
- S.24 – No Right of Appeal
- Enforcement Policy defines criteria for action based on risk

EQUALITY IMPACT ASSESSMENT - CCC574283628

Which service and directorate are you submitting this for (this may not be your service and directorate):

Directorate	Service	Team
Place and Sustainability	Natural and Historic Environment	Flood Risk Management

Your name: Hilary Tandy

Your job title: Flood Risk Manager

Your directorate, service and team:

Directorate	Service	Team
Place and Sustainability	Natural and Historic Environment	Flood Risk Management

Your phone: 07500063286

Your email: Hilary.Tandy@cambridgeshire.gov.uk

Proposal being assessed: Policy and Protocol for Enforcement Action under the Land Drainage Act 1991

Business plan proposal number:

Key service delivery objectives and outcomes: This is a refreshed version of an existing policy relating to flood risk enforcement undertaken by the Council. It has been updated to ensure the policy supports officers to work in a way that, wherever possible, achieves good outcomes at every point prior to formal action.

What is the proposal: Our enforcement powers which derive from Sections 23, 24 and 25 of the Land Drainage Act 1991 were transferred to the County Council in 2010 following the implementation of the Flood and Water Management Act 2010. Whilst these powers have not changed since the policy was adopted, our knowledge and understanding of Cambridgeshire's water environment has advanced and we have much greater experience of dealing with contraventions than we did in 2013. The updated policy takes account of this experience (and that of neighbouring authorities) to ensure it is fit for purpose and accords with the Council's ambition to create a greener, fairer and more caring Cambridgeshire.

What information did you use to assess who would be affected by this proposal?: We reviewed the existing policy which has previously been approved and adopted by Cabinet. We also reviewed policies from surrounding Local Authorities including Norfolk County Council, Central Bedfordshire Council and Leicestershire County Council which had been updated in the twelve months prior to commencing our update. These had also been through a full legal review/approval process. Customers have previously requested we produce a transparent process for undertaking enforcement action and this is also required to support any claims to the Ombudsman. We have used this feedback to create a consistent, transparent approach which will be published on our

website.

Are there any gaps in the information you used to assess who would be affected by this proposal?: No

Does the proposal cover: All service users/customers/service provision countywide

Which particular employee groups/service user groups will be affected by this proposal?:
Any resident of Cambridgeshire who lives near to or has responsibility for a watercourse.

Does the proposal relate to the equality objectives set by the Council's EDI Strategy?:No

Will people with particular protected characteristics or people experiencing socio-economic inequalities be over/under represented in affected groups: About in line with the population

Does the proposal relate to services that have been identified as being important to people with particular protected characteristics/who are experiencing socio-economic inequalities?: No

Does the proposal relate to an area with known inequalities?:No

What is the significance of the impact on affected persons?:There aren't any fundamental changes to the policy, the updated document simply formalises a procedure to ensure our actions are accountable. The legislation has not changed.

Category of the work being planned:Policy

Is it foreseeable that people from any protected characteristic group(s) or people experiencing socio-economic inequalities will be impacted by the implementation of this proposal (including during the change management process)?: No

Age: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Disability: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Gender reassignment:

There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Marriage and civil partnership: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Pregnancy and maternity: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Race: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Religion or belief (including no belief): There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Sex: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Sexual orientation: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Socio-economic inequalities: There are no fundamental changes to policy. No people with a protected characteristic are more or less likely to live near a watercourse as a result of that protected characteristic. Therefore the policy is applied universally across all groups.

Head of service: Peter Gell

Head of service email: peter.gell@cambridgeshire.gov.uk

Confirmation: I confirm that this HoS is correct

East Park Energy Solar Farm Proposal

To: Environment and Green Investment Committee

Meeting Date: 14 March 2024

From: Executive Director for Place and Sustainability

Electoral division(s): St Neots The Eatons, St Neots Eynesbury, Brampton and Buckden, St Neots Priory Park and Little Paxton, Alconbury and Kimbolton

Key decision: No

Forward Plan ref: Not applicable

Executive Summary: This report provides an overview of the East Park Energy Solar Farm Development Consent Order (DCO) application. This solar farm will go across two counties and includes three 'Host Authorities', namely Bedford Borough Council, Cambridgeshire County Council, and Huntingdonshire District Council. The report highlights the background and geographical areas of the proposal (as set out in Appendix 3). It also highlights the Nationally Significant Infrastructure Projects (NSIP) process with highlighted risks and implications for the county council. The committee is being asked to consider approving delegated powers to officers, where there is insufficient time to take the item to the Environment and Green Investment Committee, to ensure that the NSIP timescales can be met, thus allowing our submissions to be given full weight by the Planning Inspectorate (PINS) in the determination process.

Recommendation: The committee is recommended to:

- a) Delegate authority to the Executive Director for Place and Sustainability to submit Nationally Significant Infrastructure Project related responses to the Planning Inspectorate, in consultation with the Chair and Vice-Chair of the Environment and Green Investment Committee, where there is not enough time for a report to be delivered to the Environment and Green Investment Committee; and
- b) Where delegated powers are used, circulate the response to Local Members and members of the Environment and Green Investment Committee for information.

Officer contact:

Name: Jenny Croft

Post: Specialist Projects Manager

Email: Jennifer.croft@cambridgeshire.gov.uk

1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

The proposed solar farm development is aiming to provide clean green energy and include a comprehensive landscape scheme to deliver benefits such as carbon sequestration and soil health, biodiversity net gain and crop yield.

- 1.2 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised.

The proposed development would provide short term job opportunities and a legacy fund for the local communities.

2. Background

- 2.1 East Park Energy is a proposed new solar farm and energy battery storage scheme that is proposed to the north-west of St Neots, straddling the Bedfordshire (Bedford Borough) and Cambridgeshire county boundaries. The scheme proposes connection to the National Grid at the existing substation at Eaton Socon within Cambridgeshire. The focus is the installation of solar photovoltaic panels and electrical energy storage technology, and associated infrastructure for connection to the national grid. The Scheme as proposed would be capable of generating and exporting more than 50 megawatts of renewable energy; therefore, it meets the threshold to be a solar National Significant Infrastructure Project (NSIP). A statutory consultation is currently planned for Summer 2024. This will be a formal consultation undertaken by the applicant, that will need to comply with all statutory requirements. The Applicant has an export agreement with National Grid to provide 400 megawatts of renewable energy generation via the Eaton Socon Substation to the west of St Neots. A 100MW Battery Energy Storage Facility is proposed to be co-located with the solar infrastructure to allow for energy storage at times when grid demand is lower.
- 2.2 As an NSIP application (for which a Development Consent Order (DCO) is required), the proposed solar farm will not be determined by Huntingdonshire District Council with input by the County Council. Responsibility for accepting and examining the NSIP applications rests with the Secretary of State (for Energy Security and Net Zero). The Planning Inspectorate (PINS) carries out certain functions related to national infrastructure planning on behalf of the Secretary of State.

3. Main Issues and the role of the Council

- 3.1 The County Council has a distinct role in this process as one of the three 'host' authorities (with the others being Bedford Borough Council and Huntingdonshire District Council). Officers have engaged specialist advice from key specialist teams in all the authorities, including taking advice from County Council officers acting as the Council's Highway Authority and Lead Local Flood Authority.

- 3.2 Local Authorities are statutory consultees in their own right for any proposed NSIP within their area. Cambridgeshire County Council is a statutory consultee in the NSIP process. The three 'host' Local Authorities have been working together to respond to East Park Energy's pre application requests and non-statutory consultation. The role of the authorities is not to pass judgement on the merits of the application, but to scrutinise the applicant's assessment of the NSIP application, offer technical advice as part of the consultation process and ensure that adequate public consultation is carried out.
- 3.3 Whilst the NSIP legislation does not specify any differences between 'host' planning authorities, in their role as statutory consultees, there is an understanding or assumption, set out in common practice, that if permission is granted by the Secretary of State the requirements (or effectively planning conditions) in the DCO are discharged, monitored and enforced by the Council(s) that would normally be the determining authority.
- 3.4 As an NSIP proposal, the East Park Energy Solar Farm Project has already undertaken its pre-application consultations with the general public, alongside pre-application discussions with key specialisms within the three 'host' authorities, to help inform their proposal prior to the submission of their application to PINS.
- 3.5 Appendix 1 sets out the six stages involved with a NSIP application and Appendix 2 clarifies the role of the local authority at each of the stages (excluding the decision). PINS guidance is clear that a local authority and the local community are consultees in their own right. Whilst local authorities should have regard to what the community is saying, it is not intended that they necessarily adopt all of those views put to them. In this context, local authorities in particular must conduct themselves in line with the National Policy Statements and the relevant guidance.
- 3.6 Paragraph 6.2 of the PINS Advice Note two: The role of local authorities in the development consent process, states that "Local authorities should engage proactively with a developer even if they disagree with the proposal in principle. It is important to recognise that a local authority is not the decision maker but will want to contribute towards the development of the emerging proposals with the benefit of their detailed local knowledge. Local authorities are not undermining any 'in principle' objections to a scheme by engaging with a developer at the pre-application stage."
- 3.7 As this report has been brought to the Environment and Green Investment Committee ahead of the formal NSIP application submission, it must be noted that the applicant completed their non-statutory consultation on 21 November 2023, and submitted their Environmental Impact Assessment (EIA) scoping report on 30 October 2023. Our technical response to the applicant's EIA Scoping report was submitted to the Planning Inspectorate (PINS) on 28 November 2023.
- 3.8 'Host' authorities are strongly encouraged to use the pre-application period to start their own evaluation of the local impacts of the proposal. 'Host' authorities should then begin to compile the Local Impact Report (LIR) as soon as the application has been accepted formally by the Secretary of State and they have been invited to submit an LIR. This approach will enable the LIR to be produced within the deadlines. PINS advice is that 'Host' authorities should ensure any necessary internal authorisation processes are in place to meet the timetable (which is the basis for this report).

3.9 The host authorities will be required to make a factual assessment of the consultation and submit an Adequacy of Consultation response. The host authorities will have a very constrained timescale in which to assess the consultation response and respond to PINS (14 calendar days) on whether the consultation has met the necessary NSIP and councils' Statement of Community Involvement requirements.

4. NSIP Application Process

- 4.1 Once East Park Energy submits their DCO application to PINS for the solar farm project, currently programmed for Q1 of 2025, the project will move into the 'acceptance' stage as identified in Appendix 1. If their application is accepted for examination by PINS, the Council should be notified of this, including whether the Secretary of State will appoint a single Examining Inspector, or a panel of up to five Examining Inspectors (known as the examining authority (ExA)) to examine the application. The Examination is carried out in public.
- 4.2 Following notification of the above, the local authorities will then be notified of the preliminary meeting to discuss procedural matters. After which an Examination timetable should be set, including tight deadlines for when information needs to be submitted to PINS. At the pre-examination stage, local authorities are encouraged to continue to engage with the developer. Agreement on any remaining issues should be sought and/or negotiations continued. There may also be the need to continue negotiation in respect of any compulsory acquisition affecting any local 'host' authority's land holdings or interests. Reaching agreement on as many issues as possible in advance of the examination is likely to lead to a more focused and expedient examination process for all participants.
- 4.3 During the Examination, the local authorities will:
- Respond to the Examining Authority's (ExA's) written questions which are normally based on an initial assessment of the application, (including the principal issues of the proposed scheme), and the representations received from interested parties;
 - Prepare and submit to PINS a Local Impact Report (LIR), setting out the likely impacts of the proposed scheme on the County Authority's area, by using local knowledge and robust evidence, and set out the relevant local planning policy framework and guidance;
 - Prepare and submit to the Planning Inspectorate a Statement of Common Ground (SOCG), a joint written statement between the applicant and the County Council and/or other parties or 'host' authorities, setting out matters that they agree or disagree on; and
 - Represent the County Council and make oral representation at the issue specific hearing(s) and if necessary the open floor hearing(s). The subject of the hearings is based on specific elements / issues of the application that are raised during the NSIP process.

- There is also provision in the Planning Act 2008 (as amended) for the applicant to apply for other consents, for example Compulsory Purchase Order (CPO) and drainage consents, deemed by a DCO.

5. Conclusion and reasons for recommendations

- 5.1 To avoid any undue delay to the NSIP process and Examination, it is important that the tight deadlines set out in the Examination Timetable are met. The timescale for handling an NSIP application are set out in the legislation. It is noted that PINS, as the Examining Authority, may disregard late responses, which is why officers are seeking to follow PINS guidance and get delegations set up at the pre-application stage. Irrespective of any delegations passed to officers to meet the necessary timescales set by legislation, the following is proposed to be followed to ensure good practice and ensure an open and transparent decision-making process:
- 5.2 Key documentation and updates will be provided to members of the Environment and Green Investment Committee and local County Councillors by e-mail at the earliest opportunity to ensure that key deadlines are known in advance and any comments on the documentation provided as early as possible, particularly during the 14- and 28-day deadlines;
- 5.3 Responses to PINS to either be circulated to members of the Environment and Green Investment Committee and local County Councillors by e-mail for their records, or where time is permitting the draft response taken to the Environment and Green Investment Committee for endorsement; and
- 5.4 Where deemed necessary, member briefings or specific topic meetings will be set up to provide guidance on the NSIP process and technical responses provided.
- 5.5 If the recommendations within this paper are approved, the outcome would be that officers will have the ability to use delegated powers to ensure that consultation timescales set by national legislation are able to be met, where there is not sufficient time for a committee decision to be taken.

6. Significant Implications

6.1 Finance Implications

The cost of processing the NSIP application will need to come from the existing revenue budget. As the application is handled by PINS no planning application fee is received from the applicant. At the time of writing this report, officers are in the process of preparing a Planning Performance Agreement, for the Applicant, for the pre-application advice stage, to try to resource the project and reduce the cost to the public purse, but this may not cover the true cost of the resource and specialist advice required to assess the DCO application and any discharge requirements (like planning conditions) that would arise from any consent granted.

Staffing – As a statutory consultee in the initial NSIP process and post NSIP decision (if granted), the resources to deal with the application are taken from the specialist teams, where staffing resources are stretched.

6.2 Legal Implications

There are no significant implications for this priority, other than the financial and resource implications required to support this project, which has the potential to include significant legal advice.

6.3 Risk Implications

There is the potential for multiple Consents submitted on similar timescales, placing pressure across technical specialists and the Consents team. Although we were successful in our Department for Levelling Up, Housing and Communities (DLUHC) bid, there is insufficient funding to recruit both additional Technical Officers and Project Managers to coordinate the NSIP process, both pre and post consent. This could result in programme management being reactive to demands and deadlines, as opposed to proactive programme management and efficiencies. As the voice of the public in this process, there is a real risk of substandard outcomes and, inability to adequately respond to examinations, due to a lack of input to the development of the schemes.

Another issue is that the other Host Authorities involved in the East Park Energy NSIP project also have inadequate capacity and experience to manage this Development Consent Order (DCO), which may lead to a lot of reliance on our Consents team to lead, which in turn places additional pressure on our already limited resources. This could result in a loss of opportunity to collaborate across the Host Authorities and may lead to unnecessary duplication of work or miscommunication resulting in delays in the DCO process if not carefully managed.

6.4 Equality and Diversity Implications

There are no significant implications for this priority that are not capable of being addressed through comment on the applicant's DCO application. East Park Energy is required to satisfy the Equity Impact Assessment requirements when they submit their application.

7. Source Documents

Planning Inspectorate (PINS) National Significant Infrastructure Project (NSIP) Guidance and Advice Notes;

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

NSIP Energy Policy Statements;

<https://www.gov.uk/government/publications/national-policy-statements-for-energy-infrastructure>

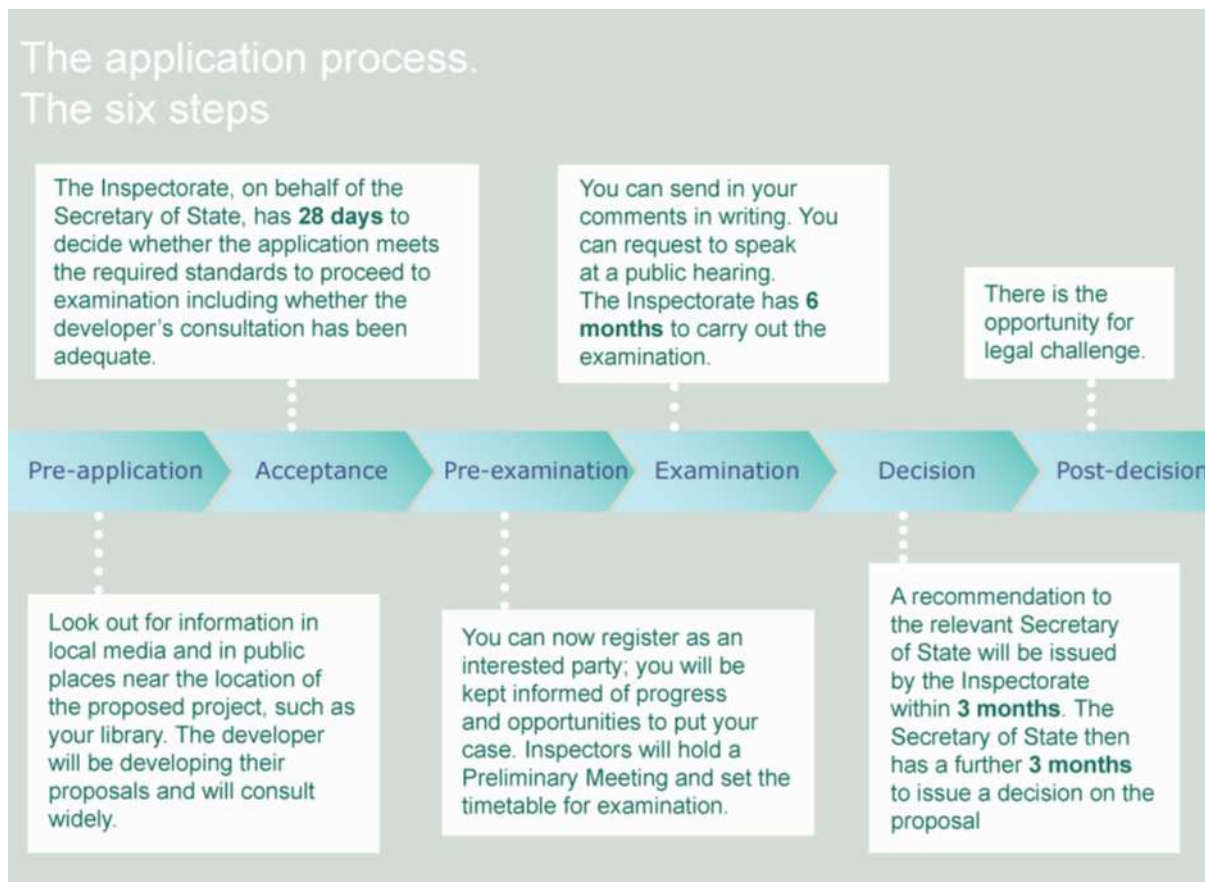
Planning Act 2008 (as amended);
<http://www.legislation.gov.uk/ukpga/2008/29/contents>

East Park Energy Solar Farm Project website;
<https://eastparkenergy.co.uk/>

PINS Project Page for East park Energy Solar Farm NSIP Project;
<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-park-energy/?ipcsection=overview>

The National Planning Policy Framework (NPPF) (2019)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

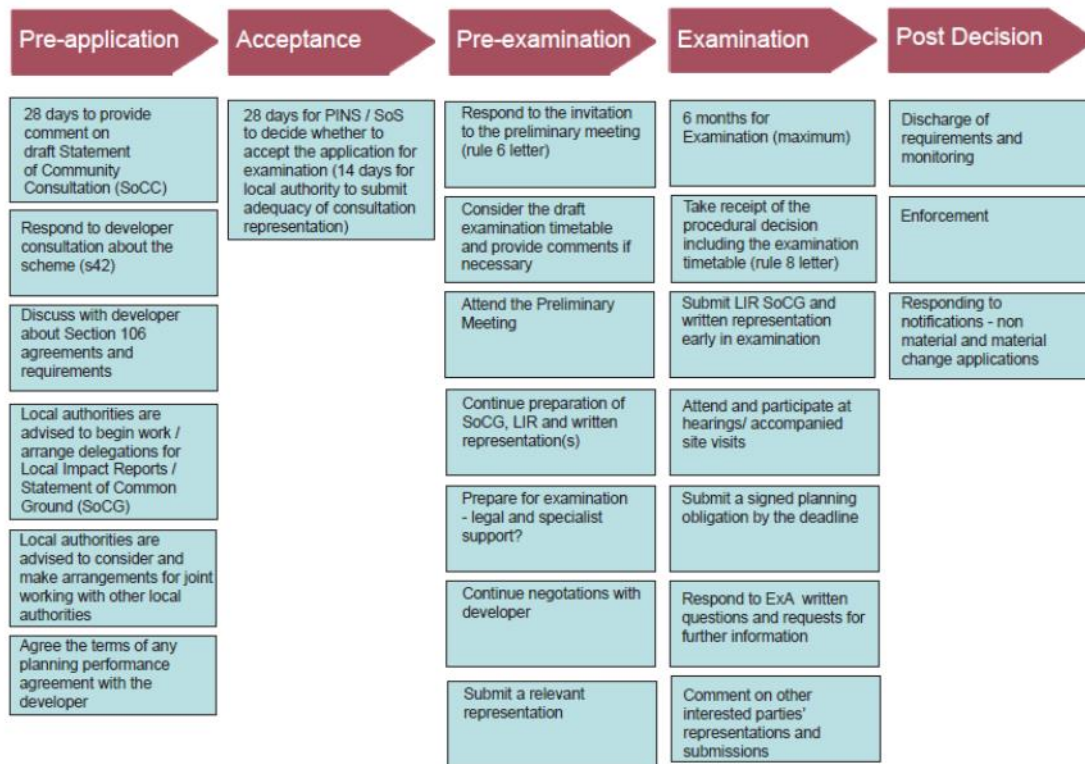
Appendix 1 - The six steps of the NSIP DCO process under the 2008 Act



Source PINS website <https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/03/Application-process-diagram2.png>

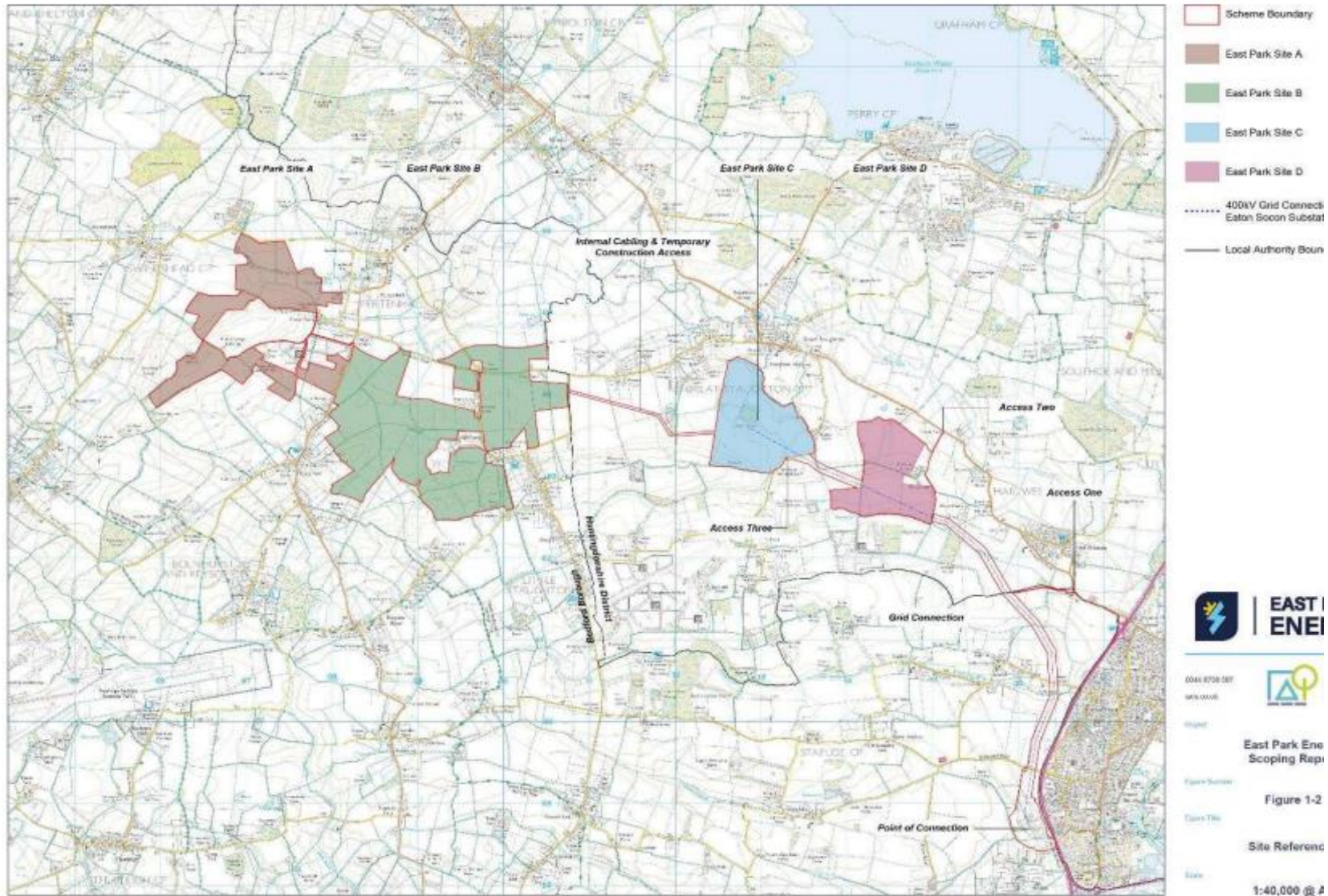
Appendix 2 - The role of local authorities

The role of local authorities



[Advice Note two: The role of local authorities in the development consent process | National Infrastructure Planning \(planninginspectorate.gov.uk\)](#)

Appendix 3 – Map of the proposed development:



Place and Sustainability Risk Register

To: Environment and Green Investment Committee

Meeting Date: 14 March 2024

From: Executive Director for Place and Sustainability

Electoral division(s): All

Key decision: No

Forward Plan ref: N/A

Executive Summary: This report provides an update on the approach adopted by the Place and Sustainability Directorate with regards to the management of 'Risk' within its Services, it includes details of relevant risks for this committee, and explains the link to the Corporate Risk Register. The committee is asked to consider the report, and comment on any of the risks identified, or areas of concerns that you would want the Directorate to consider that are not reflected on the register.

Recommendation: The committee is recommended to:

Note the summary of the key risks being overseen by the Place and Sustainability Directorate that relate to this Committee.

Officer contact:

Name: Peter Gell
Post: Service Director Regulatory Services
Email: Peter.gell@cambridgeshire.gov.uk

1. Alignment with ambitions

- 1.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

The management of risks identified in this report relate to service delivery that contributes to achieving this ambition.

- 1.2 Travel across the county is safer and more environmentally sustainable.

The management of risks identified in this report relate to service delivery that contributes to achieving this ambition.

- 1.3 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised.

The management of risks identified in this report relate to service delivery that contributes to achieving this ambition.

2. Background

- 2.1 The Council is committed to effective risk management arrangements as a means of supporting the achievement of its strategic framework and ambitions. Risk management is a fundamental element of the Council's Code of Corporate Governance. The approach enhances the organisation's strategic planning, prioritisation, supports it in achieving its objectives and strengthens its ability to be agile in response to future challenges.

- 2.2 The Council's Risk Management Policy in conjunction with the Risk Management Toolkit aims to:

- Outline the approach to risk management, including the identification, assessment, monitoring, and mitigation of risk.
- Ensure that good practice in risk management is embedded across the Council throughout 'business as usual' policies, procedures, and activity.
- Help Council staff understand the key principles of effective risk management and risk management roles and responsibilities across the organisation.
- Establish the Council's corporate risk appetite and guide staff in managing risk in a consistent and proportionate way.
- Outline a clear corporate escalation process for new and emerging risks.
- Signpost officers to further detailed guidance and support on risk management.

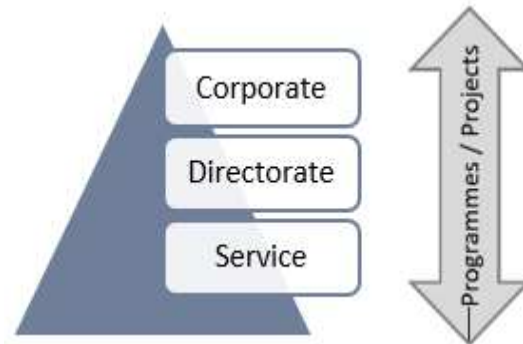
- 2.3 The objective of the Policy is to define a systematic corporate approach to risk management, which ensures that risks are identified and managed on a timely basis and in a proportionate manner.

- 2.4 The Chief Executive and the Corporate Leadership Team (CLT) are accountable for the effective management of risk within the Council.

- 2.5 The Council has defined risk as “an uncertain event which, should it occur, will have an effect on the achievement of objectives.” Risk management is the process by which the Council seeks to:
- Identify risks it may face.
 - Assess the severity and likelihood of these risks, to prioritise them.
 - Identify proportionate actions to minimise, monitor and control risk (or to maximise opportunities)
- 2.6 In assessing risk, the Council uses a risk scoring matrix, in which the likelihood and the consequences of an event are considered. This matrix ensures officers across the Council can take a consistent approach to assessing risks. Risk scores are calculated using the matrix by scoring both the likelihood and potential impact of the risk on scales of 1-5 and multiplying those figures to determine the risk score. Scores result in risks that are classified low, medium, or high. Scores between 1-4 are classified as low risk, scores between 5-15 as medium risks, and 16-20 as high risks.
- 2.7 Actions to mitigate risks are applied and the residual risk determined in the same way as the initial risk score. The purpose of mitigations is to stop risks escalating in severity, and to reduce the risk level where possible.
- 2.8 The matrix reflects the Council’s risk appetite. The risk appetite is the amount of risk the Council is willing to take in pursuit of its objectives. Over time, the Council’s risk appetite can change depending on ambitions, priorities, and the environment in which the Council operates. By ranking risks as low, medium, and high, the Council can ensure that resources are aligned to more tightly controlling the highest risk matters. The Council has defined its maximum risk appetite as not accepting a residual risk score of 16 or more unless actions are planned to reduce the score to below this level on a timely basis. In exceptional circumstances, the Strategy, Resources and Performance Committee can approve a residual risk more than the risk appetite if it is agreed that it is impractical or impossible to reduce the risk level below 16.
- 2.9 Managing risks well brings the following benefits:
- Transparency within the organisation regarding key risks.
 - Consensus about the main risks in various parts of the organisation.
 - Confidence that key risks are recognised and are being managed.
 - Clarity and focus with regards to the resource allocation associated with risk.
 - Ability to be able to take more risk and exploit opportunities because they are understood and managed.
 - Raises performance and as a result is a key part of the council’s performance management approach.
- 2.10 As can be seen from the diagram below, risk is recorded, monitored, and managed at 3 levels, service, directorate, and corporate. Most risks are service level risks which are owned by an appropriate person, usually a manager or head of service with specialist knowledge of the subject. Directorate level risks capture more significant risks, these being ones that could threaten the day-to-day operational activities within each directorate, and are owned by Executive Directors and their management teams. The most significant risks, referred to as corporate risks, are monitored by the CLT, and are those that could threaten the Council’s operations as a whole. Programme and project risks can exist at any level.

Risks can move between the levels to reflect changes in circumstances, become closed, or become issues, should the risk become realised.

Diagram showing Risk Tiers



- 2.11 It should be noted that some risks are outside of the authority's control; this is especially true in a local government setting, where statutory requirements need to be fulfilled. Whilst it is accepted that it may not be possible to prevent such risks occurring, it is expected that contingency plans and strategies are put in place to minimise and plan for any impact.
- 2.12 Directorate Risk Registers should be reported to the relevant Committee at least every six months, and more frequently if there is a significant change in risk profile. The Corporate Risk Register will be reported to the Strategy, Resources and Performance Committee and the Audit and Accounts Committee on at least a six-monthly basis, or more frequently to reflect any significant changes in the corporate risk profile. This report therefore presents the risks for the Place and Sustainability directorate to this committee.

3. Main Issues

Place and Sustainability Approach

- 3.1 Place and Sustainability recognise that risk management is everyone's responsibility and effective management requires all staff to play their part, whether that be to highlight risk, monitor, mitigate, or plan where possible to avoid it in the first place.
- 3.2 Good governance in respect of risk management is something that the Directorate acknowledges is a necessity rather than a desirable requirement, and as such ensures the subject receives sufficient focus. The Directorate Management Team (DMT) reviews the risk register monthly, with a full formal risk review undertaken quarterly. Managers can update the register and raise any concerns as necessary in the interim period between reviews at any DMT meeting. The register is now seen as a working document which is better equipped to address emerging, current, and escalating risks, in a timely and effective manner.
- 3.3 The Directorate Risk Register is planned to be reported to this committee on a six-month basis or more frequently to reflect any significant changes in the corporate risk profile. The register is attached as Appendix A.
- 3.4 During monthly reviews, the key focus is on the following areas: high risks, new risks, escalating risks, any risks that have become issues, and consideration of whether any risks

need escalating to the Corporate Risk Register.

- 3.5 As a result of extensive experience with the directorate in running programmes and projects there is already a significant amount of expertise in managing risk, and consequently a risk management culture is already embedded.
- 3.6 The Place and Sustainability Risk Register pulls together key risks from across the whole directorate. Many of the risks on the register are generic across services, while others are significant enough on their own to appear on this register as against appearing on the relevant Service Risk Register alone. The Risk Register includes generic risks across the directorate and those others relevant to this committee.
- 3.7 As part of the directorate's approach to risk management, officers will make the link in reports coming before the committee where appropriate to any risks on the register relevant to the subject matter in the report, the level of risk, and how they are being mitigated. This transparency will help provide confidence to Members that risks are being continually managed.
- 3.8 It is anticipated moving forward that risk management will be included as part of future performance reports, once a corporate template has been developed.

4. Alternative Options Considered

N/A

5. Conclusion and Recommendations

- 5.1 The management of risk is imbedded as a core activity within the Place and Sustainability directorate, helping to ensure risks are mitigated, strategic vision priorities can be achieved, challenges overcome, and opportunities maximised.
- 5.2 Having considered the report, the committee is asked to note its contents.

6. Significant Implications

6.1 Financial Implications

There are no resources or financial implications resulting from this proposal.

6.2 Legal Implications

There are no legal implications resulting from this proposal.

6.3 Risk Implications

There are no significant risks arising from proposals in this report.

6.4 Equality and Diversity Implications

There are no significant implications resulting from the proposal in this information report.

6.5 Climate Change and Environment Implications

Not applicable.

7. Source Documents

7.1 Code of Corporate Governance - [Code of Corporate Governance 2022-23 \(cambridgeshire.gov.uk\)](https://www.cambridgeshire.gov.uk)

7.2 Risk Management Policy - [CCC Risk Management Policy \(sharepoint.com\)](#)

7.3 Risk Management Toolkit - [CCC Risk Management Toolkit 2023.pdf \(sharepoint.com\)](#)

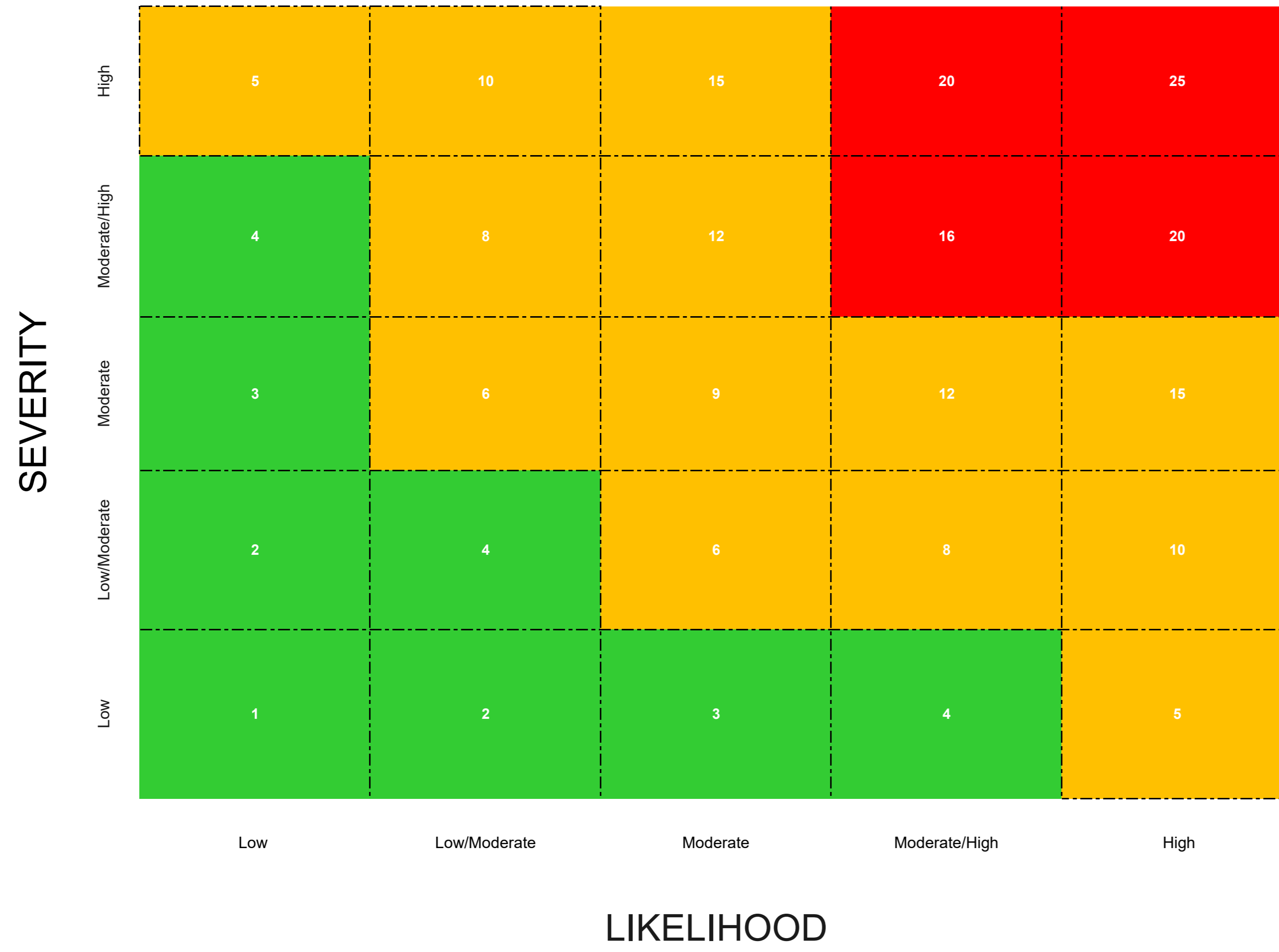
	A	B	C	D	E	F	G	H	I	J	K	L
1	CCC Place & Sustainability Risk Register											
2	Area	Description of Risk	Potential Consequence	Status	Likelihood	Impact	Severity	Control Measures/Mitigation	Assurance	Res Likelihood	Res Impact	Res Severity
3	Staff Capacity	Unable to recruit and retain staff with the right skills, experience, and qualifications to undertake service responsibilities, projects and statutory duties	Failure to deliver statutory duties, reduced ability to meet the policy objectives for the council as outlined in the strategic framework and ambitions. Reduced ability to provide timely and appropriate technical advice in relation to decisions made by the council or external bodies e.g. planning decisions, reduced ability to deliver requirements of partners in the delivery of projects. Failure to keep abreast of new legislative requirements.	LIVE	3	4	12	Highlighting the Culture, Values and Behaviours of the County Council. Highlighting the benefits offered by the council including salary, flexibility, wellbeing support. Embedding a positive workplace culture for all staff which is based on effective engagement. Implementing opportunities to attract and retain skills e.g. through apprenticeships, secondments and experience to work on project. Undertaking a review of those exiting the organisation to capture lessons learnt. Carry out market analysis of private and public sector salaries. Provision of development and training opportunities. Undertaking recruitment and marketing campaigns. Project Management Office supporting programme delivery.	Directorate performance scorecard to monitor vacancy rates, use of agency and interim staff, turnover rates on a monthly basis.	2	4	8
4	Staff Capacity	Additional pressures caused by high levels of absence and turnover	Unable to meet statutory requirements and obligations due to absence levels. Lack of ability to generate revenue to meet budget requirements due to lack of resource to hold meetings. Loss of continuity, resourcing and succession planning. Failure to meet service demand resulting from growth and/or new legislative responsibilities.	LIVE	4	4	16	Health and safety and wellbeing considered at all management team meetings, and is encouraged to be a standing item on 1-1 and our conversation meetings. Staff provided advice and given access to support through employee assistance schemes as required. Management of health and safety for all staff working across the directorate. Staff to undertake essential learning in relation to health and safety.	Directorate performance scorecard to monitor staff absence rates and reasons, health and safety incidences and near misses. Essential learning rates monitored through the performance review.	3	4	12
5	P&S Project Delivery - Capital Programme	Projects fail to be delivered in accordance with their requirements.	Project does not meet its expected outcomes and/or stakeholders are dissatisfied with project outcome. Project costs exceed budget and/or expected savings are not achieved or managed effectively. Failure to manage future demand.	LIVE	3	4	12	Projects are managed and provide accurate cost reporting and early escalations (when required), using appropriate systems. Robust project and programme risk management in place. Full compliance of project management principles across Project Delivery. Project and Programme Boards in place.	This is established through Project Boards, monthly project highlight reports and programme management software. Commercial team assures all stages of project lifecycles and contract management stages. Ongoing development plans to achieve continuous improvement include integration of lessons learned, budget control functions and project management tools. Accurate reports in live time can be run to provide programme, risk, cost and resource information - and performance managed and reported via Key Performance Indicators (KPIs). Continuous development of digital by default practices, and compliance checks.	2	4	8
6	Statutory/Legislative Requirements	New requirements around Schedule 3 SuDS Approval Body (SAB) role.	Impact not known but potentially very high. Depending on vehicle chosen, may need up to 12 more staff, and although new burdens promised to set up, implementation is via commuted sums. Experience in Wales has indicated this does not work.	LIVE	5	5	25	This is completely new; mitigations will be looked at when the legislation has been announced. At the moment, we are attending a national group of councils to prepare for this change. Research ongoing but early indications show staffing levels need to be increased by a factor of 2-4.	Initial burdens funding from Government but ongoing it needs to be self-funded through fees and charges. In theory, it should cover costs however early studies show losses. Recruitment to posts required under the new legislation.	5	4	20

	A	B	C	D	E	F	G	H	I	J	K	L
2	Area	Description of Risk	Potential Consequence	Status	Likelihood	Impact	Severity	Control Measures/Mitigation	Assurance	Res Likelihood	Res Impact	Res Severity
7	Statutory/Legislative	Legislative changes and effects on the PFI (Private Finance Initiative) Contract e.g., Collection consistency (simpler recycling), weekly Food Waste, Deposit Return Scheme (DRS), Extended Producer Responsibility (EPR), Persistent Organic Pollutants (POPs).	Impact on costs of the Waste PFI and technical ability of the facilities to operate effectively	LIVE	5	5	25	Dialogue with Department for Environment, Food and Rural Affairs (DEFRA) over food waste and any transition arrangements; awaiting a position from DEFRA on EPR, DRS and consistency, POPs are now being sent for energy from waste through the PFI contract at an additional cost, searching for offtake suppliers to get the best value for money. POPs annual cost currently £430k but will increase if POPs scheme expanded. Requested New Burdens Funding for POPs disposal and food waste collection impact. Responses to consultations on new legislation submitted. Strategic review of waste disposal being undertaken	Dialogue with DEFRA and waste organisations to understand potential legislative changes ahead of time. Discussions with district councils through the Cambridgeshire and Peterborough Waste Partnership (RECAP) to understand changes to their collection services. Review of Waste PFI arrangements Liaise with DEFRA/Treasury to understand what next burdens funding may be available.	5	4	20
8	Statutory/Legislative	Waste Contingency Planning. - Failure or withdrawal by Thalia from the operation of the Waterbeach Waste Management Park.	Waste Contingency Planning. CCC is the statutory waste disposal authority and processes 5,000 tonnes weekly through the PFI contracted facility at Waterbeach. Any hindrance to this disposal will cause delays with serious consequences to health and to our statutory obligations.	LIVE	5	4	20	1. Monitor Thalia's performance against defined trigger points for concerns - proactively manage relationship. Robust plan in place with contingency arrangements with alternative providers if required. 2. Ensure compliance with Waste Management Park maintenance programmes. - ensure plan is up to date and robust. 3. Establish response team for action. 4. Contingency planning.	Regular credit checks of Thalia SPV and Thalia O&M via procurement team. Annual review of accounts by Finance team and DEFRA - last completed May 23. Updates on company sale and financial status discussed at quarterly Strategic Liaison meetings. New maintenance provisions included in 2020 Deed of Variation requiring maintenance to be linked to manufacturers recommendations and good industry practice. Internal team identified and briefed on requirements. Plan for immediate step-in actions developed.	4	4	16
9	Climate Change & Environment Strategy	Non delivery of the Climate Change and Environment programme (CCES), and community/ County wide carbon target of Net Zero by 2045, nature and adaptation targets are not realised	Failure to deliver the CCES and targets, leading to significant and sustained political and reputational damage Continued decline in Cambridgeshire's biodiversity, and associated decline in health and wellbeing Increased pressure on services due to failure to support communities to adapt and be resilient to climate impacts Wider co-benefits of action are not realised -e.g. for mental health and cost of living, with potential knock-on impacts on number and complexity of needs from service users Economic development is slowed as Cambridgeshire becomes more expensive and harder to develop (e.g. due to insurance increases from flooding) and existing challenges like water security are exacerbated	LIVE	5	5	25	Climate Change and Environment Programme established to monitor delivery of the CCES and action plan. Innovate UK Locally Determined Contributions work aligns all stakeholders across Cambridgeshire to support delivery and a clear governance framework is established between local and central government, making best use of devolution. Climate Change and Environment programme increases community and business engagement to mobilise the market for change. Sustained resource and capacity across the programme and wider organisations enabled Securing expertise and capacity for community engagement Design and deliver a green economy strategy that includes economic incentives to support the circular economy,	Annual Carbon Footprint Report Annual Risk Based report on Council target delivery Climate Change & environment Programme governance, reporting and escalation procedures	3	5	15

	A	B	C	D	E	F	G	H	I	J	K	L
2	Area	Description of Risk	Potential Consequence	Status	Likelihood	Impact	Severity	Control Measures/Mitigation	Assurance	Res Likelihood	Res Impact	Res Severity
10	Climate Change & Environment Strategy	Non delivery of the Climate Change and Environment programme (CCES), leading to the organisational scope 1, 2, 3 carbon emissions targets and nature and adaptation targets not being realised	<p>Failure to deliver the CCES and targets, leading to significant and sustained political and reputational damage</p> <p>Failure to adequately demonstrate the Council's statutory biodiversity duties</p> <p>Increased pressures (financial and otherwise) on services and maintaining business continuity where adequate climate risk/adaptation planning has not been implemented.</p> <p>Recruitment challenges are exacerbated where potential candidate prefer organisations with strong "green credentials"</p> <p>Increased pressures on commercial services where customers privilege more sustainable options/companies.</p> <p>Existing local and national strategic partnerships are undermined by lack of progress.</p> <p>Increased difficulty in accessing government grants which increasingly require climate/nature benefits to be demonstrated.</p>	LIVE	4	4	16	<p>Climate Change and Environment Programme established to monitor delivery of the CCES and action plan.</p> <p>Implementation of Internal Audit recommendations to improve delivery and assurance.</p> <p>Climate Change and Environment programme re-structured to include specific nature workstream.</p> <p>Sustained and increasing resource and capacity across the programme and wider organisation.</p> <p>Embedding of climate via other Policy and Strategy, including corporate outcomes.</p> <p>Sustaining and increasing uptake of climate and nature training programme to all services.</p> <p>Development of a climate risk strategy to support services business continuity.</p> <p>Embedding of climate into council budgetary processes, including production of a carbon budget to inform business planning.</p>	<p>Annual Carbon Footprint Report</p> <p>Business Planning</p> <p>Annual Risk Based report on Council target delivery</p> <p>Climate Change & environment programme governance, reporting and escalation procedures</p>	3	3	9
11	Procurement & Contracts - Waste	Failure to arrive at an optimal and compliant solution for Waste BATc works or alternative solution. This could lead to: The Project Board does not manage The Thalia Joint Steering Group effectively Failure to anticipate legislation changes Changes to District Council collection services Environment Agency dissatisfaction with solution CCC priorities change Insufficient Governance.	<p>Preferred solution is not optimal over longer term.</p> <p>Increased costs to CCC to deliver statutory duties.</p> <p>Further action taken by the Environment Agency.</p> <p>Service disruption.</p> <p>Carbon and environmental impacts.</p> <p>PFI Contract termination.</p>	LIVE	4	5	20	<p>Front End Engineering Design (FEED) Study. Options appraisal undertaken.</p> <p>Technical and Financial Advisors.</p> <p>Governance Arrangements.</p> <p>Diverse experience and skills in CCC project team.</p>	<p>Thalia scoping and procurement of FEED Study consultant.</p> <p>Review by the Council's Technical Consultants.</p> <p>Agreement of optimal solution by Project Board and Committee.</p> <p>Project board discuss options to help key staff make informed decisions. Decisions taken by committees are robust and stand up to scrutiny.</p> <p>Assurance provided by Democratic Services and Monitoring Officer.</p>	4	5	20
12	Adverse Weather	Adverse weather conditions either result in impact for local communities, damage to private property, damage to maintained highway network and infrastructure, impact on access to essential services and consequential financial impact.	<p>Excessive wet, cold or windy weather results has an impact on communities, private property and impacts on access to essential services. Damage to structures and highway network resulting in significant demand and associated cost for remedial works. Impact on public transport and traffic flows creating increased congestion</p>	LIVE	4	4	16	<p>Contingency plans are in place for foreseeable adverse weather events helping ensure their effective handling.</p> <p>DMT work collaboratively to add resilience for such events and to develop future capacity . Action plan for development of Highways Emergency weather Response to be developed further based on learning from recent events.</p> <p>Support packages developed for communities to help address the immediate issues but also the longer term flood prevention work. Effective maintenance in place for winter maintenance, drainage and water management.</p>	<p>DMT review contingency arrangements along with the Corporate Resilience Team on a regular basis.</p>	3	4	12

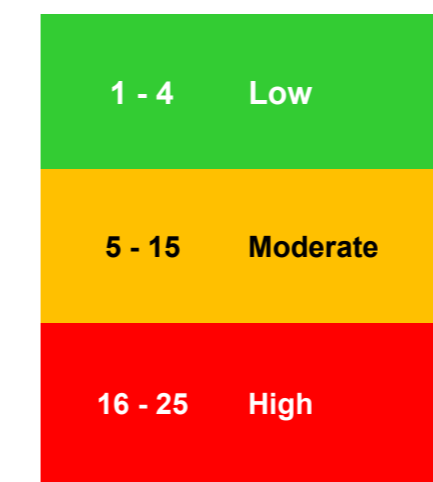
	A	B	C	D	E	F	G	H	I	J	K	L
2	Area	Description of Risk	Potential Consequence	Status	Likelihood	Impact	Severity	Control Measures/Mitigation	Assurance	Res Likelihood	Res Impact	Res Severity
13	Partnerships	A key partnership agreement and/or arrangement fails having a direct impact on the council's ability to effectively provide services and or deliver on future commitments.	Failure of partnerships has the potential to result in a number of negative outcomes such as: service reduction, or removal, cost inflation, failure to meet statutory duties, and reputational damage, and an inability to deliver on the councils visions.	LIVE	3	4	12	Contracts and agreements are entered into compliance with corporate governance and/or procurement/financial rules as appropriate. Default situations and mitigations considered when forming contracts and arrangements. Identified officers have responsibility for monitoring, addressing, and flagging partnership performance issues. Mapping of key partnership for the directorate undertaken with actions around lead officers, objectives and management arrangements.	Partnership concerns are escalated to the Departmental Management Team to ensure oversight and their effectively handling. Performance against key indicators monitored, with interventions implemented where necessary to address issues.	2	4	8
14	Health and Safety	Health and Safety (H&S) failings in respect result in injury and or death to staff and/or persons the council has responsibility for in the provision of its services and duties.	Failings lead to injury and or/death of persons the council has responsibility for. The council consequently has to report incidents to the Health and Safety Executive, and could face both criminal and civil legal action and reputational damage. The impact on injured parties, friends, family and colleagues can be significant.	LIVE	2	4	8	H&S risk assessments in place, and an assurance audit being undertaken. H&S on agenda at team meetings. Data monitored through scorecard including near misses. Staff required to complete essential learning on H&S.	H&S data included in directorate performance scorecard. Annual assurance review of health and safety risk assessments takes place. Review also considers all areas where an assessment is required to ensure one is in place.	1	4	4
15	Change Management	Staff resilience and ability to cope and manage change effectively reduced due to capacity as a result of wider service demand.	Change not effectively implemented, resulting in poor outcomes. Dissatisfaction and low morale amongst staff, poor reputation amongst partners. Adverse financial consequences and increased absence due to ill health	LIVE	4	5	20	Monitoring during 1-1 meeting's DMT, Project and Board Meetings. DMT agreed prioritisation to enable capacity for priority workstreams to progress. Mutual support across DMT, and or reach out to other services where required.	DMT and Corporate oversight as appropriate in place for key workstreams.	3	5	15

RISK MATRIX



RISK TABLES

Level	Likelihood	Severity
1	Low	Is unlikely to occur in normal circumstances
2	Moderate	Likely to occur in some circumstances or at some time
3	High	Is likely to occur at some time in normal circumstances



RISK IMPACT DESCRIPTORS TABLE

The following descriptors are designed to assist officers in scoring the impact of a risk, to ensure a consistent approach across the Council. The descriptions are a guide and there may be exceptions depending on the specific nature of the risk:

	Negligible (1)	Low (2)	Medium (3)	High (4)	Very High (5)
Legal and Regulatory	Minor civil litigation or regulatory criticism.	Minor regulatory enforcement.	Major civil litigation and/or local public enquiry.	Major civil litigation setting precedent and/or national public enquiry.	Section 151 or government intervention or criminal charges.
Financial cost (per annum)	Less than £0.5m.	Less than £1 million.	Less than £5 million.	Less than £10 million.	More than £10 million.
Service provision	Insignificant disruption to service delivery.	Minor disruption to service delivery.	Moderate direct effect on service delivery.	Major disruption to service delivery.	Critical long term disruption to service delivery.
Safeguarding and Health & Safety	No injuries.	Low level of minor injuries.	Significant level of minor injuries of employees and/or instances of mistreatment or abuse of individuals for whom the Council has a responsibility.	Serious injury of an employee; and/or serious mistreatment or abuse of an individual for whom the Council has a responsibility.	Death of an employee or individual for whom the Council has a responsibility; and/or serious mistreatment or abuse resulting in criminal charges.
Reputation	No reputational impact.	Minimal negative local media reporting.	Significant negative front page reports/editorial comment in the local media.	Sustained negative coverage in local media or negative reporting in the national media.	Significant and sustained local opposition to the Council's policies and/or sustained negative media reporting in national media.
Environment	No or insignificant environmental damage.	Minor local environmental damage.	Moderate local environmental damage.	Major local environmental damage.	Major national or international environmental damage.

VERY HIGH	5	10	15	20	25
HIGH	4	8	12	16	20
MEDIUM	3	6	9	12	15
LOW	2	4	6	8	10
NEGLECTIBLE	1	2	3	4	5
IMPACT LIKELIHOOD	VERY RARE	UNLIKELY	POSSIBLE	LIKELY	VERY LIKELY

Once **residual risk scores** have been agreed, they should be approached as follows:

Red: (scores 16 – 25) In excess of Council's risk appetite. Must be escalated to CLT (and on to Strategy & Resources Committee if CLT agree with the risk assessment). Officers must seek to manage the risk down to an acceptable level as a matter of urgency.

Amber: (scores 12 – 15) On the borders of the Council's risk appetite. Management should ensure that they are closely monitoring these risks and that they have arrangements in place to provide assurance over the effectiveness of the controls in place to manage these risks.

Yellow (scores 5 – 10) Risks should be recorded and reviewed quarterly to assess any increases in the risk score.

Green: (scores 1 – 4) Minimal risk. Monitor as necessary. No actions required.

RISK LIKELIHOOD DESCRIPTORS TABLE

The table below provides guidance to officers on scoring the likelihood of risk occurrences, to support a consistent approach across the Council:

Score	Description
5 Very High (90%+)	Without action, is highly likely to occur. Annual similar occurrences in local government/Council history.
4 Likely (60%-90%)	Strong possibility. Regular similar occurrences known in local government/Council history.
3 Possible (40%-60%)	Might occur. Similar occurrences known in local government/Council history.
2 Unlikely (10%-40%)	Not expected. Rare but not unheard-of occurrence in local government/Council history.
1 Very rare (0%-10%)	Very unlikely to occur. No recent similar instances in local government/Council history.

Corporate Performance Report – Quarter 3 2023/24

To: Environment and Green Investment Committee

Meeting Date: 14 March 2024

From: Executive Director of Place and Sustainability

Electoral division(s): All

Key decision: No

Forward Plan ref: Not Applicable

Executive Summary: This report provides an update to the Committee on the performance monitoring information for the 2023/24 quarter 3 period, to December 31st

Recommendation: The Committee is asked to:

Note and comment on performance information and act, as necessary.

Officer contact:

Name: Richard Springbett

Post: Governance and Performance Manager, Strategy and Partnerships

Email: Richard.Springbett@cambridgeshire.gov.uk

1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 This report analyses the key performance indicators (KPIs) which directly link to Ambition 1 'Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes'. Due to the complex nature of KPIs, some indicators may also impact other ambitions.

2. Background

- 2.1 The Performance Management Framework sets out that Policy and Service Committees should:
- Set outcomes and strategy in the areas they oversee.
 - Select and approve the addition and removal of Key Performance Indicators (KPIs) for the committee performance report.
 - Track progress quarterly.
 - Consider whether performance is at an acceptable level.
 - Seek to understand the reasons behind the level of performance.
 - Identify remedial action.
- 2.2 This report, delivered quarterly, continues to support the committee with its performance management role. It provides an update on the status of the selected Key Performance Indicators (KPIs) which track the performance of the services the committee oversees.
- 2.3 The report covers the period of quarter three 2023/24, up to the end of December 2023.
- 2.4 The most recent data for indicators for this committee can be found in the dashboard at Appendix 1. The dashboard includes the following information for each KPI:
- Current and previous performance and the projected linear trend.
 - Current and previous targets. Please note that not all KPIs have targets, this may be because they are being developed or the indicator is being monitored for context.
 - Red / Amber / Green / Blue (RAGB) status.
 - Direction for improvement to show whether an increase or decrease is good.
 - Change in performance which shows whether performance is improving (up) or deteriorating (down).
 - The performance of our statistical neighbours. This is only available, and therefore included, where there is a standard national definition of the indicator.
 - KPI description.
 - Commentary on the KPI.
- 2.5 The following RAGB criteria are being used:
- Red – current performance is 10% or more from target.
 - Amber – current performance is off target by less than 10%.
 - Green – current performance is on target or better by up to 5%.
 - Blue – current performance is better than target by 5% or more.
 - Baseline – indicates performance is currently being tracked in order to inform the target setting process.
 - Contextual – these KPIs track key activity being undertaken, to present a rounded view of information relevant to the service area, without a performance target.

- In development - KPI has been agreed, but data collection and target setting are in development.

3. Main Issues

3.1 Current performance of available indicators monitored by the Committee is as follows:

Status	Number of KPIs	Percentage of KPIs*
Red	-	0%
Amber	1	7%
Green	1	7%
Blue	-	0%
Baseline	-	0%
Contextual	9	82%
In Development	-	0%
Suspended	-	0%

*Figures may not add to 100 due to rounding.

- 3.2 Following feedback at the Environment and Green Investment Committee meeting in January 2024, Indicator 150a 'Cambridgeshire recycling, reuse, composting and recovery rate (12 month rolling total)' now includes the recycling recovery rate and shows the breakdown of data for the recycling, reuse, composting and recovery rates. This breakdown will be reported going forward in future Performance Reports.
- 3.3 The following indicator is an annual indicator, and the data will be updated in June 2024:
- Indicator 227: Cambridgeshire county-wide carbon footprint (tonnes CO2e per year).
- 3.4 There are no red indicators for commentary this quarter. Detailed commentary and summary of each indicator can be found in Appendix 1.
- 3.5 There are nine indicators which are identified as contextual. Not all indicators have targets. This may be because targets for these KPIs are being developed or the indicator is being monitored for context.

4. Conclusion and reasons for recommendations

- 4.1 The majority of the indicators for this committee are contextual or have contextual targets. Of the ten indicators that have been updated this quarter, six have seen an improvement in performance:
- Indicator 24a: Percentage of premises in Cambridgeshire & Peterborough with access to at least superfast broadband
 - Indicator 24b: The percentage of premises in Cambridgeshire and Peterborough with access to Gigabit capable broadband.
 - Indicator 150a: Cambridgeshire recycling, reuse, composting and recovery rate (12 month rolling total)
 - Indicator 150b: Cambridgeshire recycling, reuse, composting and recovery rate (12 month rolling total)
 - Indicator 224: Energy usage at CCC sites (kWh per month).

- Indicator 225: Council's carbon footprint, Scopes 1 and 2 (tonnes CO2e per year).

Three have seen a decline in performance:

- Indicator 48: Municipal waste landfilled (12 month rolling average)
- Indicator 223: Waste per Head (12 month rolling average)
- Indicator 226: 'Council's carbon footprint, Scope 3 (tonnes CO2e per year)' saw an increase from 79,600 CO2e to 97,692 CO2e on the previous year, however this performance is currently well within the scope to achieve target by 2030.

One indicator's performance has remained unchanged:

- Indicator 31: The percentage of County Matter planning applications determined within 13 weeks or within a longer time period if agreed with the applicant.

5. Significant Implications

- 5.1 This report monitors quarterly performance. There are no significant implications within this report.

6. Source Documents

- 6.1 None

Produced on:

06 March 2024



Performance Report

Quarter 3

2023/24 financial year

Environment and Green Investment Committee

Governance & Performance
Cambridgeshire County Council
governanceandperformance@cambridgeshire.gov.uk

Key



Data Item	Explanation
Target / Pro Rata Target	The target that has been set for the indicator, relevant for the reporting period
Current Month / Current Period	The latest performance figure relevant to the reporting period
Previous Month / previous period	The previously reported performance figure
Direction for Improvement	Indicates whether 'good' performance is a higher or a lower figure
Change in Performance	Indicates whether performance is 'improving' or 'declining' by comparing the latest performance figure with that of the previous reporting period
Statistical Neighbours Mean	Provided as a point of comparison, based on the most recently available data from identified statistical neighbours.
England Mean	Provided as a point of comparison, based on the most recent nationally available data
RAG Rating	<ul style="list-style-type: none"> • Red – current performance is off target by more than 10% • Amber – current performance is off target by 10% or less • Green – current performance is on target by up to 5% over target • Blue – current performance exceeds target by more than 5% • Baseline – indicates performance is currently being tracked in order to inform the target setting process • Contextual – these measures track key activity being undertaken, to present a rounded view of information relevant to the service area, without a performance target. • In Development - measure has been agreed, but data collection and target setting are in development
Indicator Description	Provides an overview of how a measure is calculated. Where possible, this is based on a nationally agreed definition to assist benchmarking with statistically comparable authorities
Commentary	Provides a narrative to explain the changes in performance within the reporting period
Actions	Actions undertaken to address under-performance. Populated for 'red' indicators only
Useful Links	Provides links to relevant documentation, such as nationally available data and definitions

Target	Direction for Improvement	Current Quarter	Previous Quarter	Change in Performance
99.00%	↑	98.68%	98.65%	Improving
Statistical Neighbour Mean N/A		England Mean 98.2%		RAG Rating Amber

Indicator Description

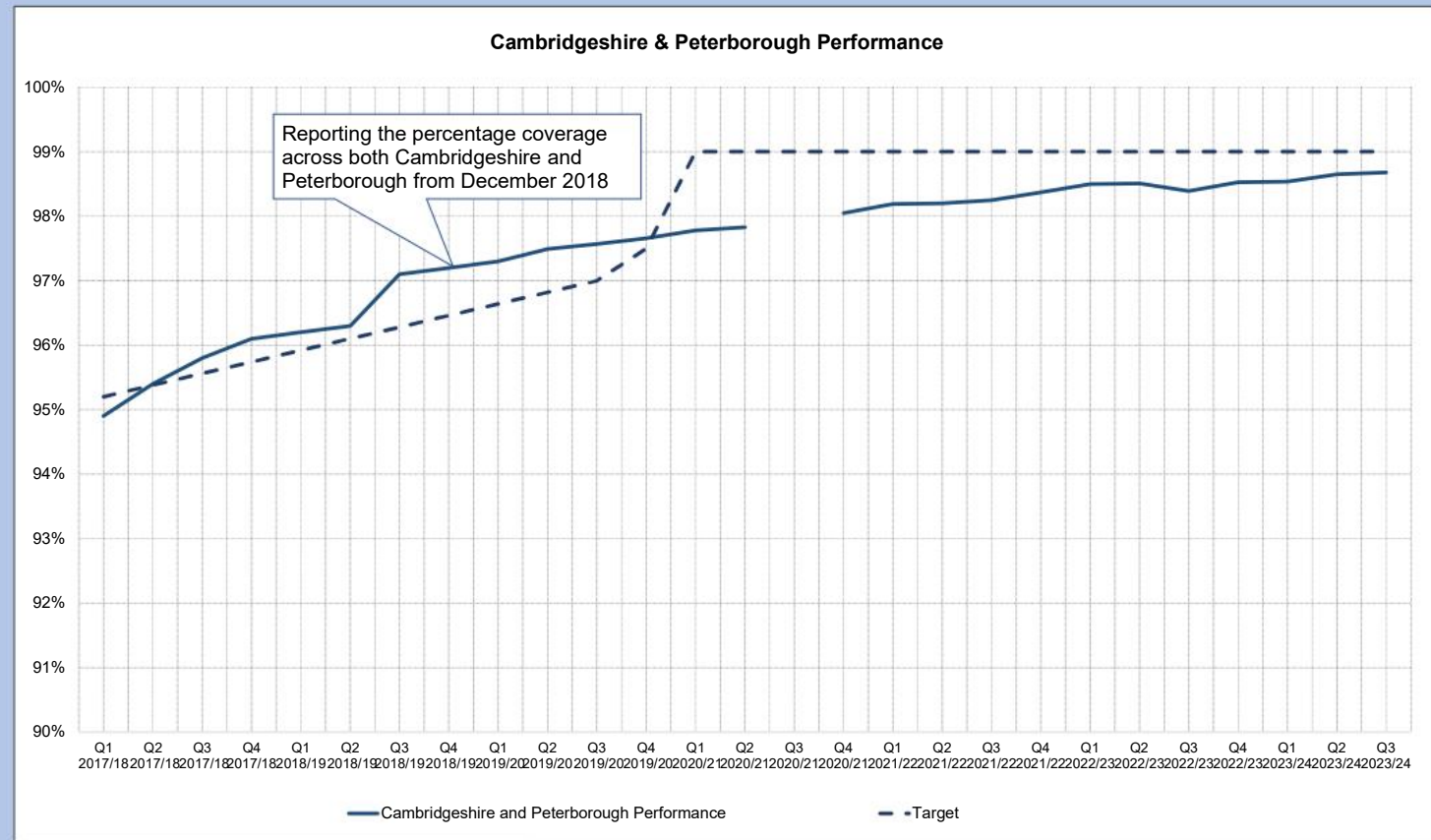
This indicator shows the percentage of addresses with Superfast broadband (greater than 24mbps) availability across Cambridgeshire and Peterborough. The data has been produced by Think Broadband. This is a nationally recognised source of digital infrastructure statistics.

There was an interim target of 97% by end of 2019 and then 99% by 2020.

Source name: Think Broadband Collection name: Local Broadband Information

Polarity: High is good.

There is no statistical neighbour data.



Commentary

The percentage of premises in Cambridgeshire with access to at least superfast broadband is continuing to rise gradually and is still ahead of the England mean . **This remains lower than the target of 99% by end of 2020, however above the England Mean average of 98.2%.** Note, the Covid 19 pandemic affected the pace of digital infrastructure delivery and the lasting effect, together with the increasing cost and complexity of delivering to the final percentage of premises means that it will take longer than originally planned to reach or 99% target.

Please note the following changes to the indicator:

1. The targets and quarterly figures are now for both Cambridgeshire and Peterborough.
2. Quarterly targets have been calculated based on the overall target to reach over 99% coverage countywide by the end of 2020.

Useful Links

Actions

Target	Direction for Improvement	Current Quarter	Previous Quarter	Change in Performance
Above 85% by end of 2025	↑	83.21%	82.34%	Improving
Statistical Neighbour Mean	England Mean	RAG Rating		
N/A	78.9%	Contextual		

Indicator Description

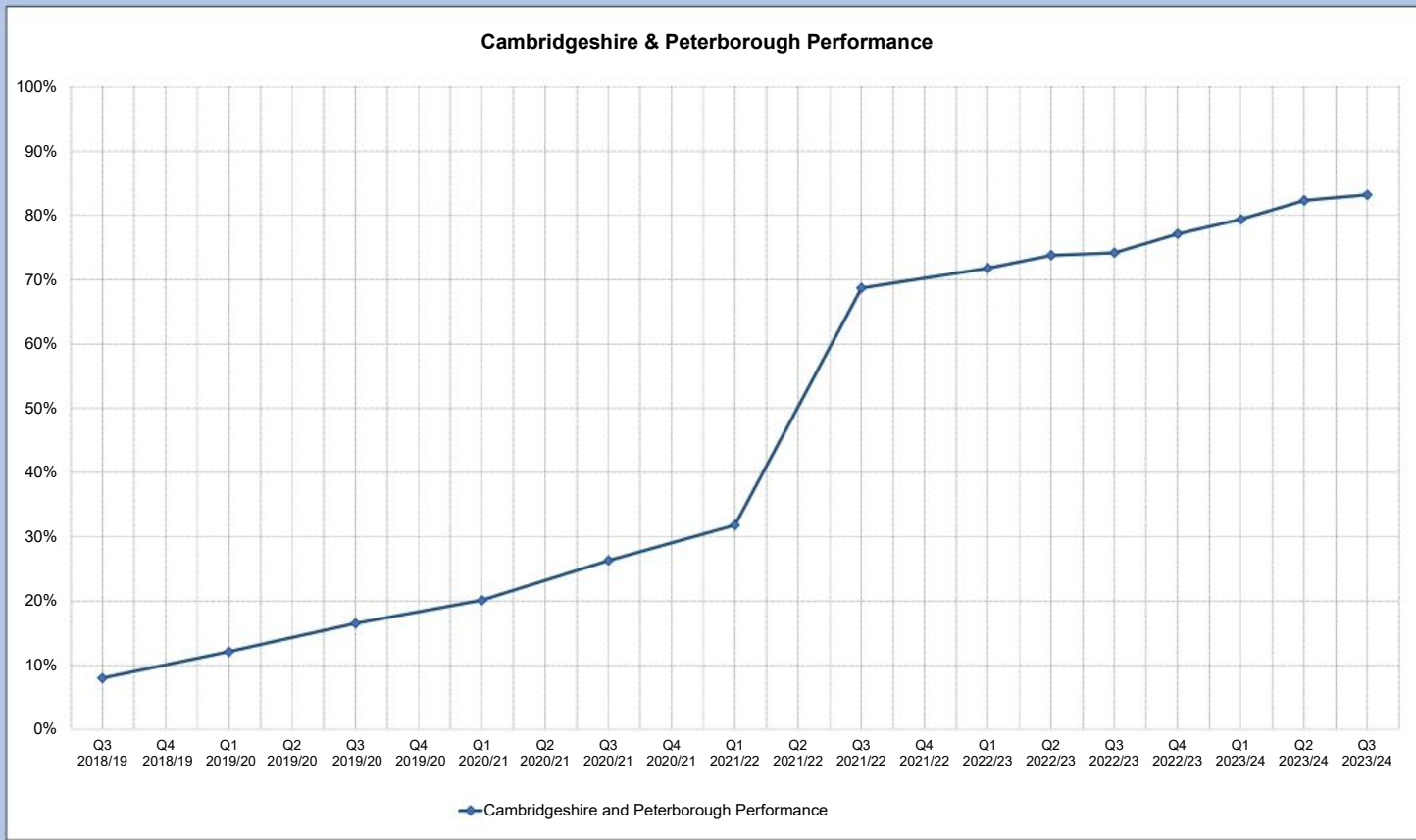
This indicator shows the percentage of addresses with access to Gigabit capable broadband across Cambridgeshire and Peterborough.

The data has been produced by Think Broadband. This is a nationally recognised source of digital infrastructure statistics.

Source name: Think Broadband Collection name: Local Broadband Information

Polarity: High is good.

There is no statistical neighbour data.



Commentary

Gigabit capable broadband coverage continues to rise and is on target for Cambridgeshire and Peterborough to exceed the government's national target of 85% GB coverage by 2025. This indicator denotes coverage (ie the ability of premises to be able to order a Gigabit broadband service) rather than take-up which reflects the percentage of premises actually ordering a gigabit service. Take-up data is a commercially sensitive and therefore not a figure shared by broadband suppliers.

Useful Links

Actions

Target	Direction for Improvement	Current Quarter	Previous Quarter	Change in Performance
100.0%	↑	100.0%	100.0%	Unchanged

RAG Rating

Green

Indicator Description

This indicator is an important measure of success when the local authority determines planning applications.

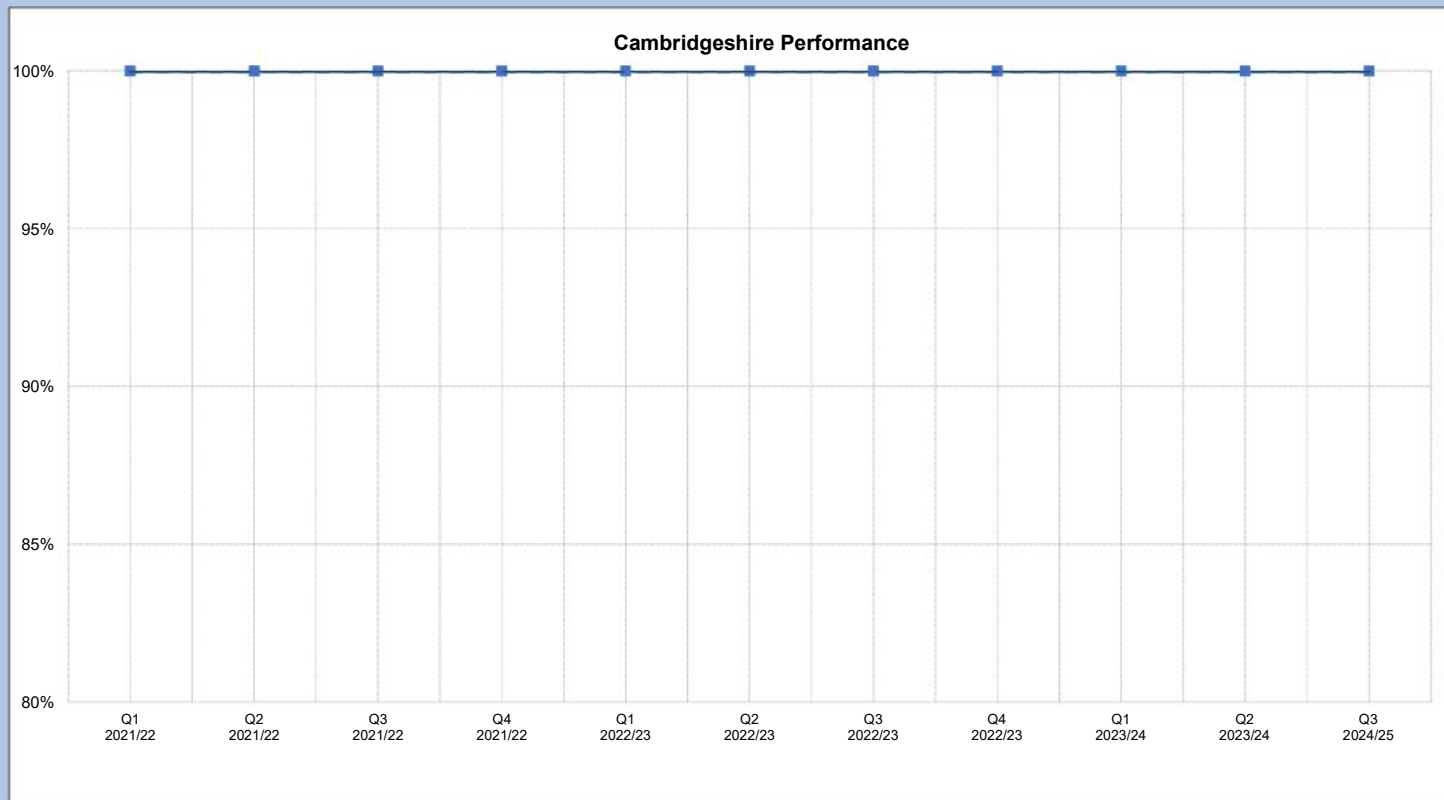
This is shown by the average percentage of decisions on applications made within two years. This is up to and including the most recent financial quarter.

Applications must be made:

- a. within the statutory period. Or:
- b. within an extended period that has been agreed in writing between the applicant and the local planning authority.

We collect the data monthly and report quarterly.

The Department for Levelling Up, Housing and Communities collect data recorded for major development.



Commentary

If a Local Planning Authority often fails to make a decision on planning applications within the statutory period, without agreeing an extension of time, then the Secretary of State can label the Local Planning Authority as underperforming. If this happens, applicants have the option of submitting their applications to the Planning Inspectorate to make a decision.

If the Local Planning Authority is labelled as underperforming, then they will be expected to prepare an action plan to address areas of weakness that are leading to under performance. Therefore, the percentage of applications that are determined within the agreed timescales is a key performance indicator for the County Planning, Minerals and Waste team. Performance remained at 100% through the whole 2022/23 financial year. It is recommended that this indicator remains in corporate performance reports for as it is a key indicator of monitoring statutory performance of a key service.

Q3 of 2023/24 continues to see performance remaining at 100%.

Useful Links

[Government publication service document on improving planning performance](#)

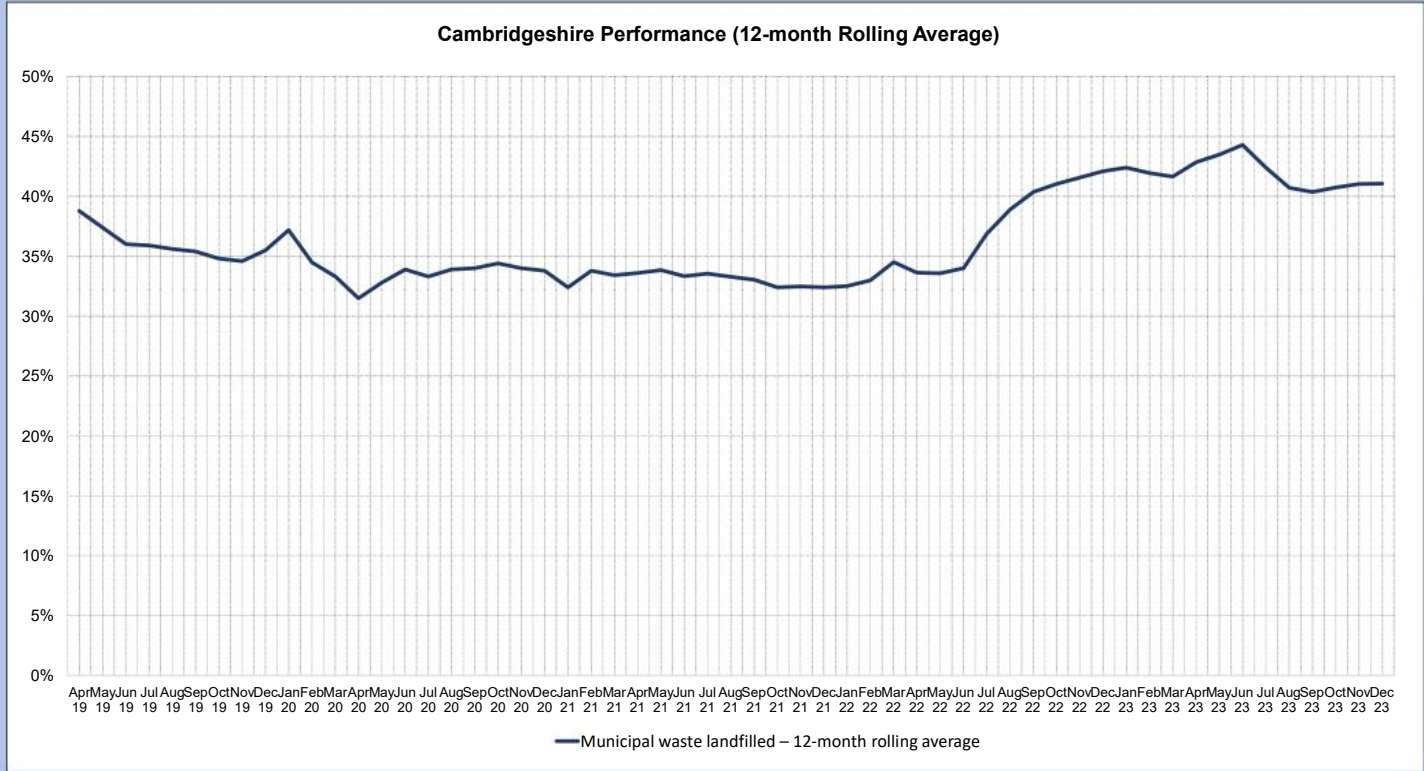
Actions

Target	Direction for Improvement	Current Month	Previous Month	Change in Performance
Contextual	↓	41.1%	41.0%	Declining
RAG Rating				
Contextual				

Indicator Description

This indicator shows the proportion of waste sent to landfill, either directly or as an output from the Mechanical Biological Treatment facility (MBT). This is based on a 12 month rolling average.

Polarity: Low is good



Commentary

During the 12 months ending December 2023, 41.07% of waste was landfilled. The recent sharp increase relates to residual waste no longer being processed by the MBT from July 2022 onwards (and instead being mostly sent directly to landfill), whilst the facility is being redeveloped.

Useful Links

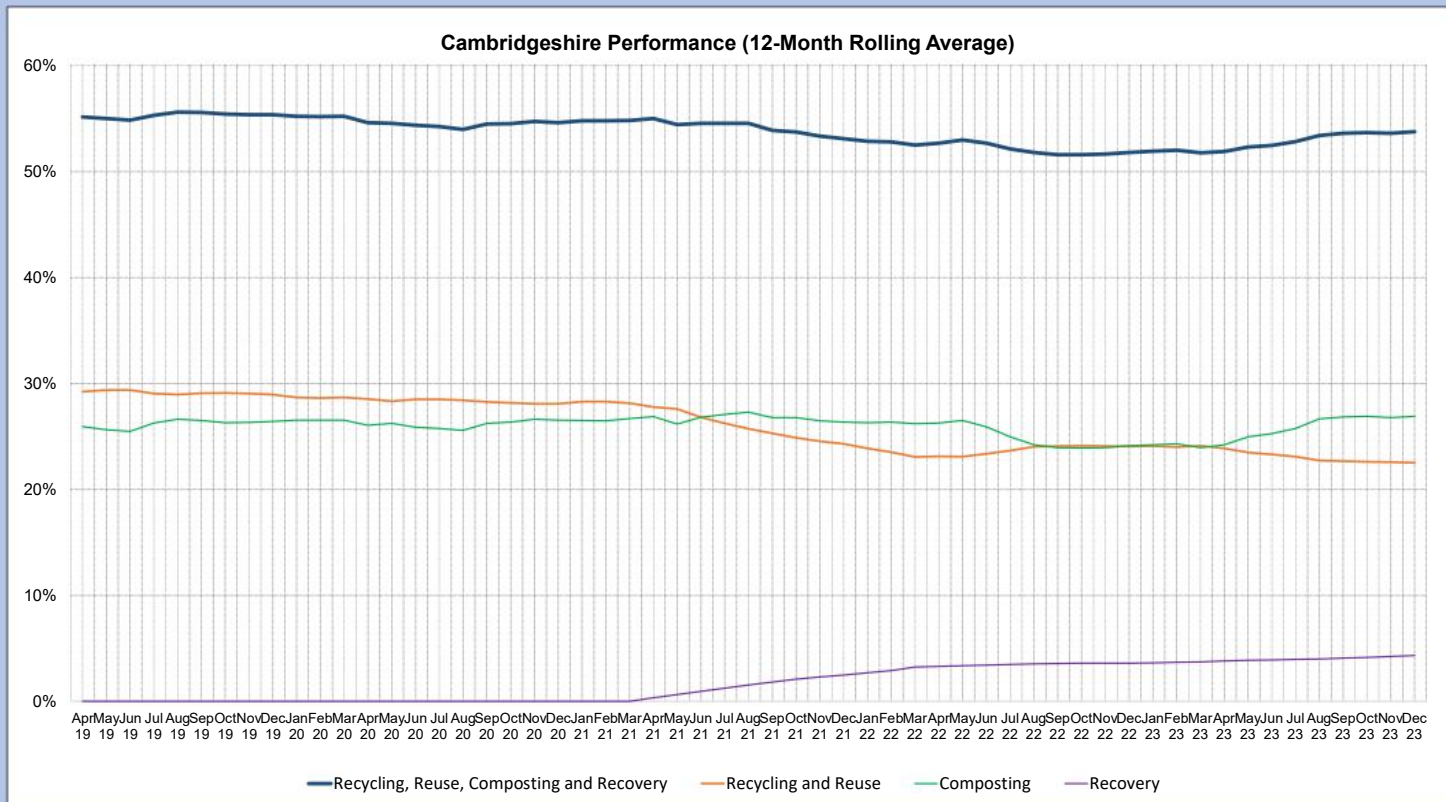
Actions

Target	Direction for Improvement	Current Month	Previous Month	Change in Performance
Contextual	↑	53.76%	53.63%	Improving
RAG rating				
Contextual				

Indicator Description

This indicator shows the combined proportion of household waste that is recycled, reused, composted or sent for energy recovery. This includes all district and city partner's recycling performance as well as the performance of the County Council's Household Recycling Centres. This has significant financial impact on the council.

Polarity: High is good



Commentary

During the 12 months ending in December 2023, 53.76% of waste was recycled, reused, composted or sent for energy recovery. Performance has improved significantly over the last year, due to recovery in composting from the drought in 2022. However, recyclates are still no longer being recovered at the front end of the MBT (which is unavailable during BATc upgrade works), resulting in a drop from historic performance.

Useful Links

[Department for Environment, Food & Rural Affairs Waste Statistics](#)

Actions

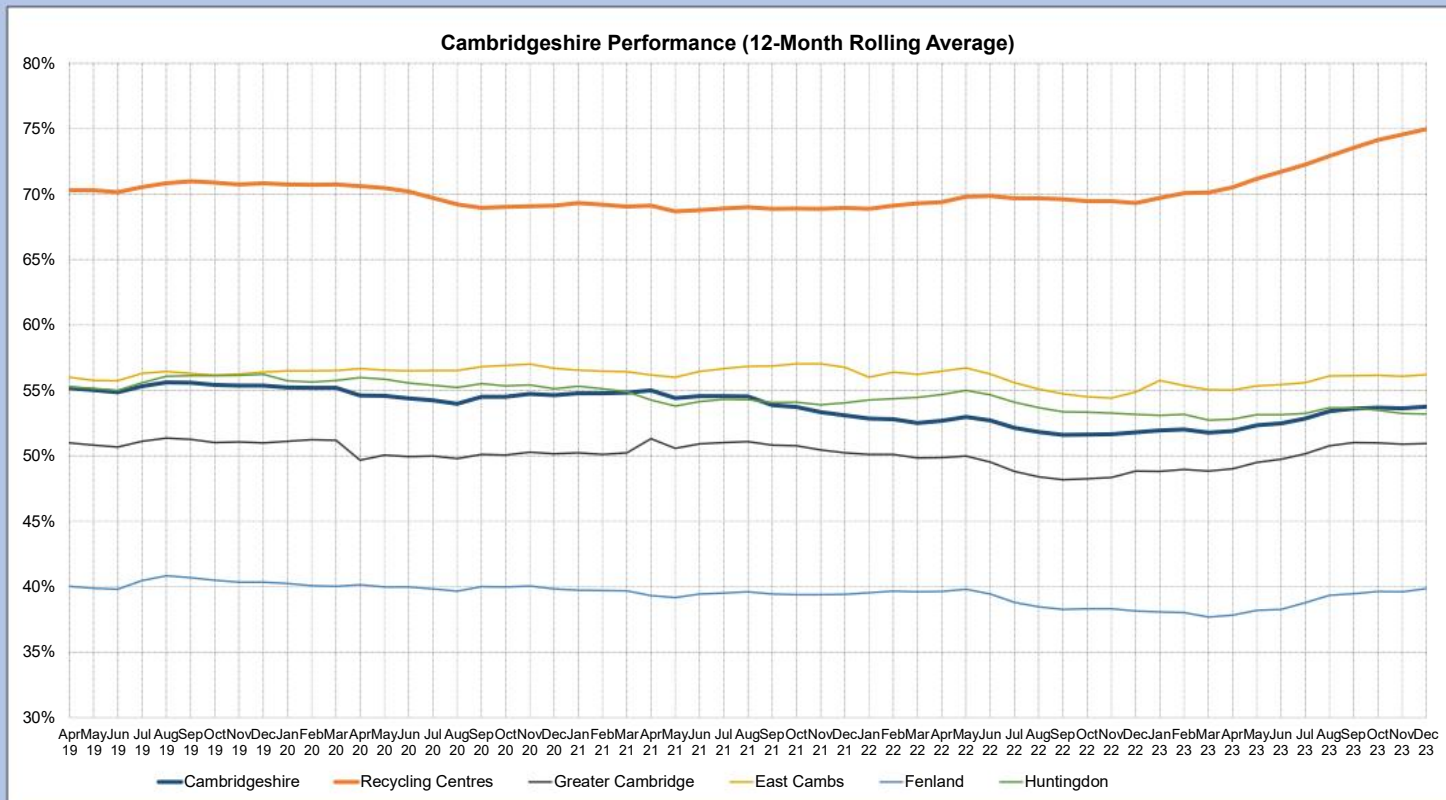
Target	Direction for Improvement	Current Month	Previous Month	Change in Performance
Contextual	↑	53.76%	53.63%	Improving
RAG rating				
Contextual				

Indicator Description

This indicator shows the combined proportion of household waste that is recycled, reused, composted or sent for energy recovery. This includes all district and city partner's recycling performance as well as the performance of the County Council's Household Recycling Centres. This has significant financial impact on the council.

The 'Cambridgeshire' line on this graph is the 12-month rolling average for Cambridgeshire, also shown in Indicator 150a.

Polarity: High is good



Commentary

Fenlands recycling rate is notably lower than the other districts, as they offer a paid garden waste collection, as opposed to the free garden and food waste collection offered by other districts. This results in them collecting proportionally less garden waste for composting. The recovery rate for HRCs has increased over the last year as soft furnishings that were previously sent to landfill, must now be sent to energy recovery, following guidance issued around Waste Upholstered Domestic Seating (WUDS) containing Persistent Organic Pollutants (POPs).

Useful Links

[Department for Environment, Food & Rural Affairs Waste Statistics](#)

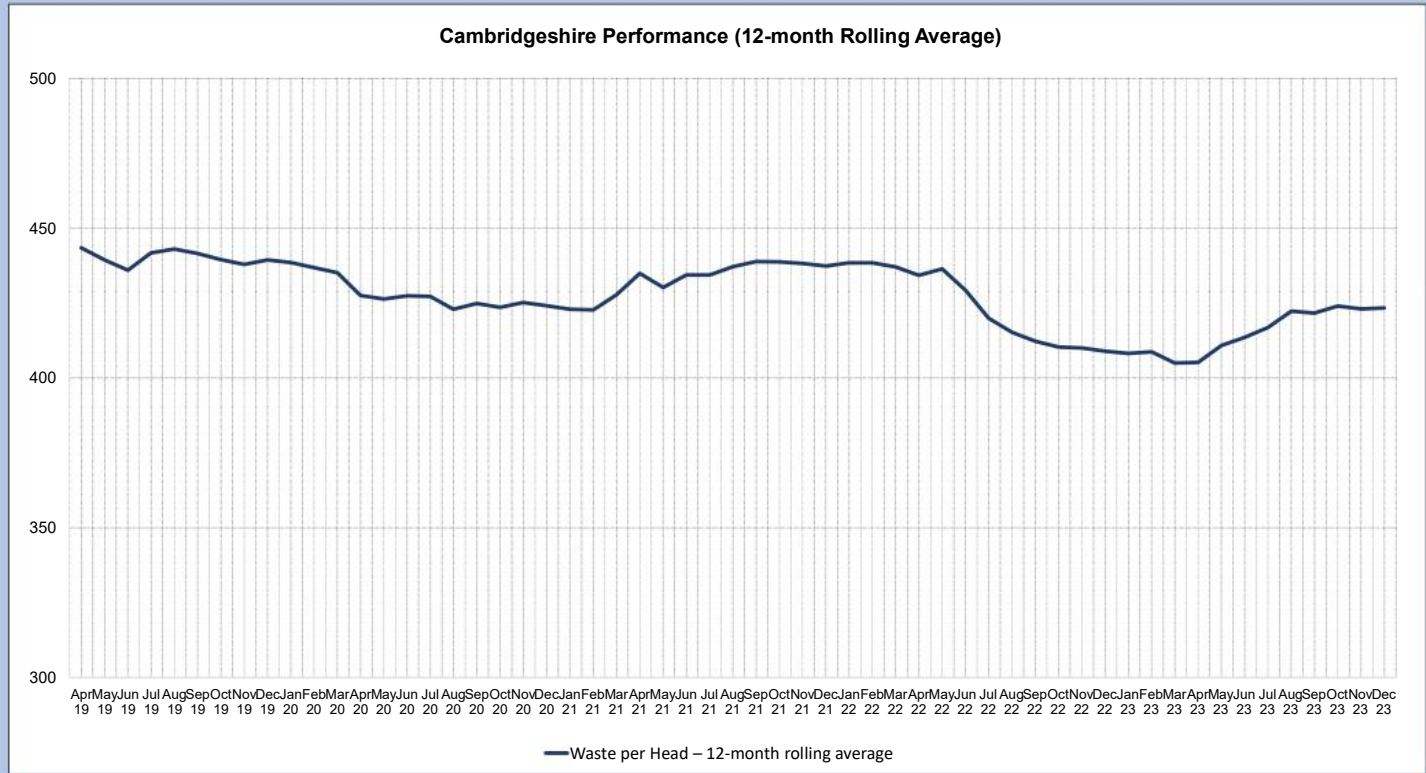
Actions

Target	Direction for Improvement	Current Month	Previous Month	Change in Performance
Contextual	↓	423.4	423.1	Declining
RAG Rating				
Contextual				

Indicator Description

This indicator shows the amount of household waste generated per person within Cambridgeshire. This is based on a 12 month rolling average. This has significant financial impact on the council.

Polarity: Low is good



Commentary

During the 12 months ending December 2023, we collected 423.4kg/head of household waste across Cambridgeshire. The recent increase in this figure is largely due to increased green waste tonnages, in comparison to the drought in Summer 2022, but the general downwards trend is expected to continue.

Useful Links

Actions

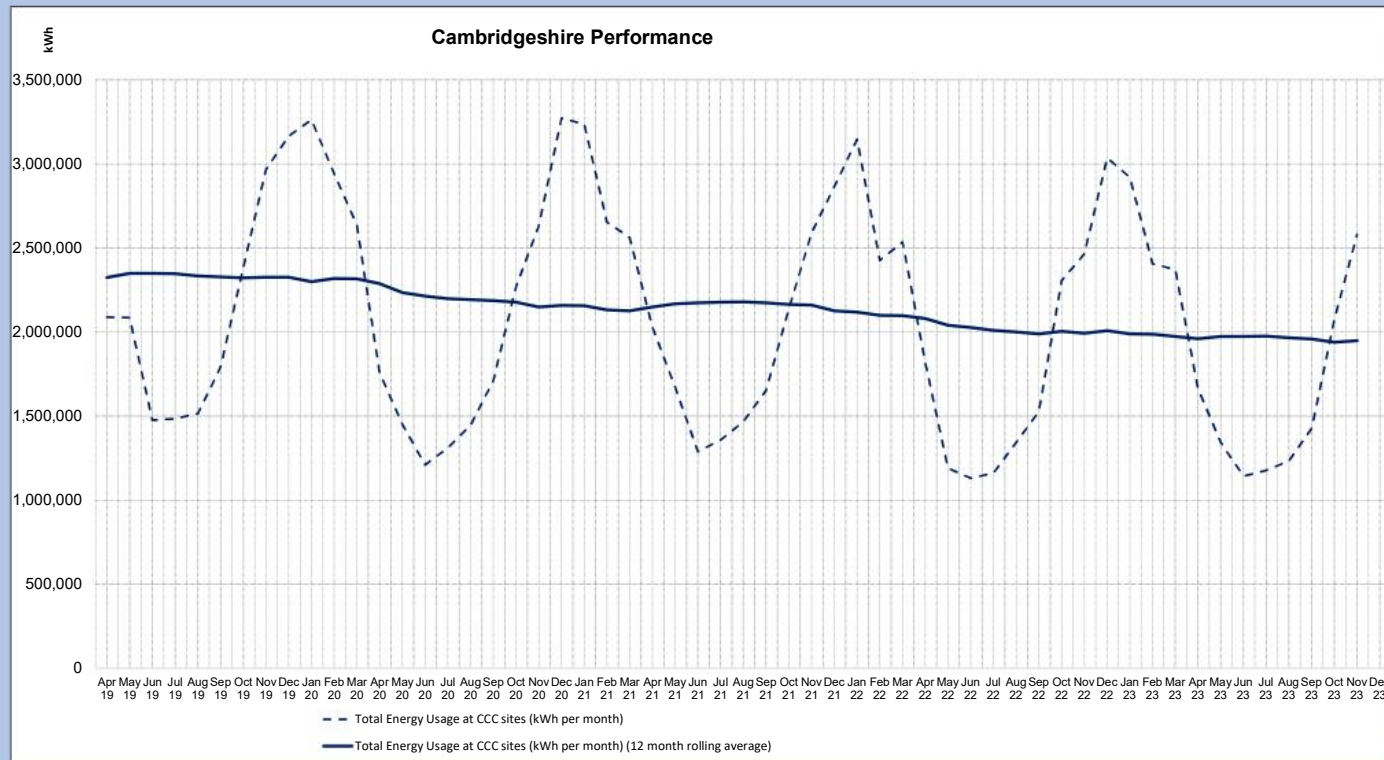
Target	Direction for Improvement	Most recent 12 months	Rolling 12 months, previous month	Change in Performance
Contextual	↓	1,948,089	2,007,126	Improving
RAG Rating				
Contextual				

Indicator Description

Energy is the biggest source of the Council's direct (scope 1 & 2) emissions. No target has been set for this indicator.

Energy use includes electricity, gas and oil.

Polarity: Low is good



Commentary

Energy usage is expected to be higher in winter, when there is more demand for heating and lighting.

Over half of the Council's electricity usage in the last 12 months was for streetlighting. Some of the total energy use is due to the Swaffham Prior Community Heat Network energy centre coming online and ramping up in 2022-23.

Annual energy use (total across electricity, gas and oil) in the FY 2022-23 was down 5.7% from the previous year. Gas usage in the FY 2022-23 showing a reduction of 21.5% from previous year, as a result of the low carbon heating programme.

Useful Links

Actions

No further action required - the energy team will continue to monitor energy usage as usual.

Target	Direction for Improvement	Current Year	Previous Year	Change in Performance
Net zero by 2030	↓	1,412	2,142	Improving

RAG Rating

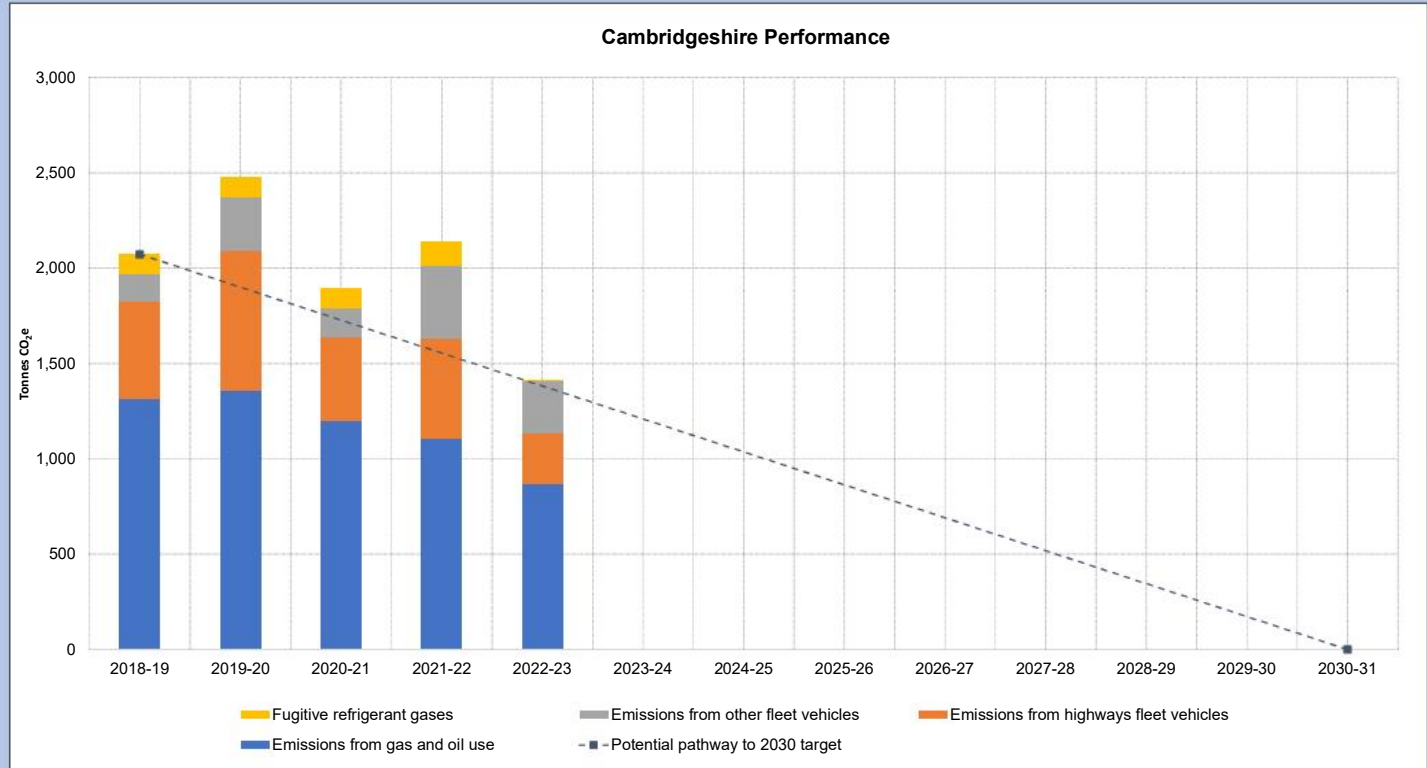
Contextual

Indicator Description

This indicator shows annual progress towards the Council's target set out in the Climate Change and Environment Strategy, of reducing scope 1&2 emissions to net zero by 2030.

Scope 1 means direct emissions from the Council's own assets.
 Scope 2 means emissions from purchased electricity.

Polarity: Low is good



Commentary

Carbon footprint is measured retrospectively in FY increments. FY 2018-2019 is our baseline year which we use to compare all subsequent FYs since. 2018-19 has been selected as that is the first year that we started Carbon footprinting. It is important to note that we recognise that our Carbon footprint won't necessarily go down year on year (as can be seen post pandemic years). Probably the most useful indicators of how we are moving towards our net zero goal is comparison to our baseline year which should be a net 100% reduction in scope 1 & 2 emissions by 2030.

Gas and oil emissions have reduced in 2022-23, and will reduce further in 2023-24 due to the low carbon heating programme. Emissions from highways fleet have also reduced in 2022-23 due to the change from diesel to HVO biofuel for some large vehicles.

Scope 2 emissions from electricity are zero because the council purchases a green tariff through its supply contract.

Data for 22-23 is now finalised. This was presented in the annual carbon footprint report for 22-23, in January 2024.

Useful Links

<https://www.cambridgeshire.gov.uk/residents/climate-change-energy-and-environment/carbon-footprinting-how-big-is-the-problem>

(See Downloads section at the end of that webpage)

<https://www.cambridgeshire.gov.uk/asset-library/part-3-action-plan.pdf>

Actions

Continue with the low carbon heating programme for Council buildings.
 Further action will be needed in future to address the remaining emissions from fleet vehicles - either by electrification, biofuels or reduced miles travelled (or a combination of these).
 See the Council's Climate Change and Environment Strategy Action Plan for further information on other planned actions.

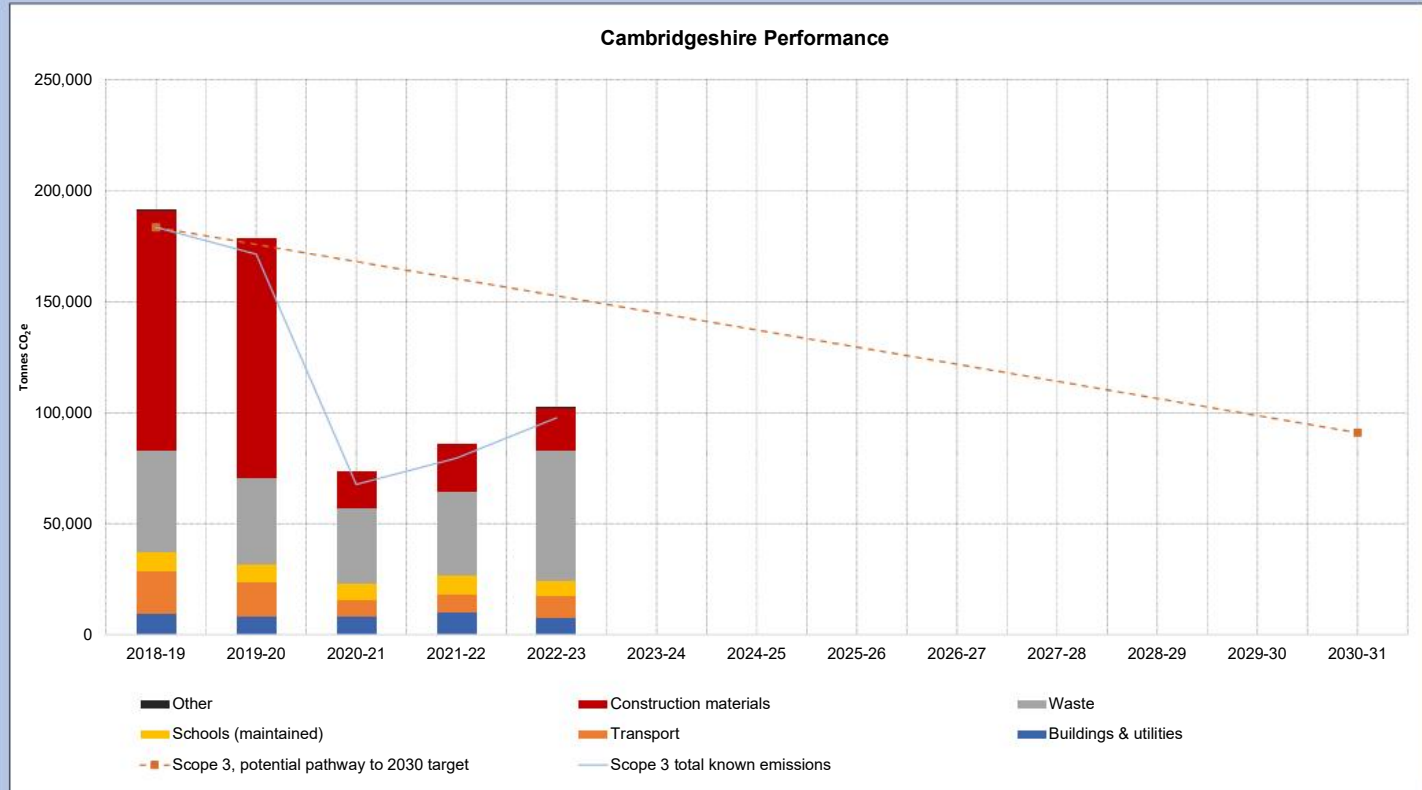
Target	Direction for Improvement	Current Year	Previous Year	Change in Performance
50.4% reduction from 2018 levels by 2030	↓	97,692	79,600	Declining
RAG Rating				
Contextual				

Indicator Description

This indicator shows annual progress towards the Council's target set out in the Climate Change and Environment Strategy, of reducing scope 3 emissions by 50% by 2030 (compared to 2018 levels).

Scope 1 means direct emissions from the Council's own assets.
 Scope 2 means emissions from purchased electricity.
 Scope 3 means indirect emissions from assets outside the Council's control - for example, employee-owned vehicles, purchased goods and services, outsourced activities.

Polarity: Low is good



Commentary

The data shown in the chart is all known emissions. The bar chart includes all scopes 1, 2 and 3. Scope 3 accounts for 95% of all known emissions. There are likely to be further unknown emissions in our supply chain that we do not have any data for.

Construction emissions remain low in 2022-23.
 Total emissions have increased in 2022-23 since the previous year but remain below the baseline of 2018-19.
 The largest increase is from waste, due to more waste going to landfill that year.
 There were also increases in emissions from transport mainly from the increased demand in home to school transport.
 Emissions from buildings energy use has gone down, both in council buildings and in schools.
 Emissions from agriculture and land use are currently unknown.

Data for 22-23 is now finalised. This was presented in the annual carbon footprint report for 22-23, in January 2024.

Useful Links

- <https://www.cambridgeshire.gov.uk/residents/climate-change-energy-and-environment/carbon-footprinting-how-big-is-the-problem>
 (See Downloads section at the end of that webpage)
- <https://www.cambridgeshire.gov.uk/asset-library/part-3-action-plan.pdf>

Actions

Note that scope 3 emissions may rise again in future years as the construction sector recovers pace and if further growth occurs in the region leading to more requirement for new schools and other infrastructure.
 See the Council's Climate Change and Environment Strategy Action Plan for further information on other planned actions.

Target	Direction for Improvement	Current Year	Previous Year	Change in Performance
Zero by 2045	↓	6,783	6,396	Declining

RAG Rating

Contextual

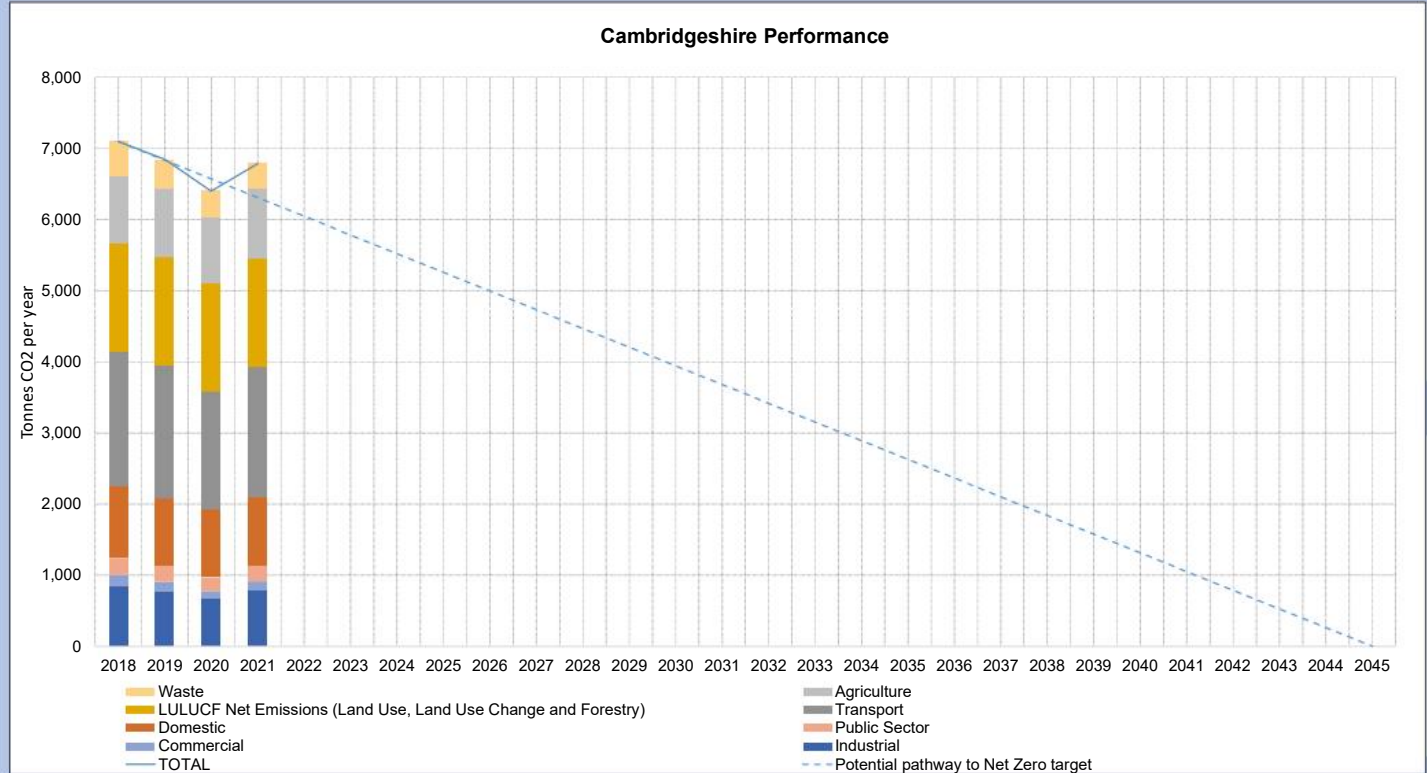
Indicator Description

This data is published by BEIS with a two-year lag. E.g. data for 2020 was published in June 2022.

Now includes CO2, CH4 and N2O, which equates to approx 97% of all greenhouse gas emissions.

This data includes greenhouse gas emissions from all sources in the geographical area of Cambridgeshire, irrespective of to what extent they are in the control or influence of the Council.

Polarity: Low is good



Commentary

2022 data is expected to become available in June 2024.

GHG emissions have increased in most areas of the UK in 2021, compared to 2020. UK wide GHG emissions increased by 5.9%. This follows a dip in emissions in 2020 due to Covid-19 restrictions. Increases in 2021 are mostly due to easing of Covid-19 restrictions and colder temperatures. This is the same in Cambridgeshire as the rest of the UK.

Emissions in the county in 2021 were 0.9% lower than 2019.

Transport is the highest emitting sector in the county (27%) with 1,814 kt CO2e, most of that is from A roads. Highest transport emissions are in Huntingdonshire then South Cambridgeshire. Land use, land use change (LULUCF) in second place (23%), 1,524 kt CO2e, mostly from cropland, particularly in Fenland and East Cambridgeshire, likely due to large areas of peatland. Agriculture third (14%, 981 kt CO2e), mostly from soils. Domestic fourth (14%, 968 kt CO2e), mostly from gas use for heating.

Actions

No additional actions required. See the Council's Climate Change and Environment Strategy Action Plan for information on planned actions.

Useful Links

- <https://www.gov.uk/government/collections/uk-local-authority-and-regional-carbon-dioxide-emissions-national-statistics>
- <https://www.gov.uk/government/collections/uk-greenhouse-gas-emissions-statistics>
- <https://www.cambridgeshire.gov.uk/asset-library/part-3-action-plan.pdf>

Finance Monitoring Report – January 2024

To: Energy and Green Investment Committee

Meeting Date: 14 March 2024

From: Executive Director of Place and Sustainability
Executive Director of Finance and Resources

Electoral division(s): All

Key decision: No

Forward Plan ref: N/A

Outcome: The report is presented to provide the Committee with an opportunity to note and comment on the January position for 2023/2024.

Recommendation: The Committee is recommended to

- a) Review and comment on the report; and
- b) Recommend to the Strategy, Resources and Performance Committee that an additional capital budget of £1.8m is allocated to the North Angle Solar Farm project, funded by borrowing.

Post: Strategic Finance Manager
Email: sarah.heywood@cambridgeshire.gov.uk
Tel: 01223 699714

1. Background

- 1.2 This report is intended to give the Committee an update on the financial position of the Place and Sustainability Directorate and detail forecast pressures and underspends across the different services and an explanation for variances.
- 1.3 The Finance Monitoring Report attached provides the financial position for the whole of the Place and Sustainability Directorate, and as such, not all of the budgets contained within it are the responsibility of this Committee. Members are requested to restrict their questions to the lines for which this Committee is responsible.

2. Main Issues

- 2.1 Revenue: Across Place and Sustainability as a whole, there is a forecast overspend of £1.759m, which is an improvement of £0.767m since the last report, but there have been no material shifts in forecast in the budgets within the remit of the Environment And Green Investment Committee.
- 2.2 Capital: A forecast capital pressure of £1.8m is being reported for 2024/25 on the North Angle Solar Farm, for costs associated with the connection to the grid. Risks have arisen which have increased the forecast expenditure in this period around construction, access and development control conditions. The Committee is asked to recommend to the Strategy, Resources and Performance Committee that it approve this additional capital budget is allocated to the project, funded by borrowing.
- 2.3 Across Place and Sustainability as a whole, the capital programme variation budget is £24.5m, and this has now been exceeded and the service is forecasting an additional £4.2m in-year slippage. The explanation for variances is detailed for individual capital budgets in Appendix 3.
- 2.4 This month the FMR includes the savings tracker (Appendix 4) and the technical appendix (Appendix 5) which details the earmarked reserves schedule, grant income and virements as at the end of the first quarter.

3. Alignment with ambitions

- 3.1 Net zero carbon emissions for Cambridgeshire by 2045, and our communities and natural environment are supported to adapt and thrive as the climate changes.

There are no significant implications for this ambition.

- 3.2 Travel across the county is safer and more environmentally sustainable.

There are no significant implications for this ambition.

- 3.3 Health inequalities are reduced.

There are no significant implications for this ambition.

- 3.4 People enjoy healthy, safe, and independent lives through timely support that is most suited to their needs.

There are no significant implications for this ambition.

- 3.5 Helping people out of poverty and income inequality.

There are no significant implications for this ambition.

- 3.6 Places and communities prosper because they have a resilient and inclusive economy, access to good quality public services and social justice is prioritised

There are no significant implications for this ambition.

- 3.7 Children and young people have opportunities to thrive.

There are no significant implications for this ambition.

4. Significant Implications

- 4.1 Resource Implications

This report details the financial position across Place and Sustainability.

- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications

There are no significant implications within this category.

- 4.3 Statutory, Legal and Risk Implications

There are no significant implications within this category.

- 4.4 Equality and Diversity Implications

There are no significant implications within this category.

- 4.5 Engagement and Communications Implications

There are no significant implications within this category.

- 4.6 Localism and Local Member Involvement

There are no significant implications within this category.

- 4.7 Public Health Implications

There are no significant implications within this category.

4.8 Climate Change and Environment Implications on Priority Areas

There are no significant implications within this category.

5. Source documents

5.1 Source documents

None

Directorate: Place & Sustainability
 Subject: Finance Monitoring Report – January 2024
 Date: 12th February 2024

Contents

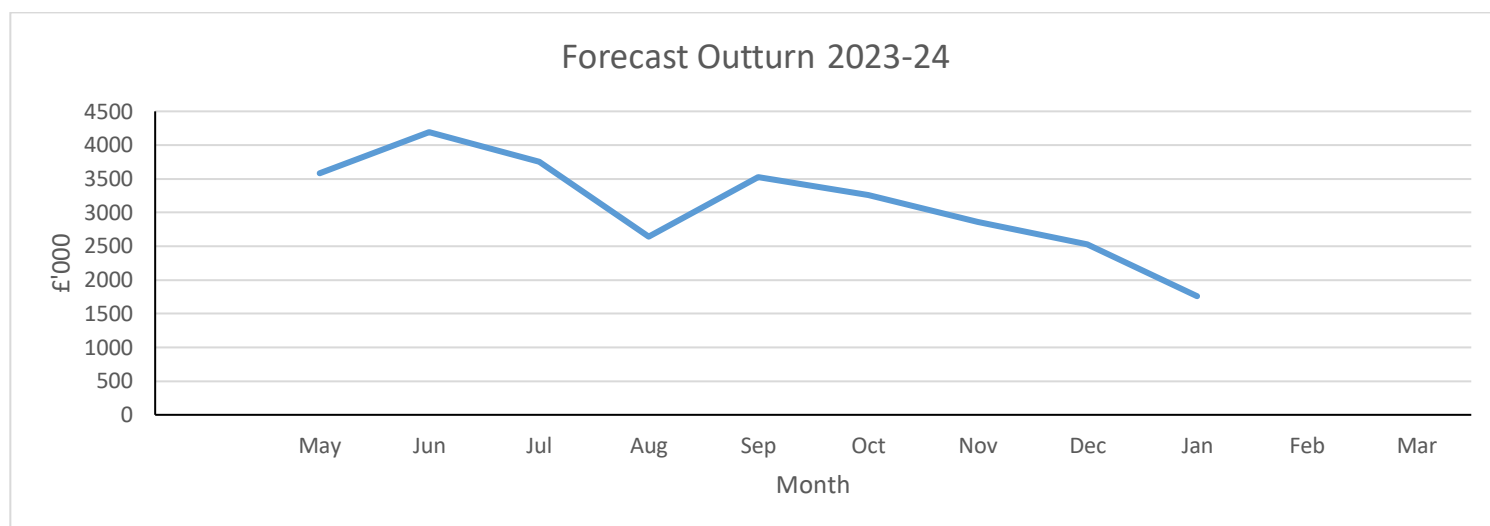
Section	Item	Description
1	Revenue Executive Summary	High level summary of information and narrative on key issues in revenue financial position
2	Capital Executive Summary	Summary of the position of the Capital programme within Place and Sustainability
3	Savings Tracker Summary	Summary of the latest position on delivery of savings
4	Technical Note	Explanation of technical items that are included in some reports
Appx 1	Service Level Financial Information	Detailed financial tables for Place and Sustainability main budget headings
Appx 2	Service Commentaries	Detailed notes on revenue financial position of services that have a significant variance against budget
Appx 3	Capital Appendix	This contains more detailed information about the capital programme, including funding sources and variances from planned spend.
<i>The following appendices are included quarterly as the information does not change as regularly:</i>		
Appx 4	Savings Tracker	Each quarter, the Council's savings tracker is produced to give an update of the position of savings agreed in the Business Plan.
Appx 5	Technical Appendix	Each quarter, this will contain technical financial information showing: Grant income received Budget virements Earmarked & Capital reserves

1. Revenue Executive Summary

1.1 Overall Position

At the end of 2023-24, Place and Sustainability is projected to be 1,759k overspent.

1.2 Summary of Revenue position of the Directorate



1.2.1 Place and Sustainability

Forecast Outturn Variance (Previous) £000	Directorate/Area	Gross Budget £000	Income Budget £000	Net Budget £000	Actual £000	Forecast Outturn Variance £000	Forecast Outturn Variance %
-418	Executive Director	1,293	-1,002	291	-239	-466	-160.3%
-1,501	Highways & Transport	42,508	-19,263	23,245	19,268	-2,132	-9.2%
2,376	Planning, Growth & Environment	53,354	-6,328	47,026	38,175	2,367	5.0%
4,039	Climate Change and Energy	2,577	-6,282	-3,705	-580	4,048	109.2%
-59	Regulatory Services	5,315	-3,215	2,100	1,012	-18	-0.8%
4,437	Total Expenditure	105,046	-36,089	68,957	57,636	3,798	5.5%
-1,911	Mitigations	0	0	0	0	-2,039	0.0%
2,526	Total	105,046	-36,089	68,957	57,636	1,759	2.6%

1.3 Significant Issues

In summary, Place and Sustainability (P&S) is now forecasting an overspend of £1,759k which is an improvement of £767k since the last reporting period. The P&S directorate is a large and complex budget area that has a variety of services and significant income streams which require detailed monitoring and have the potential for variances. Highways development management is now billing in advance and so there is a one-off additional income being achieved. The Waste Management budget is also a high-risk budget area, and the service is working with the contractor to identify cost reductions which can be made, and an assumption for these cost reductions is within the Waste forecast. The Business Plan identified that the expected £1.845m pressure on waste would be addressed by a transfer from reserves and this is shown within the Mitigations line.

The key pressure in the directorate relates to the delivery of Energy Projects and associated income. The pressure in Energy Services of £4,065k is mainly due to the delayed grid connection for Noth Angle Solar Farm. Income has been re-forecast to reflect the new delivery programmes for this and other smaller projects. An update on the projects is provided in Appendix 2. Partly offsetting this pressure is one-off additional income from Highways Development Management, additional vacancy savings and Winter is now forecasting an underspend of £663K but given the nature of this demand-led budget this may change.

All budgets have been reviewed to identify further mitigations to reduce the net overspend position of the directorate and this has supported the reduction in the forecast overspend.

2. Capital Executive Summary

Scheme category	Scheme Budget	Schemes Forecast Variance	2023-24 Budget	2023-24 Actuals	2023-24 Forecast Variance
	£000	£000	£000	£000	£000
Highways & Transport	574,624	0	72,006	25,937	-19,938
Planning, Growth & Environment	29,305	0	2,834	145	-2,234
Climate Change & Energy Services	95,160	2,092	22,373	8,218	-6,561
Connecting Cambridgeshire	20,072	0	2,353	1,665	0
Capitalisation of Interest			1,331	0	0
Capital Programme variations			-24,489	0	24,489
Total including Capital Programme variations	719,161	2,092	76,408	35,965	-4,244

This month shows the Capital Programme Variation has been fully met and there is now an-year forecast underspend of £4,244k.

Details for all capital schemes are shown in Appendix 3.

3. Savings Tracker Summary

The savings trackers are produced quarterly to monitor delivery of savings against agreed plans. The third quarterly savings tracker for 2023-24 is included in Appendix 4.

4. Technical note

On a quarterly basis, a technical financial appendix is included as Appendix 5.

- Grants that have been received by the service, and where these have been more or less than expected.
- Budget movements (virements) into or out of the directorate from other services, to show why the budget might be different from that agreed by Full Council.
- Service earmarked reserves – funds held for specific purposes that may be drawn down in-year or carried-forward – including use of funds and forecast draw-down.

Appendix 1 – Detailed Financial Information

Forecast Outturn Variance (Previous)	Committee	Budget Line	Gross Budget	Income Budget	Net Budget	Actual	Forecast Outturn Variance	Forecast Outturn Variance
£000			£000	£000	£000	£000	£000	%
Executive Director								
-418		Executive Director	1,293	-1,002	291	-239	-466	-160%
-418		Executive Director Total	1,293	-1,002	291	-239	-466	-160%
Highways & Transport								
<u>Highways Maintenance</u>								
0	H&T	Asst Dir - Highways Maintenance	118	0	118	-16	0	0%
146	H&T	Highway Maintenance	7,111	-179	6,931	5,326	67	1%
-10	H&T	Highways Asset Management	983	-456	527	830	-29	-5%
0	H&T	Winter Maintenance	3,075	0	3,075	1,978	-663	-22%
<u>Project Delivery</u>								
0	H&T	Asst Dir - Project Delivery	2	0	2	59	0	0%
-0	H&T	Project Delivery	581	-61	520	903	-70	-13%
-126	H&T	Street Lighting	14,162	-3,997	10,165	6,566	-107	-1%
<u>Transport, Strategy & Development</u>								
-0	H&T	Asst Director - Transport, Strategy & Development	788	0	788	3,059	-0	0%
-410	H&T	Traffic Management	3,906	-3,585	321	-242	-714	-222%
61	H&T	Road Safety	1,130	-734	396	756	-25	-6%
-0	H&T	Transport Strategy and Policy	135	-32	103	287	-0	0%
-1,968	H&T	Highways Development Management	1,736	-1,736	0	-1,904	-2,052	0%
179	H&T	Park & Ride	1,779	-1,480	299	1,499	832	279%
629	H&T	Parking Enforcement	7,003	-7,003	0	166	629	0%
-1,501		Highways & Transport Total	42,508	-19,263	23,245	19,268	-2,132	-9%

Forecast Outturn Variance (Previous)	Committee	Budget Line	Gross Budget	Income Budget	Net Budget	Actual	Forecast Outturn Variance	Forecast Outturn Variance
£000			£000	£000	£000	£000	£000	%
Planning, Growth & Environment								
-11	E&GI	Asst Dir - Planning, Growth & Environment	185	0	185	151	-11	-6%
543	E&GI	Planning and Sustainable Growth	2,716	-1,595	1,121	1,427	530	47%
-1	E&GI	Natural and Historic Environment	1,422	-578	844	555	2	0%
1,845	E&GI	Waste Management	49,031	-4,155	44,876	36,042	1,845	4%
2,376		Planning, Growth & Environment Total	53,354	-6,328	47,026	38,175	2,367	5%
Climate Change & Energy Service								
-19	E&GI	Climate and Energy Services	653	-541	112	533	-17	-15%
4,058	E&GI	Energy Services	1,923	-5,741	-3,818	-1,113	4,065	106%
4,039		Climate Change & Energy Service Total	2,577	-6,282	-3,705	-580	4,048	109%
Community Safety and Regulatory Service								
66	CSMI	Registration & Citizenship Services	1,185	-1,955	-769	-771	194	25%
0	CSMI	Coroners	3,390	-1,236	2,154	1,428	-46	-2%
-125	CSMI	Trading Standards	739	-24	715	355	-165	-23%
-59		Community Safety and Regulatory Service Total	5,315	-3,215	2,100	1,012	-18	-1%
4,437	Total		105,046	-36,089	68,957	57,636	3,798	5%
Mitigations								
-1,911		Transfer from earmarked reserves	0	0	0	0	-2,039	0%
2,526	Overall Total		105,046	-36,089	68,957	57,636	1,759	2%

Appendix 2 – Service Commentaries on Forecast Outturn Position

Narrative is given below where there is an adverse/positive variance greater than 2% of annual budget or £100,000 whichever is greater for a service area.

1) Executive Director

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
1,293	-1,002	291	-239	-466	-160%

When the Council undertakes work for other agencies and authorities it recovers an element to reflect the cost of overheads including risk. The amounts recovered vary and a smoothing mechanism is applied which is reflected by this variance. Also, vacancy savings across P&S are reported within this budget, and it is forecast that the vacancy savings budget will be over-achieved by 321k.

2) Highways Maintenance

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
7,111	-179	6,931	5,326	67	1%

Recycling facility phase 1 savings will now not be made for this year 23-24. The project start has been delayed due to capacity pressures within the service. Work is commencing now with the aim of having the facility operational in 24-25.

3) Winter Maintenance

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
3,075	0	3,075	1,978	-663	-22%

The winter maintenance budget is now showing a forecast underspend due to the milder, wet winter. It is possible this will be reduced if the weather becomes colder.

4) Street Lighting

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
14,162	-3,997	10,165	6,566	-107	-1%

A pressure relates to historic elements of the Street Lighting PFI contract between years 2011-12, where the baseline set in the contract needed adjustment as notified by the Contractors and permitted under the contract. This is offset by an improved forecast variance of £258k which reflects the annual energy price increase, which, although an increase, was lower than had been estimated in the budget. The actual energy price increase for this year is 10.9% (the energy rate in October changed from 35.89p/kWh to 39.8p/kWh) which is lower than the forecast annual energy price increase. The updated forecast reflects this increased energy unit cost, which is now be fixed until the end of next September 2024 and also the staff underspend in Highway Contracts and Commissioning, due to vacancies remaining unfilled.

5) Traffic Management

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
3,906	-3,585	321	-242	-714	-222%

The traffic management position has improved by a further £304k since last month. Streetworks is realising increased income due to more Section 74 charges (increased in number applications and prolonged occupation of the road). Additionally, income from scaffolding and skips have increased and there is an underspend on energy costs for signals.

6) Highways Development Management

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
1,736	-1,736	0	-1,904	-2,052	0%

Highways Development Management has moved to collect contributions in advance. This change in methodology means there is a one off benefit this year. In addition, there are some one-off payments from previous years.

7) Park & Ride

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
1,779	-1,480	299	1,499	832	279%

The closure of the southern section of the guided bus way has resulted in a loss of income and a pressure of 206k on the budget. 626k of the pressure is as a result of essential maintenance work on the busway.

8) Parking Enforcement

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
7,003	-7,003	0	499	629	0%

£100k is due to one off costs to assist with the implementation of civil parking enforcement in Huntingdonshire District Council and Fenland District Council areas. Decreased Penalty Charge Notice Income from bus lanes is due to decline in activity and the closure of Station Road, Cambridge. The forecast assumes that the activity levels and road closures will remain in place for the rest of the year.

9) Planning and Sustainable Growth

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
2,716	-1,595	1,121	1,427	530	47%

The slowing down of the housing market and lower development rates has led to the pressure for Planning and Sustainable Growth, particularly as fewer pre-application planning requests and planning applications with maximum fees have been submitted, which includes development by the Council, such as new schools. Further pressures are also anticipated as a result of a planning appeal where the appellant has requested a public inquiry. The Planning Inspectorate (PINS) has announced the timescales for this future appeal with the public inquiry planned to sit for 8 days between Tuesday 20 February 2024 and Friday 1 March 2024. Officers have sought legal and technical support for this process and are currently predicting the related expenses likely to be incurred. The forecast has improved by 13k as a result of some of this work but there is a risk that there will be further pressures added to this area in due course.

10) Waste Management

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
49,031	-4,155	44,876	34,374	1,845	4%

The revenue budget for waste is currently showing a pressure, as there are significant additional disposal costs for waste whilst it is diverted to landfill/third parties for processing. However, these costs are being balanced by expected Waste Private Finance Initiative (PFI) contract cost reductions (from Thalia) and an agreed draw down from reserves which is shown as 'mitigation.' The cost reductions are currently being discussed with Thalia. However, until these cost reductions are confirmed, there is significant uncertainty around the budget outturn, which is likely to remain until the end of this financial year.

11) Energy Services

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
1,923	-5,741	-3,818	-1,113	4,065	106%

As previously reported, there is a pressure on Energy Services income of £4,065k across all its projects. The forecast for North Angle Farm has now been updated to reflect the purchase of spares required to ensure the project will remain operational once energised. St Ives are forecasting a reduction in expected revenue due to a delay energising as key materials will not be delivered until January 2024.

The **St. Ives Smart Energy Grid** is on track to be energised and generating clean electricity by the end of January 2024. There is a one year or shorter term Power purchase agreement (PPA) agreed whilst the processes of connecting a local business to the energy microgrid is finalised. The forecast is short term, it includes EV charging forecasts which are conservative, as we do not yet know the pattern local users will take charging cars/taxis. The market prices have reduced since the highs of last year.

The second micro-grid which is under construction is at Babraham Park and Ride. This is a three phase construction programme, with the first phase completed. This project is delayed due to the re-phasing of the project in 2022 from two to three phases as directed by CUH, poor performance of one sub-contractor and current onsite challenges with existing street lighting column bases and their electricals.

Steady progress is being made towards the energisation of the **North Angle Solar Farm** with the next phase of works to start in January 2024. Plans are in development to manage the weather related risks for a winter build. The bulk of the income reprofiling relates to this project.

Swaffham Prior Community Heat Network is operational and supplying decarbonised heat and hot water to 64 customers ahead of its first winter. The final system performance tests can complete during winter and then further customers will be connected from Spring 2024. The first

ground source heat pump is switched on and now generating income from the Renewable Heat Incentive (RHI) approved by Ofgem. There is a substantial backlog on payments with Ofgem hence a revised forecast and reprofiling of income starting in 2024.

The **Stanground Solar and Battery Project** is on hold whilst the grid connection upgrades on the transmission network are worked through. UKPN and National Grid are working on practical solutions that will allow projects to connect earlier than the current 2030 timeline for completing grid upgrades. Meanwhile, minor works are being progressed to retain the planning permission.

12) Registration & Citizenship Services

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
1,185	-1,955	-769	-771	194	25%

The cost of living is having an impact on ceremony bookings with a significant rise in ceremony cancellations as couples are having to make difficult financial decisions. A further year without a rise in statutory fees during a period of high inflation has in addition negatively impacted on revenue.

13) Trading Standards

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
739	-24	715	355	-165	-23%

The Trading Standards service is showing a £165K underspend, the majority of which is due to the application of the Proceeds of Crime reserve which supports local crime fighting priorities for the benefit of the community.

14) Mitigations

Gross Budget £000	Income Budget £000	Net Budget £000	Actuals £000	Forecast Variance £000	Forecast Variance %
0	0	0	0	-2,665	0%

Two earmarked reserves are being applied to mitigate specific pressures. These are £1,845k from the waste reserve and £194k from the registrations reserve.

Appendix 3 – Capital Position

4.1 Capital Expenditure

Original 2023-24 Budget as per Business Plan £000	Committee	Scheme	Total Scheme Revised Budget £000	Total Scheme Forecast Variance £000	Revised Budget for 2023-24 £000	Actual Spend (January) £000	Forecast Outturn Variance (January) £000
		Integrated Transport					
200	H&T	Major Scheme Development & Delivery	1,000	0	0	2	0
600	H&T	Safety Schemes	3,000	0	1,780	74	-1,340
345	H&T	Strategy and Scheme Development work	1,725	0	656	764	0
25	H&T	Air Quality Monitoring	125	0	25	18	0
1,040	H&T	Annual Contribution to A14 upgrade	26,000	0	1,040	1,040	0
895	H&T	Local Infrastructure Improvements	4,409	0	1,100	860	-643
0	H&T	Minor improvements for accessibility and Rights of Way	77	0	77	-6	0
3,371	H&T	Delivering the Transport Strategy Aims	7,050	0	2,362	729	-401
1,035	H&T	Bar Hill to Northstowe Cycle Route	1,279	0	1,042	0	-992
		Operating the Network					
9,450	H&T	Carriageway & Footway Maintenance incl. Cycle Paths	37,650	0	10,200	6,036	0
235	H&T	Rights of Way	1,175	0	250	153	0
2,347	H&T	Bridge Strengthening	11,735	0	2,347	827	0
778	H&T	Traffic Signal Replacement	3,890	0	1,070	688	93
183	H&T	Smarter Travel Management - Int Highways Man Centre	915	0	183	33	-12
118	H&T	Smarter Travel Management - Real Time Bus Information	0	0	0	0	0
		Highways & Transport					
		Highways Maintenance					
0	H&T	£90m Highways Maintenance schemes	78,700	0	492	-29	0
8,179	H&T	Pothole grant funding	36,656	0	10,544	6,379	0
0	H&T	Additional highways maintenance (HS2 allocation)	4,728	0	2,364	0	-614
4,000	H&T	Footways	28,000	0	4,165	2,786	0
4,750	H&T	A14 De-trunking	24,750	0	4,750	21	-4,450
500	H&T	Highways Materials Recycling	2,500	0	500	2	-350
		Project Delivery					

Original 2023-24 Budget as per Business Plan £000	Committee	Scheme	Total Scheme Revised Budget £000	Total Scheme Forecast Variance £000	Revised Budget for 2023-24 £000	Actual Spend (January) £000	Forecast Outturn Variance (January) £000
3,868	H&T	Guided Busway	149,791	0	3,890	7	-2,747
10	H&T	Ely Crossing	49,006	0	10	-865	0
0	H&T	- Cambridge Cycling Infrastructure	487	0	487	61	-377
600	H&T	- King's Dyke	33,500	0	-2,550	-993	0
0	H&T	- Emergency Active Fund	1,181	0	279	109	-73
0	H&T	- Lancaster Way	2,589	0	8	11	3
0	H&T	- Wisbech Town Centre Access Study	1,883	0	101	-1,117	0
4,571	H&T	- March FHSF and MATS Broad Street	6,853	0	5,116	2,359	-816
4,367	H&T	- St Neots Future High St Fund	7,905	0	1,992	73	-159
0	H&T	- March Area Transport Study - Main schemes	3,329	0	1,298	1,068	-168
1,300	H&T	- St Ives local Improvements	2,300	0	1,800	325	-558
2,903	H&T	- A141 and St Ives Improvement	5,805	0	1,754	460	-284
2,535	H&T	- A10 Ely to A14 Improvements	3,803	0	2,378	481	-948
0	H&T	- Witchford A10 NMU	100	0	100	177	0
0	H&T	- Transforming Cities Fund	2,860	0	2,347	1,147	0
0	H&T	-Southern Busway Widening – widening of maintenance track	2,891	0	2,891	28	-2,741
100	H&T	Street Lighting LED	13,283	0	100	19	10
0	H&T	Soham Wicken NMU	1,230	0	430	29	-298
0	H&T	Active Travel 4	1,004	0	1,004	568	-183
		Transport Strategy and Network Development					
0	H&T	- Scheme Development for Highways Initiatives	1,000	0	424	0	-424
0	H&T	- CaPCAM and Electric Vehicles	1,665	0	1,665	1,093	-451
0	H&T	- Northstowe Transport Monitoring	0	0	0	0	0
200	H&T	- Wheatsheaf Crossroads	6,795	0	1,535	520	-1,015
		Planning, Growth & Environment					
2,180	E&GI	- Waste Infrastructure	7,424	0	1,500	13	-1,400
19,320	E&GI	- Waterbeach Waste Treatment Facilities	20,367	0	500	109	0
0	E&GI	- Northstowe Heritage Centre	680	0	0	23	0
834	E&GI	- Reallocation and funding of cost cap for Northstowe phase 1	834	0	834	0	-834
		Climate Change & Energy Services					
0	E&GI	Energy Efficiency Fund	0	0	0	0	0

Original 2023-24 Budget as per Business Plan £000	Committee	Scheme	Total Scheme Revised Budget £000	Total Scheme Forecast Variance £000	Revised Budget for 2023-24 £000	Actual Spend (January) £000	Forecast Outturn Variance (January) £000
0	E&GI	- Swaffham Prior Community Heat Scheme	14,170	0	3,395	1,560	0
0	E&GI	- Alconbury Civic Hub Solar Car Ports	928	0	0	0	0
2,066	E&GI	- St Ives Smart Energy Grid Demonstrator scheme	5,486	200	1,277	558	-360
2,819	E&GI	- Babraham Smart Energy Grid	8,595	0	5,040	1,144	-1,645
0	E&GI	- Trumpington Smart Energy Grid	6,970	0	0	0	0
3,000	E&GI	- Stanground Closed Landfill Energy Project	8,267	0	550	48	-468
0	E&GI	- Woodston Closed Landfill Energy Project	150	0	135	0	-135
427	E&GI	- North Angle Solar Farm, Soham	28,957	1,892	6,438	3,934	-2,267
409	E&GI	- Fordham Renewable Energy Network Demonstrator	635	0	450	0	-450
1,627	E&GI	- Environment Fund - Decarbonisation Fund - Council building Low Carbon Heating	10,518	0	2,463	547	-1,109
0	E&GI	- Environment Fund - Decarbonisation Fund - School Low Carbon Heating Programme	2,383	0	281	281	35
0	E&GI	Environment Fund- Decarbonisation Fund - School Education Capital	3,499	0	1,729	0	0
0	E&GI	- Environment Fund - EV Chargepoints	200	0	158	-5	-31
167	E&GI	- Environment Fund - Oil Dependency	500	0	205	57	-108
230	E&GI	- Environment Fund - Climate Innovation	300	0	63	0	0
0	E&GI	- Treescape Fund	300	0	31	0	-11
0	E&GI	- Cambridge Electric Vehicle Chargepoints	157	0	15	3	-12
0	E&GI	- School Ground Source Heat Pump Projects	3,145	0	143	91	0
		Connecting Cambridgeshire					
2,490		Connecting Cambridgeshire	20,072	0	2,353	1,665	0
1,331		Capitalisation of Interest	4,915	0	1,331	0	0
95,405		Subtotal	724,076	2,092	100,897	35,965	-28,733
-19,129		Capital Programme variations	-66,696	0	-24,489	0	24,489
76,276		Total including Capital Programme variations	657,380	2,092	76,408	35,965	-4,244

The schemes with significant variances (>£250k) either due to changes in phasing or changes in overall scheme costs can be found below:

Ref	Committee	Commentary vs previous month	Scheme	Scheme Budget £000	Budget for 2023-24 £000	Forecast Outturn Variance £000	Cause	Commentary
1a	H&T	Updated	Safety Schemes	3,000	1,780	-1,340	Reprofiling	Reprofiling of the Safety Schemes relates to the Puddock Road and Swaffham Heath Cross Road Safety Improvement schemes. Work has been ongoing to assess the options for the safety improvements on Puddock Road and a report seeking approval for delivery of the preferred option is expected to go to Highways and Transport Committee in March 2024, with delivery in 2024-25. Swaffham Heath Crossroads has been delayed pending the conclusion of the required land acquisition. Construction is expected to commence in March 2024 with the main period of works falling within 2024-25.
1b	H&T	Unchanged	Local Infrastructure Improvements	4,409	1,100	-643	Reprofiling	Following 23-24 budget setting, the programme and profiles have been fully reviewed. This has enabled greater forecast certainty matching planned works. Most of the projects within the programme form part of a rolling delivery programme from Q1 of 24-25 which is in line with member expectations.
1c	H&T	Unchanged	Delivering the Transport Strategy Aims	7,050	2,362	-401	Reprofiling	A number of projects from this programme have been re-profiled to be delivered in 24-25 along with the spend associated with this. A number of schemes were also withdrawn from the programme in July with new ones being added in their place amounting to c.£900k. Of these schemes, most are due to be delivered in Q1 & 2 of 24-25 including the 20mph (-£200k), B1049 (-190k) projects. Other schemes in the programme have been withdrawn following further engagement with locally elected members resulting in -£150k, the money will be reallocated at the start of the 24-25 financial year. Broadway St Ives is now being funded via a £100k grant from the CPCA, which means the £100k allocation from DTSA is no longer required, the money will be reallocated at the start of the 24-25 financial year. A transition away from using external design consultants to an in-house delivery model is also forecast to result in a £300k saving, and the underspend associated with this will be reallocated at the start of the 24-25 financial year also.
1d	H&T	Unchanged	Bar Hill to Northstowe Cycle Route	1,279	1,042	-992	Reprofiling	Following legal and land purchasing issues the spend has been reprofiled, with the majority of the spend assumed to occur in Q2 of 24-25 if the land and legal issues can be overcome.

Ref	Committee	Commentary vs previous month	Scheme	Scheme Budget £000	Budget for 2023-24 £000	Forecast Outturn Variance £000	Cause	Commentary
1e	H&T	Updated	Additional Highways Maintenance (HS2 allocation)	4,728	2,364	-614	Reprofiling	Due to the recent announcement by the Department of Transport of the new HS2 reallocated funds, it is currently forecast that £1.75m of this will be spent in 23-24 and the remainder in 24-25. This forecast will be revisited next month once plans have been finalised to see if more can be allocated this year.
1f	H&T	Updated	A14 De-trunking	24,750	4,750	-4,450	Reprofiling	Responsibility for the road came to us on 7 th Feb 2024. The initial estimate of spend was £4.75m per year for 6 years. Due to adoption of the road happening so late in the year, it is estimated we will spend £300k of the total £24.75m this FY
1g	H&T	Unchanged	Highways Maintenance	2,500	500	-350	Reprofiling	Highways Materials Recycling: Project at early stage and the latest estimate is that circa £300k will be needed for initial set up of phase 1 in March depot in 23-24. The remaining £350k will be required in 24-25 to complete Phase 1.
1h	H&T	Unchanged	Guided Busway	149,791	3,890	-2,747	Reprofiling	It is now anticipated that the majority of the expenditure to complete the scheme including retention payments will be in 2024-25.
1i	H&T	Unchanged	Cambridge Cycling Infrastructure	487	487	-377	Reprofiling	A significant proportion of this is for the Ring Fort Path scheme, the construction of which is subject to completion of a land agreement. Construction is now expected to fall in 2024-25.
1j	H&T	Unchanged	March Future High Street	6,853	5,116	-816	Reprofiling	Forecasted variation on annual underspend due to change in principal contractor spend profile. This is therefore not a forecasted project underspend for the project as a whole but rather will now be spent in 24-25.
1k	H&T	Updated	St Ives Local Improvement	2,300	1,800	-558	Reprofiling	Following 23-24 budget setting, we have held workshops collaboratively with Finance to test our funding allocation against the programme. This has enabled greater forecast certainty matching planned works. Construction period is due to run from Sep 23 to November 2024.
1l	H&T	Unchanged	A141 and St Ives Improvement	5,805	1,754	-284	Reprofiling	Delivery programme amended to allow time to further develop options considering the balance of active travel and public travel improvements alongside a road-based scheme.
1m	H&T	Unchanged	A10 Ely to A14 improvements	3,803	2,378	-948	Reprofiling	This has been profiled based on the revised programme for the development of the Outline Business Case
1n	H&T	Updated	Guided Busway –	2,891	2,891	-2,741	Reprofiling	Following 23-24 budget setting, we have held workshops collaboratively with Finance to test our funding allocation against

Ref	Committee	Commentary vs previous month	Scheme	Scheme Budget £000	Budget for 2023-24 £000	Forecast Outturn Variance £000	Cause	Commentary
			Widening of footpath					the programme. This has enabled greater forecast certainty matching planned works.
1o	H&T	New	Soham Wicken Non Motorised Users (NMU)	1,230	430	-298	Reprofiling	Funding allocation has been tested against the programme and adjusted to allow the construction period to commence in March and run into 2024-25 following discussion with funders.
1p	H&T	Unchanged	Scheme Development for Highways Initiatives	1,000	424	-424	Ended	No new planned financial obligations from this fund as scheme development now picked up within the cost of individual projects.
1q	H&T	Unchanged	CaPCAM	1,665	1,665	-451	Reprofiling	The scheme has been reprofiled to reflect that the final elements of the work will now take place 24-25.
1r	H&T	New	Wheatsheaf Crossroads	6,795	1,535	-1,015	Reprofiling	The start of construction for the Wheatsheaf Crossroads has been delayed pending the conclusion of the required land acquisition.
1s	EG&I	Unchanged	Waste Infrastructure	7,424	1,500	-1,400	Reprofiling	The £1.5m budget for March HRC will require re-phasing as only £100K is likely to be spent this year as procurement is just starting using the education service Construction Consultancy framework contract, and a £1.4m underspend is currently being re-forecast for this financial year.
1t	EG&I	Unchanged	Reallocation and funding of cost cap Northstowe phase 1	834	834	-834	Reprofiling	It is anticipated that expenditure relating to this will now take place in 24-25
1u	EG&I	Updated	St Ives Smart Energy Grid Demonstrator scheme	5,486	1,277	-360		Revised estimates on grid connection work on site has resulted in an adjustment required to the capital to complete the project. The project has an expected delay into FY 24-25 and as such, a proportion of the capital costs including retention will not be incurred in FY23-24
1v	EG&I	Updated	Babraham Smart EnergyGrid	8,595	5,040	-1,645	Reprofiling	Delay to the project which has pushed the capital spend profile out of 2023-24 and into 2024-25 partially. This has been updated for the end of January to reflect a more accurate spend profile for the remaining portion of the project.
1w	EG&I	Updated	Stanground Closed Landfill Energy Project	8,267	550	-468	Reprofiling	National Grid planned upgrades to the transmission network in the area of Stanground has meant that the project will go on hold until the grid connection timelines can be agreed.

Ref	Committee	Commentary vs previous month	Scheme	Scheme Budget £000	Budget for 2023-24 £000	Forecast Outturn Variance £000	Cause	Commentary
1x	EG&I	Unchanged	North Angle Solar farm	28,957	6,438	-2,267	Reprofiling	The scheme has been reprofiled to reflect that the next stage of construction is expected to start January 2024 and end in approximately June 24.
1y	EG&I	New	Fordham Renewable Energy Network Demonstrator	635	450	-450	Reprofiling	Throughout FY 23-24 we expected to dedicate time to the Fordham project, however due to efforts being focused on the other large energy projects, no spend is now expected in the current financial year.
1z	EG&I	Unchanged	Environment Fund - Decarbonisation Fund - Council building Low Carbon Heating	10,518	2,463	-1,109	Reprofiling	Removal of phase 4 project development costs from the project as the aim is to do this work mostly in-house. Also, a slight rephasing has been forecast as the work for phase 4 is now planned for 2024-25.

4.2 Capital Variations Budget

Variation budgets are set annually and reflect an estimate of the average variation experienced across all capital schemes, and reduce the overall borrowing required to finance our capital programme. There are typically delays in some form across the capital programme due to unforeseen events, but we cannot project this for each individual scheme. We therefore budget centrally for some level of delay. Any known delays are budgeted for and reported at scheme level. If forecast underspends are reported, these are offset with a forecast outturn for the variation budget, leading to a balanced outturn overall up to the point when rephasing exceeds this budget.

The capital variations budget for Place and Sustainability service is £24,489 and has been recalculated to reflect the reprofiling of the works at the Waterbeach waste treatment facility.

4.3 Capital Funding

Original 2023-24 Funding Allocation as per Business Plan £000	Source of Funding	Revised Funding for 2023-24 £000	Forecast Spend – Outturn (January) £000	Forecast Variance – Outturn (January) £000
13,626	Local Transport Plan	13,771	13,508	-263
15,545	Other DfT Grant funding	21,205	16,141	-5,064
8,875	Other Grants	11,588	10,104	-1,484
5,113	Developer Contributions	5,478	1,665	-3,813
39,699	Prudential Borrowing	33,559	20,439	-13,120
12,308	Other Contributions	15,057	10,068	-4,989
-19,129	Capital Programme variations	-24,489	4,244	-24,489
76,037	Total including Capital Programme variations	76,169	76,169	-4,244

The increase between the original and revised budget is partly due to the carry forward of funding from 2022-23, this is due to the re-phasing of schemes, which were reported as underspending at the end of the 2022-23 financial year. The phasing of a number of schemes have been reviewed since the published business plan.

Table explaining Capital Funding changes

Funding	Amount (£m)	Reason for Change
Rephasing (DfT Grants)	3.44	Highways schemes funded by DfT grants rolled forward into 23-24. DfT grant used to fund schemes that were earmarked to be funded by borrowing in 22-23. Rolled forward schemes will be funded by borrowing. Highways maintenance (-£3,906). Carry forward of DfT grant for Safety schemes (£1.18m), carriageway and footpath maintenance (£0.75m), Traffic Signal replacement (£0.292m) and Cambridge Cycling Infrastructure (£0.203m). Additional Pothole funding (£3.332m). Rephasing of Major Scheme Delivery and development (-£0.2m). Adjustment of Delivering the Transport Strategy Aims budget (£1.03m).
New funding/Rephasing (Specific Grants)	2.71	Additional funding for Emergency Active Fund (£0.279m). Additional funding and carry forward of funding for March Area Transport Study (£1.298m). Rephasing of A141 and St Ives improvement (-£1.149m). New funding for Transforming Cities Fund (£2.803m). Additional Department of Transport investment for highways (£2.354m)
Additional Funding / Revised Phasing (Section 106 & CIL)	0.31	Developer contributions to be used for a number of schemes. Carry forward of S106 funding for cycling infrastructure schemes (£0.284m)
Additional funding / Revised Phasing (Other Contributions)	2.75	Deletion of A14 cycling schemes which are part of phase 2 bid (-£1.830m). CaPCAM from CPCA (£1.665m). New funding for March Future High Street (£0.545m). Rephasing of St Neots Future High Street scheme (-£2.375m). St Ives local improvements carry forward and rephasing (£0.5m). New funding for Guided Busway - widening of maintenance track (£2.981m). Addition of Soham to Wicken project (£0.33m). Addition of Active Travel 4 project (£0.91m).
Additional Funding / Revised Phasing (Prudential borrowing)	-7.23	Highways Maintenance funding (£4.398m). Reduction in borrowing for pothole fund (-£0.976m). Rephasing of Waste schemes (-£0.68m). Rephasing of Energy schemes (£1.417m). Rephasing of North Angle Solar Farm (-£6.011m). Rephasing of Environment fund (£2.875m). Rephasing King's Dyke (-£3.15m). Rephasing of Wheatsheaf Crossroads (£1.308m). Rephasing of Scheme Development of Highways Initiatives (£0.424m). Rephasing of Waterbeach waste treatment plant works (-£18.820m). Additional borrowing for Swaffham Prior Community Heat Scheme (£1.095m)

Appendix 4 – Savings Tracker

Quarter 3 Savings Tracker

RAG	Directorate	Committee	Category Type	Type of Proposal	BP Ref	Title	Planned Saving	Forecast Saving 23-24	Variance from Plan £000	% Variance	Forecast Commentary
Green	P&S	H&T	23-24 New	Saving	B/R.6 .215	Recycle asphalt, aggregate and gully waste	-20	-20	0	0%	On track to meet this saving target.
Green	P&S	H&T	23-24 New	Saving	B/R.6 .217	Vacancy factor	-112	-112	0	0%	On track to meet this saving target
Green	P&S	H&T	23-24 New	Saving	B/R.6 .218	Stop Weedkilling of Footways and Road Edges	-125	-125	0	0%	The saving is by reducing proactive weed treatments and the use of chemicals. The saving has been made but there has been a strong community reaction and increased reactive pressure on the service. The saving has been removed in 24-25.
Black	P&S	H&T	23-24 New	Saving	B/R.6 .220	Highways Materials Recycling	-100	0	100	100%	This saving will not be made this year as set up delayed. Phase 1 will start in March. Phase 2 programme to be reviewed in Q4 this year.
Amber	P&S	EG&I	23-24 New & C/F 22-23	Income	C/R.7 .106	St Ives Smart Energy Grid - Income Generation	-177	-47	130	73.45%	Purchase of spares in advance of need has caused an increase in the operating costs in year 1 above previously expected balance. Income still expected to be on target, but net position is impacted by additional costs.
Black	P&S	EG&I	23-24 New & C/F 22-23	Income	C/R.7 .107	Babraham Smart Energy Grid	-383	0	383	100%	Delay in project with an energisation date of 24-25, therefore no income

RAG	Directorate	Committee	Category Type	Type of Proposal	BP Ref	Title	Planned Saving	Forecast Saving 23-24	Variance from Plan £000	% Variance	Forecast Commentary
Black						- Income Generation					expected in 2023-24 per forecast.
	P&S	EG&I	23-24 New & C/F 22-23	Income	C/R.7 .109	North Angle Solar Farm, Soham - Income Generation	-4,535	0	4,535	100%	Project energisation date historically forecast at July 2023. Now forecast significantly later and therefore reduction in saving forecast is expected.
Red	P&S	EG&I	23-24 New & C/F 22-23	Income	C/R.7 .110	Swaffham Prior Community Heat Scheme - Income Generation	-572	-116	456	79.72%	Longer than expected customer connection profile means revenue from sale of heat is lower than previously expected.
Green	P&S	H&T	23-24 New	Income	B/R.7 .134	Light blue fibre income	-11	-11	0	0.00%	On track to meet this income target
Amber	P&S	CSMI	22-23 CFWD	Income	A/R.6 .213	Registrars	-200	-30	170	85.00%	Saving based on additional income through the diversification of services provided by the Registration Service and increasing existing ceremonial capacity. The current financial climate and suitability of the venues has led to a reduction in bookings making this saving difficult to achieve.
							-6,235	- 857	5,378		

Key to RAG ratings

Total Savings	Over 500k	100-500k	Below 100k
Black	100% non-achieving	100% non-achieving	100% non-achieving
Red	% variance more than 19%	-	-
Amber	Underachieving by 14% to 19%	% variance more than 19%	% variance more than 19%
Green	% variance less than 14%	% variance less than 19%	% variance less than 19%
Blue	Over-achieving	Over-achieving	Over-achieving

APPENDIX 5 – Technical Note

5.1.1 The table below outlines the additional Place and Sustainability grant income, which is not built into base budgets.

Grant	Awarding Body	Amount £'000
Grants as per Business Plan		
Street Lighting PFI credits	Department of Levelling Up, Housing and Communities	3,994
Waste PFI credits	Department for Environment, Food and Rural Affairs	2,570
Bikeability	Department of Transport	213
Public Health Grant	Department of Health and Social Care	209
Woodland Creation	Department for Environment, Food and Rural Affairs	150
Non-material grants (+/- £50k)	Various	205
Total Non-Baselined Grants 23-24		7,291

5.2.1 Virements and Budget Reconciliation (Place and Sustainability)

(Virements between Place and Sustainability and other service blocks)

Budgets and movements	£'000	Notes
Budget as per Business Plan (BP)	71,326	
Pre initial load adjustments	-42	
Budget rebasing. Approved by S&R	-728	
Public Health (PH) income	-31	Update PH income to match PH MoU
Streetworks Staffing Inflation	-55	Correction to budget
Domestic Abuse and Sexual Violence	-2,032	Service budgets moved from P&S to S&P
Staffing restructure	-141	
Budget funding for staff pay award	684	
Non-material virements (+/- £30k)	-24	
Current Budget 2023-24	68,957	

5.3.1 Place and Sustainability Earmarked Reserve Schedule

Fund Description	Balance at 31st March 2023	Movement within Year	Balance at 31 st Dec 2023	Yearend Forecast Balance	Notes
	£'000	£'000	£'000	£'000	
Other Earmarked Funds					
H&T Deflectograph Consortium	31	0	31	0	Partnership accounts, not solely CCC
H&T Highways Searches	365	0	365	347	
H&T On Street Parking	2,222	0	2,222	1,722	
H&T Highways Maintenance	394	406	800	406	Funding agreed by S&R Committee
H&T Central Winter Maintenance	0	600	600	0	
H&T Streetworks Permit scheme	224	0	224	112	
H&T Highways Commuted Sums	3,493	1,038	4,543	3,632	
H&T Streetlighting - Commuted Sum	16	0	16	16	
H&T Busway safety improvements	2,891	0	2,891	0	
H&T Apprentices	0	684	684	560	
H&T Real Time Passenger Information (RTPI)	216	0	216	0	Funding to be transferred to CPCA
E&GI Flood Risk funding	20	0	20	0	
E&GI Travel to Work	114	0	114	92	Partnership accounts, not solely CCC
E&GI Steer- Travel Plan+	55	0	55	45	
E&GI Greenspaces	85	0	85	0	
E&GI Waste - RECAP	170	0	170	170	Partnership accounts, not solely CCC
E&GI Waste reserve	2,845	0	2,845	1,000	
E&GI Coroners - Complex inquests	279	(14)	265	253	
E&GI Registrars	194	0	194	0	
E&GI Trading Standards	100	(100)	0	0	
E&GI Proceed of Crime	296	13	309	296	
H&T Other earmarked reserves under £30k	20	0	20	0	
Total	14,029	2,628	16,656	8,651	

5.3.2 Place and Sustainability Capital Reserve Schedule

Fund Description	Balance at 31st March 2023 £'000	Movement within Year £'000	Balance at 31 st Dec 2023 £'000	Yearend Forecast Balance £'000	Notes
Capital Reserves					
H&T Other Government Grants	21,751	(979)	20,772	19,000	
H&T Other Capital Funding	1,045	(113)	932	0	
TOTAL	22,796	(1,092)	21,704	19,000	

Environment and Green Investment Committee Agenda Plan

Notes

The definition of a key decision is set out in the Council's Constitution in Part 2, Article 12.

* indicates items expected to be recommended for determination by full Council.

+ indicates items expected to be confidential, which would exclude the press and public.

The following are standing agenda items which are considered at every Committee meeting:

- Minutes of previous meeting and Minutes Action Log
- Agenda Plan, Training Plan and Appointments to Outside Bodies and Internal Advisory Groups and Panels

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
14/03/24	Low Carbon Heating Programme for Council Buildings	S Wilkinson	2024/045	04/03/24	06/03/24
	Flood Risk Enforcement Policy Review	H Tandy / K Reading			
	East Park Energy Solar Farm Proposal	J Croft			
	Risk Register	F Jordan			
	Performance Monitoring Report – Quarter 3 (2023-24)	R Springbett			
18/04/24	Heat Pumps for Friday Bridge – Phase 2a Outcomes & Phase 2b Approval	C Parkin	2024/012	08/04/24	10/04/24
	Supporting Communities With Home Retrofits	S French	2024/061		

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
	Climate change and Environment Programme – Committee Update	S French & L Barron			
18/04/24 Special meeting	Waste Private Finance Initiative Update + [Confidential item]	A Smith	2024/029	08/04/24	10/04/24
04/07/24	Notification of Chair and Vice-Chair			24/06/24	26/06/24
	Communities Benefiting from the Energy System Transformation	E George / C Parkin	2024/048		
	Future Options for Energy Projects	S French E George	2024/050		
	Consultation Draft LNRS	TBC			
	Finance Monitoring Report - Outturn 2023-24	S Heywood			
	Performance Monitoring Report – Quarter 4 (2023-24)	R Springbett			
[05/09/24] Reserve date	Trees and Woodland Strategy – Progress and Target Update	E Bolton / Q Carroll		23/08/24	28/08/24
03/10/24	Performance Monitoring Report – Quarter 1 (2024-25)	R Springbett		23/09/24	25/09/24
28/11/24	Performance Monitoring Report – Quarter 2 (2024-25)	R Springbett		18/11/24	20/11/24
16/01/25	Business Planning – Scrutiny and Overview of the Environment and Green Investment Committee’s Proposals	F Jordan		06/01/25	08/01/25
	Annual Carbon Footprint Report	S Wilkinson			
13/03/25	Performance Monitoring Report – Quarter 3 (2024-25)	R Springbett		03/03/25	05/03/25
12/06/25	Notification of Chair and Vice-Chair			02/06/25	04/06/25

Committee date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
	Finance Monitoring Report - Outturn 2024-25	S Heywood			
	Performance Monitoring Report – Quarter 4 (2024-25)	R Springbett			

Please contact Democratic Services (democraticservices@cambridgeshire.gov.uk) if you require this information in a more accessible format.

