

# COUNCIL



**23 FEBRUARY 2017 - 4:00PM**

**PRESENT:** Councillor C Boden, Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor M Buckton, Councillor T R Butcher, Councillor J F Clark, Councillor S Clark, Councillor D W Connor, Councillor M Cornwell, Councillor S Count, Councillor Mrs C R Cox, Councillor Mrs M Davis, Councillor Mrs J French, Councillor Mrs A Hay, Councillor Miss S Hoy, Councillor S J E King, Councillor Mrs D Laws, Councillor D Mason, Councillor Mrs K F Mayor, Councillor A Miscandlon, Councillor P Murphy, Councillor D C Oliver, Councillor C C Owen, Councillor C J Seaton, Councillor R Skoulding, Councillor W Sutton, Councillor M Tanfield, Councillor G Tibbs, Councillor S Tierney and Councillor F H Yeulett.

**APOLOGIES:** Councillor Mrs S Bligh, Councillor G G R Booth, Councillor S R Court, Councillor S Garratt, Councillor D Green, Councillor D Hodgson, Councillor M J Humphrey, Councillor Mrs F S Newell and Councillor A Pugh

## **C51/16      PREVIOUS MINUTES**

The minutes of the meeting of 15 December 2017 were confirmed and signed.

## **C52/16      CIVIC ENGAGEMENTS UPDATE - FOR INFORMATION ONLY**

Councillor Mrs Cox referred members to the civic activities undertaken by herself and the Vice Chairman in the weeks preceding Full Council.

## **C53/16      TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Mrs Cox informed members that the Conduct Committee met today to discuss Dispensations in relation to Council Tax Matters. It was agreed, following updated legal guidance, that the setting of the Council Tax and Local Council Tax Support Scheme are not Disclosable Pecuniary Interests; therefore a Dispensation cannot be awarded. A briefing note will be circulated to all members, however, for the purposes of today's item in setting the Council Tax all members are able to speak, debate and vote on the item and there is no need to declare any interest.

Councillor Mrs Cox thanked all who attended the Twinning Association Annual General Meeting and Tea Party which took place on 25 January. The event was well received with several new members attending. The Tea Party is vital to securing sponsors to host visitors from the Australia Sunshine Coast which is happening later this year as well as visitors from Stat Nettetal in 2018.

Councillor Mrs Cox reminded members that she will be holding a Commonwealth Flag Raising ceremony on Monday 13 March at Fenland Hall, to which you are cordially invited to attend. Light refreshments will be available in the Council Chamber following the ceremony.

**C54/16**      **TO RECEIVE QUESTIONS FROM, AND PROVIDE ANSWERS TO, COUNCILLORS IN RELATION TO MATTERS WHICH, IN THE OPINION OF THE CHAIRMAN, ACCORD WITH THE PROVISIONS OF PROCEDURE RULES 8.4 AND 8.6.**

Councillor Mrs Cox stated that we have not received any questions submitted under procedure rule 8.6 and asked therefore if we have any questions under procedure rule 8.4 from Councillor Mrs Bucknor.

Councillor Bucknor thanked the Vice Chairman and the members of the Conduct Committee for a sensible decision which was recently made by them. She stated that at the moment there is no provision for the Vice Chairman to make a decision at the pre-sift stage if the Chairman has some form of interest. She suggested that this should be added to that Committee's remit. She stated that one of the Councillors on that Committee has some Pecuniary Interests that they have forgotten to declare, and suggested that as it is the Conduct Committee's responsibility to ensure that all Councillors have made declarations, they should do that. Councillor Clark agreed that the Conduct Committee did make a good decision, he agreed to look into the suggestions made, and feedback on those points.

**C55/16**      **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Councillor Mrs Cox stated that to allow full discussion on this item, she proposed to suspend Standing Orders to enable members to make comments as well as ask questions. This was agreed.

Councillor Mrs Bucknor stated that she was devastated to discover that after a year's work on a Selective Licensing Scheme by Cabinet members and Officers and a consultation with residents, that in closed meeting, Conservative Councillors decided that this scheme would not go ahead. She stated that this has a serious impact on Wisbech residents. She added that although there is now a Sub-Committee in place there is no date for when they will come to a resolution. She stated that Councillor Sutton has reported that they are suffering from a lack of resource and asked how the Sub-Committee is going to act on any decisions made if there is no resource. She asked if Councillor Sutton would consider being part of that Sub-Committee too as he will have a wealth of information from the year's work looking at Selective Licensing. Councillor Sutton confirmed that we had some staff sickness which has impacted on what we are able to do. He stated that he hopes that the task group will be able to come up with something to resolve that, and that they will report back to Overview and Scrutiny quite quickly to move forward. Councillor Mrs Bucknor stated that she appreciates that Councillors have varying views on this scheme, but given that local people's taxes are paying for officers to carry out this work, rather than the people who are making profits from these properties, she does not think that this is acceptable given the huge cutbacks that this Council has seen.

Councillor Mrs Bucknor stated that at the previous Council Meeting a Councillor asked for a bin to be placed in an area in his ward to which Councillor Murphy agreed. She stated that she has been asking for bins for her ward for 18 months but had been told that there was no money available. She asked is there now money available as the bin request was agreed in the previous meeting. Councillor Murphy confirmed that there is no money available; he stated that Councillor Tierney requested a bin, and the area is being reviewed to see if it is possible to have an additional bin. He reiterated that at the moment there is no money available in the budget for this.

Councillor Miss Hoy referred to a serious fly tipping issue in New Drove and Half Penny Lane in Wisbech, she confirmed that she has been in touch with officers with regards to this issue but stated that it has been on-going for a number of years, she asked if it would be possible to take action to try to prosecute. Councillor Murphy stated that he asked officers about this before the

meeting and has received a response that says that Streetscene Officers have been carrying out intervention work in this area on a regular basis. Fly tipping is unfortunately a fairly frequent occurrence. The fly tipping varies from household items to commercial waste and is more frequent in the rural area of New Drove away from properties. There is also waste on private land which is reported to land owners who make arrangements themselves for clearance. The New Drove area is a hot spot for fly tipping and as such will be monitored regularly. Members of the community have been asked to report incidents and to be vigilant for suspicious behaviour, which can be reported to the Streetscene Officers who will follow this up. Community evidence was used in a number of fly tipping prosecutions in 2016. As with all hot spot locations consideration can be given to an application for the use of cameras, which is a tool the Council can use if other evidence is not available. The Council must prove a serious and on-going problem before an application can be made to the Magistrates Court for permission to install cameras.

Councillor Tierney referred to a recent problem reported by the swimming club where children had been affected by the fumes from the pool, reporting very sore eyes. He thanked Councillor Tanfield for meeting with them to explain and reassure. He asked for an update on the situation. Councillor Tanfield stated that the issue was resolved and we did meet with them to reassure them that although the levels did become uncomfortable, adjustments have been made. She explained that there is a chemical reason that the levels presented in this way and agreed to ask Phil Hughes, Head of Leisure Services, to clarify exactly the exact wording of the chemical explanation of the issue to Councillor Tierney following the meeting.

Councillor Tierney stated that with regards to the bin that was mentioned earlier, which Councillor Murphy had agreed to look into, he confirmed that if there is an issue with regards to the Council having a budget for that he would be happy to personally pay for it and asked if he could let him know the costs involved;

Councillor Mrs Bucknor stated that within the accounts on the Capital Programme Benwick received £98,000 for their play scheme, £50,000 of which was contributed by FDC. She asked that in relation to the Bath Road Skate Park, which is in urgent need of repair, every support possible to help with applying for funding. She explained that she has spent many hours completing funding applications and would appreciate having a contact at FDC who she could communicate with for help and support. She stated that they desperately need to replace the skate park and although she is pleased that Benwick have received the funding for their play facility, there are only just over 200 children there, in comparison there are 1500 children in Waterlees alone and many thousands more in the whole of Wisbech. She stated that given the huge increase in population in Waterlees and with 50% increase in admissions to the school they have received no extra to support that increase in population. She added that any help will be greatly appreciated. Councillor Murphy stated that he visited Councillor Bucknor and Councillor Mrs Bucknor around 4 years ago to discuss the skate park, he explained at the time that there was no money and encouraged them to raise some money themselves and to get match funding which we can help you with by putting you in touch with the right people. He added that other towns and villages have looked to the Section 106 agreements, Wisbech Town Council would need to make an application for this, but if you secure some money there you are then in a position to look for match funding. Councillor Mrs Bucknor stated that they did some fundraising in the community but the money raised was only in the hundreds. She reiterated that they are only looking for support with the applications;

Councillor Tibbs confirmed that Bob Ollier did attend a Wisbech Town Council Meeting and we put forward a Section 106 wish list which included the Waterlees Skate Park;

Councillor Owen stated that when he has been faced with similar problems and is looking for this type of support, he has bought in the expertise which pays dividends;

Councillor Mrs French asked if we are any further forward to getting the Friends of The BMX Track set up. She stated that she has lots of volunteers with equipment that want to get involved, but are

awaiting permission from the Council. She added that she has managed to source some funding, but the group have to be properly constituted before she is able to apply officially for that. Councillor Murphy stated that the situation would be the same as with the skate park, we need to secure the funding first. He agreed to meet with Councillor Mrs French when Bob Ollier returns from annual leave.

#### **C56/16      FINAL BUSINESS PLAN 2017-2018**

Members considered the Final Business Plan 2017-2018 Report presented by Councillor Clark. He informed members that:

- We agree a Business Plan every year to ensure we are prioritising the actions most important to Councillors and local people;
- In developing the priorities in the plan, we considered any changes that have occurred in the past year from demographic information, consultation information, Councillor and staff feedback, and most fundamentally this year - the outcome of the CSR process;
- The Overview and Scrutiny Panel provided some useful recommendations set out in section 4 of the report, which we will take forward in the coming year;
- We also ran a public consultation on the plan; details of which are included in section 5 of the report;
- The overarching priorities in the plan have remained the same: Communities, Environment, Economy, however we have made changes based on the feedback from the public consultation which are outlined in section 5.4

**Proposed by Councillor Sutton, seconded by Councillor Tanfield and AGREED to approve the Final Business Plan 2017-2018.**

#### **C57/16      GENERAL FUND BUDGET 2017/18 AND CAPITAL PROGRAMME 2017-20**

Members considered the General Fund Budget 2017/18 and Capital Programme 2017 - 20 Report presented by Councillor Seaton. He informed members that he would like to raise an additional point, a recent white paper that came from Government proposing that Councils could increase planning fees and that the money would have to be ring fenced to be spent within the Planning Department. He stated that this is something the he believes that this Council should agree to and move forward with.

Councillor Seaton stated that this is the last budget that Rob Bridge, Corporate Director, will be involved in here, he offered his personal thanks, for the help, advice and patience that he has given to him, and to Finance Portfolio Holders previously. He added that it is not a 'one man band' there is wonderful back-up from Mark Saunders, Geoff Kent and the Teams. He stated that he will be sad to see Rob leave FDC, but that he is heading towards a new challenge which he will make every success of.

Councillor Mrs Bucknor reiterated the good wishes for Rob Bridge, he has done a great job for this Council and he will be a fantastic loss. She asked for clarification that the additional £1.2m that is surplus in reserve is for the Pilots' Pension Fund. Councillor Seaton confirmed that there is now £2.13m in reserve which has been set aside for the S75 debt which we will have to pay, he stated that we are still waiting for a final figure but are confident that we have virtually all the money set aside for this now;

Councillor Mrs Bucknor stated that she noticed from the report that this debt has to be paid in a lump sum, she asked if there is any other way, suggesting that we borrow on a low interest rate so that we could use the money in another way. Councillor Seaton confirmed that options are being looked at by Officers and agreed to feedback on what those options might be to Council when they are available;

Councillor Sutton stated that he welcomes the news of the white paper and possibility of increasing planning fees, there has not been a rise for 5 years and the Planning Department is stretched with 200 more planning applications last year than there were the year before;

Councillor Boden stated that we are in an exceptionally good financial position thanks to Councillor Seaton, the Cabinet and Officers in managing to get us to this point. District Councils around the Country are meeting or have met in the past week or 2, and have faced real difficulties as a result of the financial position they are in. It is credit to the hard work of the Cabinet and Officers that despite the pension fund liability we find ourselves in the position where we are ahead of the game in planning for future budgetary requirements and it is easy for us to take this for granted. He offered thanks to Cabinet and Officers for the work they have done.

**Proposed by Councillor Mrs Davis, seconded by Councillor Mrs Hay and AGREED that:**

- the General Fund revenue budget for 2017/18 as set out in paragraphs 11 and Appendix A of the report be approved;
- the Capital Programme and Funding Statement as set out in Appendix C of the report be approved;
- the Medium Term Financial Strategy as outlined in the report be adopted;
- the Treasury Management, Minimum Revenue Provision, Investment Strategy, Prudential and Treasury Indicators for 2017/18 as set out in paragraph 16 and Appendix D of the report be approved;
- the expenses detailed in paragraph 13 of the report be treated as general expenses for 2017/18;
- the Port Health Levy for 2017/18 be set as shown in paragraph 14 of the report;
- the Band D Council Tax level for Fenland District Council Services for 2017/18 be set at £255.42, and increase of £4.95 (1.98%) on the current year.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25 February 2014) to record all votes on decisions on budget and council tax, with this in mind Members voted on this item as follows:

**In favour of the proposal** - Councillor Bucknor, Mrs Bucknor, Skoulding, Connor, Mrs Davis, Mrs Hay, Boden, Mason, Mrs Laws, S Clark, Miss Hoy, Tierney, Tibbs, Miscandlon, Buckton, Count, Mrs French, Owen, Yeulett, King, Oliver, Tanfield, Murphy, Clark, Sutton, Butcher, Seaton, Cornwell and Mrs Mayor.

**Against the Proposal** - None

**Abstentions** - None

*(Councillor Clark declared a non-disclosable pecuniary interest in this item as FACT is a business customer of his garage and there is a line in the budget providing FACT with grant funding. He has no contract with FACT and this matter does not influence how he might vote on the budget and is able to approach the item with an open mind)*

*Councillor Butcher declared a non-disclosable pecuniary interest in this item as he is a FACT Board Member)*

*Councillor Owen declared a non-disclosable pecuniary interest in this item as he is a FACT Board Member)*

**C58/16      COUNCIL TAX RESOLUTION 2017/18**

Members considered The Council Tax Resolution 2017/18 Report presented by Councillor Seaton.

**Proposed by Councillor Laws, seconded by Councillor Sutton and AGREED to pass the resolution set out in the report.**

**The Local Authorities (Standing Orders) (England)(Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25 February 2014) to record all votes on decisions on budget and council tax, with this in mind Members voted on this item as follows:**

**In Favour of the Proposal - Councillors Bucknor, Mrs Bucknor, Skoulding, Connor, Mrs Davis, Mrs Hay, Boden, Mason, Mrs Laws, S Clark, Miss Hoy, Tierney, Tibbs, Miscandlon, Buckton, Count, Mrs French, Owen, Yeulett, King, Oliver, Tanfield, Murphy, Clark, Sutton, Butcher, Seaton, Cornwell and Mrs Mayor.**

**Against the Proposal - None**

**Abstentions - None**

**C59/16      RATE RELIEF POLICY AMENDMENT**

Members considered the Rate Relief Policy Amendment Report presented by Councillor Seaton.

Councillor Mrs Bucknor agreed that there is a call for small local newspapers not to have an increase, as there is for the small 'one man band' businesses that are struggling in the High Street and it is appalling that just the local newspapers have been highlighted for a reduction. Councillor Seaton confirmed that this is a Government directive;

Councillor Tierney stated that he absolutely welcomes the reductions for small businesses stating that this will be a big help in difficult times;

Councillor Owen asked if the newspaper office distributes within Fenland but does not have an office in Fenland, do they still get the rate relief. Councillor Seaton stated that the term 'local newspaper' should cover that, they are providing that service to the local community, he agreed to check and confirm;

Councillor Boden stated that he welcomes the initiative from Government to give assistance to local newspapers who are facing difficult times, financial difficulties and competition from online services;

**Proposed by Councillor Tanfield, seconded by Councillor Sutton and AGREED to revise the Rate Relief Policy to include the provisions indicated in the guidance and that the new Policy shown in Appendix A is adopted with effect from 1 April 2017.**

**C60/16      ARP SECTION 113 AGREEMENT**

Councillor Mrs Cox introduced the item, she highlighted to members that there is an error in the report. The report states that Councillor John Clark is the Chairman of ARP Joint Committee when in fact it is Councillor Seaton who is the Chairman.

Members considered the ARP Section 113 Agreement Report presented by Councillor Seaton.

Councillor Sutton stated that this indicates we made the right decision to join ARP, he stated that he has attended ARP Meetings in place of Councillor Seaton and they are very professionally run.

He added that he welcomes the chance to continue the good work and the extra £80,000 to the partnership.

**Proposed by Councillor Clark, seconded by Councillor Buckton and AGREED that:**

- the Council instruct the Operational Improvement Board to negotiate and enter in to a Section 113 agreement with Norwich City Council so that Officers' services can be placed at all authorities disposal (shared).
- approval is given for ARP to start working with Norwich City Council immediately to carry out any necessary work prior to the 1 April 2017 that will assist with the commencement of the agreement.

## **C61/16      CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY - SCRUTINY ARRANGEMENTS**

Members considered the Cambridgeshire and Peterborough Combined Authority - Scrutiny Arrangements Report presented by Councillor Clark.

Councillor Tierney stated that this is a development as the Combined Authority progresses, and we must all respect how important it is to have proper scrutiny. He stated that he is concerned as at this stage the Combined Authority has no Councillors and no opposition and at the moment the only call for balance is going to be this Scrutiny Committee. He would like to encourage all members that genuine robust scrutiny is provided as it will be so important;

Councillor Mrs Bucknor stated that with regards to proportionality, it was calculated that some independent members were classified as non-independent members because they had moved over and she believes there are no opposition members on the Scrutiny Committee. She added that she is very pleased with the 2 representatives put forward by this Council. She asked that we receive reports back from the meetings, there are some members that make sure they make agendas available following meetings they have attended but there are still many members not reporting back. Councillor Clark agreed and stated that he has the public meeting papers with him which he will make available. With regards to the members of the Scrutiny Committee, he confirmed that the membership is set out in the report as follows: Cambridgeshire has 2 seats - 1 Conservative and 1 UKIP, Peterborough has 2 seats - 1 Conservative and 1 Labour, Huntingdon has 2 seats - 1 Conservative and 1 Independent, East Cambs has 2 seats - 2 Conservatives, South Cambs has 2 Seats - 1 Conservative and 1 Liberal Democrat, Cambridge City has 2 seats - 1 Labour and 1 Liberal Democrat and Fenland has 2 seats - 2 Conservatives;

**Proposed by Councillor Mrs Hay, seconded by Councillor Tanfield and AGREED:**

- to appoint two members from the Conservative Group onto the Overview and Scrutiny Committee of the Cambridgeshire and Peterborough Combined Authority;
- to appoint Councillor Fred Yeulett and Councillor Mark Buckton as the Conservative Group Members to represent Fenland District Council.

## **C62/16      MEMBERSHIP OF COMMITTEES AND PANELS - APPOINTMENTS PANEL**

Members considered the Membership of Committees and Panels - Appointments Panel Report presented by Councillor Clark. He stated that he would like to make amendments to the report's recommendations as follows:

- For members to constitute the Appointments Panel for the municipal year 2016/17;
- For the purposes of the Section 151 Officer, the appointment can only be made by Council. Therefore on this occasion the Appointments Panel is informally constituted in order to make a recommendation for appointment to Council;
- The Leader recommends that the Appointments Panel on this occasion have 4 Members;

- For Members to receive notification from the Leader who will sit on the Appointments Panel.

The Leader stated that having 4 members and the Chief Executive will ensure it is a focussed process. He nominated, along with himself, Councillors Seaton, Sutton and Mrs Davis.

Councillors voted on the amended recommendations, which were agreed unanimously.

**The substantive motion was proposed by Councillor Clark, seconded by Councillor Seaton and AGREED as follows:**

- **For Members to constitute the Appointments Panel for the municipal year 2016/17;**
- **For the purpose of the appointment of the Section 151 officer, the appointment can only be made by Council. Therefore on this occasion the Appointments Panel is informally constituted in order to make a recommendation for appointment to Council;**
- **The Leader recommends that the Appointments Panel on this occasion have 4 Members;**
- **For Members to receive notification from the Leader who will sit on the Appointments Panel.**

**C63/16      APPOINTMENT OF RETURNING OFFICER FOR THE ELECTION OF A COMBINED AUTHORITY MAYOR**

Members considered the Appointment of Returning Officer for the election of a Combined Authority Mayor Report presented by Councillor Clark. He stated that the Combined Authority Order formally requires that each constituent council shall appoint an officer of the Council to be the Local Returning Officer for the election of the Cambridgeshire and Peterborough Combined Authority Mayor. It is recommended that we appoint Paul Medd, our Chief Executive to the role as he is the Council's Returning Officer for all other levels of election.

**Proposed by Councillor Murphy, seconded by Councillor Miscandlon and AGREED:**

- **To appoint Paul Medd, Chief Executive as the Returning Officer for the District of Fenland in respect of the Combined Authority Mayor Poll to be held on 4 May 2017;**
- **To authorise the Returning Officer to appoint, if required, Deputy and/or Deputies, in his absence, to undertake those responsibilities on his behalf.**

**C64/16      SENIOR MANAGEMENT PAY POLICY STATEMENT**

Members considered the Senior Manager Pay Policy Statement Report presented by Councillor Seaton.

**Proposed by Councillor Clark, seconded by Councillor Tanfield and AGREED to adopt the Senior Managers Pay Policy Statement for 2017/18 at appendix 1 of the Report as required by the Localism Act 2011.**

5.13pm

Chairman