

COUNCIL



11 MAY 2017 - 4:00PM

PRESENT: Councillor Mrs S Bligh, Councillor C Boden, Councillor G G R Booth, Councillor M Buckton, Councillor T R Butcher, Councillor J F Clark, Councillor S Clark, Councillor D W Connor, Councillor M Cornwell, Councillor S R Court, Councillor Mrs C R Cox, Councillor Mrs M Davis, Councillor Mrs J French, Councillor S Garratt, Councillor Mrs A Hay, Councillor Miss S Hoy, Councillor M J Humphrey, Councillor S J E King, Councillor Mrs D Laws, Councillor D Mason, Councillor Mrs K F Mayor, Councillor A Miscandlon, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen (from 4.25pm), Councillor C J Seaton, Councillor R Skoulding, Councillor W Sutton, Councillor M Tanfield, Councillor G Tibbs, Councillor S Tierney, Councillor F H Yeulett.

APOLOGIES: Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor S Count, Councillor D Green, Councillor D Hodgson and Councillor A Pugh

C1/17 TO ELECT A CHAIRMAN OF THE COUNCIL FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £3,781 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Clark, seconded by Councillor Sutton and resolved that Councillor Mrs Mayor be elected as Chairman of the Council for the period to the next Annual Meeting and that she be paid an allowance of £3,781 plus travelling expenses.

The Chairman received the Chain of Office, signed the Declaration of Acceptance of Office and addressed the Council as follows:

'Chief Executive, Officers and fellow Councillors.

I wish to thank Councillor John Clark and Councillor Will Sutton for proposing and seconding me to be the Chairman of the Council and for all members in their support.

It is approximately 57 years since I first set foot in this building, then known as County Hall in the appropriately named County Road; I attended the school directly across the road, the high school for girls, now no longer there. Unfortunately my visit then was not a pleasant experience as I had an appointment with the school dentist!

I am very conscious of the honour that has been bestowed upon me following in the footsteps of previous Chairmen identified in the photographs around this Chamber. Many of whom I have known personally and one in particular has pledged his full support.

I will endeavour to uphold the traditions and good practices of the Council and do my best to ensure that the good representation and reputation of Fenland District Council continues around Fenland and the surrounding area.

Thank you again.'

C2/17 TO ELECT A VICE-CHAIRMAN OF THE COUNCIL FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £919 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Tanfield, seconded by Councillor Yeulett and resolved that Councillor Hodgson be elected as Vice-Chairman of the Council for the period to the next Annual Meeting and that he be paid £919 plus travelling expenses.

Councillor Mrs Mayor stated that Councillor Hodgson is on holiday at the moment but he will be delighted to accept the Vice-Chairman position on his return.

C3/17 **PREVIOUS MINUTES**

The minutes of the meeting of 23 March 2017 were confirmed and signed.

C4/17 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Mrs Mayor stated that she would like to formally acknowledge and thank the previous Chairman, Councillor Mrs Cox for undertaking the role as Chairman of the Council from May 2015 to 2017; she invited Councillor Cox forward to accept the past Chairman's badge.

Councillor Mrs Cox thanked Councillor Mrs Mayor and addressed the Council as follows:

'I would like to thank all members who voted for me thus giving me the opportunity of representing Fenland as its Chairman, it has been a great privilege and I have met some very interesting people and been invited to a myriad of places that would have been otherwise unobtainable. I have had the pleasure of enjoying many events and one of the perks is always having a reserved seat, usually near the front which is a bonus when you are as short as I am! I have had incredible support from Officers and Member Services and of course my Vice-Chairman Councillor Mrs Mayor and I wish her my support and best wishes on what will be an incredible experience.'

Councillor Mrs Mayor stated that following Item 8, which is questions to the Leader of the Council from Opposition Group Leaders, she proposed to add an additional agenda item, 8A to enable members to ask questions to Portfolio Holders. Members agreed.

Councillor Mrs Mayor invited Councillor Murphy to make a statement as follows:

'For the last 18 months the Council and the refuse service has gone through the largest piece of work since the roll out of the bins 12 years ago with the Comprehensive Spending Review to look for savings required to meet the forecast of the £2m funding gap. We have now been operational for more than a month and we have 18,000 subscriptions. This represents around 40% of all customers, this is a very good result and in line with our forecasts. I do not usually do this but I think this case is an exception and congratulations are in order. I hope you will all join me in thanking the Chief Executive and his team who have delivered a difficult project in a timely manner. I would specifically like to thank:

- The frontline staff, the 'bin men' who have answered customer's queries and have taken on this change to their work and shifts in a positive way.
- The Customer Services and Environmental Services support teams, who have dealt with the customer enquiries, talked customers through the online process and resolved any concerns or issues quickly and professionally.
- and overall, the project team from across the Council who have developed this work, also including the communications and ICT teams, who have learnt from other authorities and delivered a smooth transition for our customers.

Finally I would like to personally say a big thank you to Mark Saunders, Mark Gregory, Mark Matthews and Richard Cassidy for many hours they have put into this project that you and I would not be able to comprehend. Thank you all.'

C5/17

**MEETINGS OF THE COUNCIL
TO DETERMINE THAT:**

**1. THE ANNUAL MEETING OF THE COUNCIL IN 2018 BE HELD ON THURSDAY
17 MAY;**

**2. THE ORDINARY MEETINGS OF THE COUNCIL IN 2017/18 BE HELD AS
FOLLOWS:**

THURSDAY 13 JULY 2017

THURSDAY 14 SEPTEMBER 2017

THURSDAY 2 NOVEMBER 2017

THURSDAY 14 DECEMBER 2017

THURSDAY 22 FEBRUARY 2018

The suggested dates for the Annual Meeting of the Council and for the ordinary meetings of the Council were proposed by Councillor Seaton, seconded by Councillor Miscandlon and AGREED by Members.

C6/17

**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 Mayor stated that we have not received any questions submitted under Procedure Rule 8.6 and asked therefore if there are any questions under Procedure Rule 8.4 from Councillor Booth Leader of the opposition. She added that in the absence of Councillor Mrs Bucknor, Councillor Booth will have a maximum of 20 minutes set aside for this agenda item.

Councillor Booth stated that in relation to recent press articles with regards to pursuance of land holders when land is not in an appropriate condition under Section 215 when it has been identified that Fenland District Council is not maintaining its own land to the same standard. He asked for confirmation that we as a local authority should be setting an example in these cases. Councillor Clark confirmed that he has asked Officers to investigate these matters and agreed to feedback when they have reported back.

Councillor Booth asked for confirmation that if any sites are identified action will be taken ensuring that we are leading by example. Councillor Clark confirmed that as soon as the full details are available from Officers we will take action on that.

Councillor Booth asked if members are aware of areas where they know there are issues who those issues should be reported to. Councillor Clark confirmed that any further issues should be reported to him initially and he agreed to pass the details on to the appropriate Officers.

C7/17

**TO ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER
RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

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

Councillor Mrs French stated that over the past few months we have had a spate of vandalism at Eastwood Cemetery. Sadly the grave of a 14 year old boy was vandalised at the weekend, she asked if there is anything that we can do to try to prevent this. Councillor Murphy stated that he was sorry to learn about the reported damage to the grave and understands that this will have been distressing for the family involved. He confirmed that he requested that the cemetery was inspected today and officers have reported that there are no signs of further vandalism. He added that we have not experienced regular issues of theft or vandalism at our cemeteries in recent times and the last was reported around 12 months ago. He stated that we will continue to investigate the

matter and the grounds maintenance contractors and our street scene officers will keep a watchful eye over cemeteries and asked anyone who notices anything unusual whilst visiting to contact the Council.

Councillor Boden congratulated Councillor Murphy on the continued emphasis which the Council has on tackling littering, fly tipping and dog fouling, which are very difficult issues to try to resolve. He stated that that he is pleased that Kingdom will be starting their fixed penalty notice service in Fenland on 24 May and looks forward to even greater success in the future. He stated that for the most serious matters we have taken prosecutions against individuals, which are difficult as we have to show that we have undertaken adequate prevention and information as well as enforcement in order to support a prosecution. He asked if we would consider extending the 'name and shame' policy so that those individuals receiving fixed penalty notices could also be named and shamed. Councillor Murphy stated that following the Council's Enforcement Policy we have been successful during recent years in prosecuting cases of littering and fly tipping, a successful prosecution results in a press release where the perpetrator is named and we have had positive support from the media in covering this. With regards to the wider issue of dog fouling, fly tipping and litter we have a 'Tidy Fenland Campaign' launching imminently with a focus on enforcement. We have partnered with Peterborough to engage the service of Kingdom to serve fixed penalty notices on offenders and their service is expected to start at the end of May/beginning of June. He stated that there are many other projects starting with regards to the Tidy Fenland Campaign such as:

- Community feedback to identify problem areas where intervention will have the most impact;
- Campaign Days in each Town;
- Working with businesses, encouraging them to sign up to the campaign and help us to keep the areas near their businesses litter free;
- Poster campaign for schools, to encourage those who may be responsible to change their behaviour and keep children's play areas tidy;
- Enforcement patrols, street scene officer patrols will be supported by additional staff from a partner provider (Kingdom). A fixed penalty of £75 will be served for dropping litter and breaching the public space protection orders for dog control, fouling or loose dogs.

Councillor Booth asked that with the introduction of the brown bin charge and the fact that food waste will now go to land fill, how much will that cost the tax payer in additional land fill taxes. Councillor Murphy agreed to investigate and circulate the information to all members.

Councillor Tierney asked in regards to the land that the Council owns as referred to earlier by Councillor Booth, it is difficult for us to take the moral high ground and say 'can you please keep your land tidy' if we are not also doing the same. He added that when Councillor Booth asked if the Council should be setting an example, he believes we should, even if there are funding issues, we have to in these circumstances if we are going to be asking others to do the same. He encouraged the Leader to ensure that if Council owned land is in a poor state we will put it right. Councillor Clark reiterated that Officers are investigating and when we have identified any problems he feels sure that we will make the decision to rectify those issues.

C8/17 MEMBERSHIP OF COMMITTEES, PANELS AND OUTSIDE BODIES

Members considered the Membership of Committee, Panels and Outside Bodies Report for 2017-18 presented by Councillor Clark.

Councillor Booth stated that he raised a point previously around having Parish Council representatives where we have vacancies on outside bodies and the Leader agreed to write to Parish Councils with regards to this. He asked if these letters had been sent. Councillor Clark stated that the letters had not yet been sent and agreed to rectify this after the meeting.

Proposed by Councillor Booth, seconded by Councillor Oliver and AGREED to adopt the schedule of appointments and political allocations set out in the appendices to the Council report.

C9/17 CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY - MEMBERSHIP AND OTHER APPOINTMENTS

Members considered the Cambridgeshire and Peterborough Combined Authority - Membership and other appointments report presented by Councillor Clark.

Proposed by Councillor Mrs Hay, seconded by Councillor Mrs French and AGREED:

- **To make the following appointments/nominations to the Cambridgeshire and Peterborough Combined Authority for the Municipal Year 2017/18:**
 1. **appoint Councillor John Clark, Leader of the Council to act as the Council's appointee to the Combined Authority and appoint one substitute member, Councillor Will Sutton, Deputy Leader;**
 2. **nominate two members from the Conservative Party to the Overview and Scrutiny Committee - Councillors Fred Yeulett and Mark Buckton and one substitute member from the same political party as those appointed - Councillor David Mason;**
 3. **nominate one member from the Conservative Party to the Audit and Governance Committee - Councillor Chris Seaton and one substitute member from the same political party - Councillor Mrs Anne Hay.**
- **That the Chief Executive be authorised to make any amendments to the appointments to the Overview and Scrutiny Committee and the Audit and Governance Committee, if the political balance is amended by the Combined Authority between now and the next Council Meeting;**
- **That the Chief Executive be authorised to make any consequential changes to these appointments in consultation with the relevant Group Leaders.**

C10/17 CONSTITUTION UPDATE

Members considered the Constitutional Update Report presented by Councillor Clark.

Councillor Booth stated that he is in support of the majority of the changes suggested, but has a slight concern around the final suggestion at 4.1 of the constitution. This rule refers to members of the Cabinet and Overview and Scrutiny being members of Corporate Governance Committee, he stated that we are seeking to allow all of those members to be Chairman of the Corporate Governance Committee, but feels it is appropriate to have someone that is not on those Committees to be the Chairman. He stated that therefore he does not agree with that change.

Proposed by Councillor Sutton, seconded by Councillor Yeulett and AGREED the changes outlined within the Council Report to the Council's constitution and delegate to the Monitoring Officer to update the master document and the Council's website.