

COUNCIL

MONDAY, 4 NOVEMBER 2019 - 4.00 PM



PRESENT: Councillor Mrs K Mayor (Chairman), Councillor A Miscandlon (Vice-Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor C Boden, Councillor G Booth, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor M Cornwell, Councillor S Count, Councillor Mrs M Davis, Councillor D Divine, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor M Humphrey, Councillor Mrs D Laws, Councillor A Lynn, Councillor C Marks, Councillor A Maul, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor W Rackley, Councillor R Skoulding, Councillor W Sutton, Councillor M Tanfield, Councillor S Tierney, Councillor D Topgood, Councillor S Wallwork, Councillor Wicks, Councillor Wilkes and Councillor F Yeulett

APOLOGIES: Councillor A Bristow, Councillor D Mason and Councillor C Seaton

C40/19 PREVIOUS MINUTES

The minutes of the meeting of 18 September were confirmed and signed subject to the following comment:

- On page 5 under item 8 of the agenda pack, Councillor Booth said the minutes should read that he had actually asked how many new businesses had relocated to Fenland as a result of making enquiries.

C41/19 CIVIC ENGAGEMENTS UPDATE

Councillor Mrs Mayor drew members' attention to the civic activities undertaken by herself and the Vice-Chairman in the weeks preceding Full Council.

C42/19 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Mrs Mayor thanked all members who attended the Macmillan Coffee Morning on 26 September 2019. The event was extremely well attended and as a result in excess of £753 was raised for this vital charity.

Councillor Mrs Mayor reminded members that she will be hosting the Chairman's Community Carol Service at St John's Church in March on Sunday 8th December at 3pm. All are welcome to attend for a traditional Carol service followed by refreshments.

The Thursday Club Whittlesey have written a letter expressing their thanks to members for their generous donation of £490, which will help to ensure that they can offer isolated and often vulnerable members of the community free transport, a meal and entertainment each month. The Club asked that Councillor Mrs Mayor pass on their sincere appreciation of the donation.

Finally, members will be aware that the General Election has now been called and therefore we are required to comply with the associated Purdah requirements. As such members are asked to note that the Council meeting scheduled for 13 December 2019 will be postponed until Thursday 9 January 2020.

C43/19 **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 no questions had been received submitted under Procedure Rule 8.6 and asked if there were any questions under Procedure Rule. 8.4 from Councillor Tanfield as Leader of the Opposition.

Councillor Tanfield asked the Leader if he has had any discussions with other council leaders in the area regarding a unitary authority and if so had there been any progress. Councillor Boden thanked Councillor Tanfield for the question and stated his disappointment at the current position. Responsibility for looking at local government reorganisation in the Combined Authority (CA) area has been given to the CA and a report is still under production. Having seen an interim version, Councillor Boden expressed his disappointment at the first stage of the report, feeling it to be inadequate in scope; he has made his feelings clear and hopes that the areas we are talking about will be more appropriately discussed and examined in the second stage report. Councillor Boden confirmed that he has had conversations with other district council leaders and the county council although not everyone agrees about local government reorganisation. However, he had not appreciated the terms of reference which had been given to the commission which is currently working on this matter by the CA. These conversations have been complicated in that they are not just talking about potential changes to local government, but also how parts of the NHS also fall within the remit of any future arrangement which takes place. He is confident that further information will be produced by the Commission that will form the debate and conversation will develop once the second part of the report is produced. Councillor Tanfield thanked Councillor Boden for the update, stating she appreciates the complexity of the issue.

Councillor Tanfield said that before the election in May there was a conversation about the incinerator in Wisbech and members were told they would be kept informed. There have been discussions and items on social media over the weekend, so she wondered if the planning application would come to Fenland District Council, Cambridgeshire County Council or central government. Also if members should have received this information, why have they not? Councillor Boden stated that the reason why members had not been informed is because no application has been made. A developer has issued a press release which has caused the flurry of social media activity; however a planning application such as this would not be brought to Fenland District Council as it relates to waste. The waste authority for the area is the County Council. However, Councillor Boden understands from the press release that because the incinerator is of a sufficiently large size, it is a matter that falls within the remit of the Planning Inspectorate of National Infrastructure and will be determined by them. Councillor Tanfield thanked Councillor Boden.

C44/19 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

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

- Councillor Wicks said we have seen the very good works that Street Pride groups have done and evidence of their efforts is visible throughout the area. He asked Councillor Murphy what is the level of recycling of the materials collected by Street Pride and what is the level of recycling undertaken by Street Scene officers as part of their collection of waste around the area? Councillor Murphy thanked Councillor Wicks for the question, stating he would get back to him with the answer.
- Councillor Connor said that he is keen that members receive planning training and asked

Councillor Mrs Laws if she could confirm that extra planning training will be taking place. Councillor Mrs Laws advised that an email has been sent to members regarding two sessions of planning training arranged for Thursday 21st November. This is also open to town and parish councillors. Many members have lobbied for this training, which is at a cost to the Council, but she is disappointed that the uptake has been low. Unless more members commit to this training it will have to be cancelled. Councillor Connor asked members to take the opportunity of the extra training being offered.

- Councillor Yeulett addressed Councillor Benney, stating that he noted a number of red RAG ratings under his portfolio. He asked if the targets are high or achievable. Councillor Benney said that a lot of this is statistical data reported back to the Council and these are yearly targets; however work is currently being undertaken on projects that will bring investment to the area which should improve these figures. Councillor Yeulett thanked Councillor Benney.
- Councillor Cornwell addressed Councillor Mrs French, stating that in July he had raised the issue of civil parking enforcement. He said Councillor Mrs French had announced then that she had commenced discussions with officers the previous month but to date members have not received a progress report and residents are still complaining about “wild-west parking”. Councillor Mrs French replied that she was also frustrated. Unfortunately the shortage of a senior officer meant progress had not been as quick as expected. A draft confidential report has been produced which she was hoping to bring to Cabinet and Council in December, but these meetings have been rearranged for January. She stated that she has been pushing as hard as she can but it is a long, ongoing process. Councillor Cornwell did not accept that the absence of an officer of the authority should delay the process and expressed his disappointment at the current situation. Councillor Mrs French stated that she would be able to provide an update in three weeks’ time.
- Councillor Hay addressed Councillor Murphy, saying that she understood there is a waste duty of care for waste disposal but asked why the fixed penalty notice is £400 for householders but only £300 for a business trade waste offence. Councillor Murphy responded that he would investigate this and report back.
- Councillor Sutton addressed Councillor Boden about street lights; an issue that has caused great concern within the parish councils. A motion was passed in May that this would be sorted out. It has been reported by various parish councils that officers did not know this motion had been passed. Councillor Sutton asked Councillor Boden if he would personally write to all the parish councils assuring them that the motion was passed and will be adhered to in the very near future. He stated that this issue has been going on and on, and if officers on the ground have not been made aware of the motion, then something is adrift. Councillor Boden thanked Councillor Sutton and agreed the lack of equity in the current situation cannot continue indefinitely and he will commit to addressing this. However, Councillor Boden felt confident that all senior officers know of the motions that are passed at each Council meeting. He said that it was the intention to produce a paper to Cabinet in December but because of Purdah, Cabinet has been deferred to January. He said the problem of street lights is not a new one, it has been ongoing for many years and each attempt to solve it has made things more difficult to resolve. However, he is concerned to hear that some parish councils are under the impression that nothing is being done because some officers do not seem to know about it, so he is willing to undertake to write to them all regarding the current position and timetable for the next step. Councillor Sutton thanked Councillor Boden.
- Councillor Sutton addressed Councillor Murphy, saying that members had received the recent press release regarding brown bin charges for 2020/21. A motion had been agreed in May that we would look into providing this service free of charge. He asked Councillor Murphy the meaning of ‘vertical integration’. Councillor Murphy responded that this meant the Government would like free kerbside garden waste collections nationally, but he has heard nothing further about this. However, his personal opinion is that it would be too expensive and he does not think that we could deliver this service freely. Councillor Sutton thanked Councillor Murphy.
- Councillor Sutton asked where we are with the motion regarding single-use plastics that was discussed in May. Councillor Tierney replied that the Council is doing its best to limit the use of single-use plastics. We recycle a large amount, and our plastics are not being sent abroad or

going into the sea. Councillor Booth pointed out that he had not seen much change; the Council is still using plastic cups and he does not see much leadership or direction in this area. Councillor Tierney said that he would address any incidents of use of single-use plastics where reported to him. Councillor Boden added that the Council is currently utilising current stocks of plastic cups; it would be wasteful and not cost effective to just throw them away.

- Councillor Booth addressed Councillor Boden following on from Councillor Sutton's question regarding street lights. Referring to page 49 of the agenda pack, he asked if we could look at the agreement on electricity and for this interim period agree to pay the electricity supply for the street lights until a decision is made on how we are actually going to take this whole issue forward. Councillor Boden felt that Councillor Booth had slightly overstated what had previously been said; this would be one of the items that would have to be part of a new arrangement; it would be premature for him to make this commitment, therefore he will not be able to agree to this right now. Councillor Mrs Davis pointed out that some parish councils have already had to sign contracts for electricity supply, for example Wiimblington Parish Council has just had to take out a minimum contract of a year at a cost of £6000 for the village, With a yearly budget of £14,000, this will mean they will be unable to do much of what the villagers will be expecting. Councillor Boden said that he understood and appreciated Councillor Mrs Davis's comments; he agreed it is a difficult problem to solve but he is determined to ensure that when a resolution is found it will be fair and sustainable to all concerned.
- Councillor Sutton said that some parish councils, such as Elm, are now under new administration. He asked for assurance from Councillor Boden that if these parishes had previously opted out of the scheme, they would be able to re-join. Councillor Sutton requested a response in time for the next meeting tomorrow, 5th November. Councillor Boden advised that he would need to get officer advice in order to give the correct answer but he will ensure it is given in time for the meeting. Councillor Sutton thanked Councillor Boden, stating an expedient response will be most appreciated. Councillor Mrs Davis added that she wanted Council to know that both Wimblington and Doddington Parish Councils had asked to be re-included in the electric and maintenance contract and were told they could not, therefore she had no choice but to sign the £6000 contract.
- Councillor Booth asked Councillor Mrs Laws if she could provide an update on conservation areas in the absence of Councillor Seaton. Coates is mentioned on page.47 of the agenda pack but he has had assurances in the past that Parson Drove would be one of the next areas in line. That was some years ago and no progress seems to have been made. Councillor Mrs Laws confirmed that Parson Drove is next on the list but she will follow it up.
- Councillor Booth asked Councillor Boden if any work has been done to progress the motion he had proposed in May regarding play equipment, namely in relation to finding sources of revenue or major funding. Councillor Boden advised that the NHS would not be interested in providing funding because it is no longer their responsibility to deal with public health matters, which now falls to the County Council. Discussions have been taking place about attracting new funding, which he cannot disclose at this time but there is the possibility of extending the provision that currently exists. However, in order to extend that provision fairly, Cabinet was asked today for the process to be speeded up so that a full and comprehensive list of all play areas within the district, no matter who owns or runs them, can be examined to see where additional or new equipment and new play areas are required. He cannot guarantee that capital funding will materialise but hopes an announcement can be made in the very near future. Councillor Booth thanked Councillor Boden for this information, which he found very encouraging.
- Councillor Booth addressed Councillor Wallwork saying that he was surprised the villages were not included on the list of engagement events on page 65 of the agenda pack. He asked if this was a full list or are events no longer being undertaken in the villages. Councillor Wallwork said that she does not know why the villages were not included in the report as they are definitely included in engagement events and are very important. She pledged to look into this further.
- Councillor Cornwell said that three years ago the Council joined an energy saving system produced at county level, iChoosr. Only recently we have been through an option for 46 households to sign up to a bulk purchase arrangement. Those of us who know about it find it

very useful. Reasonable savings are available to every household that signs up, for which we receive £5. We have an entry on our website but that is all we do. He asked if the portfolio holder responsible could please ensure that there is a marketing exercise so that more households have the opportunity to join and save a considerable amount of money. Councillor Tierney agreed this is a great project, people can save a lot of money and we should make a bigger deal of this and as Portfolio Holder for Communications he will do what he can to promote it. He added he would encourage all members to help promote it also.

- Councillor Maul addressed Councillor Hoy. In Wisbech there are a number of rough sleepers; the Ferry Project has a limited amount of beds but they have a strict no-alcohol policy. There is an issue in the town where people drink through the day and sleep rough; we can target those that want help but how do we deal with those who do not want help. Councillor Hoy stated that homelessness is being tackled in a number of ways, there is a homeless hub which anyone can attend as it is less restrictive, and there is also a night shelter which also has strict rules regarding drugs and alcohol. Councillor Hoy agreed that the Ferry Project is not always suitable. A board is being set up in the next month to look at some of these issues and potential solutions, along with a member seminar in November with more information to be made available on rough sleeping and homelessness.
- Councillor Mrs French thanked Councillor Murphy and street cleansing staff for the swift removal of the graffiti that had recently blighted March.
- Councillor Mrs French asked if the premises that had suffered a recent fire on Longhill Road belonged to Fenland District Council, and if so what further information did we have. Councillor Mrs Mayor advised that to the best of our knowledge, these are not council premises.

C45/19 MOTION SUBMITTED BY COUNCILLOR HOY REGARDING DISCRIMINATION INCLUDING RACISM AND ANTISEMITISM

Councillor Sam Hoy presented her motion regarding discrimination including racism and antisemitism, advising that the Secretary of State for Housing, Communities and Local Government has asked all councils to adopt the international definition of antisemitism.

“Fenland District Council is proud of its efforts to tackle discrimination in all its forms, we celebrate our diverse community and we condemn racism and antisemitism wherever it is found. As part of the Council’s ongoing equalities work we resolve to join with the UK Government and the major political parties in the UK in signing up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism which defines antisemitism as:-

‘Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish Community institutions and religious facilities.’

The guidelines highlight various manifestations and are accessible at:-

<https://www.holocaustremembrance.com/working-definition-antisemitism>

This Council underlines its condemnation of all forms of racism and religious discrimination in all its manifestations and adopts the IHRA definition of antisemitism as the working model for challenging and confronting incidents of this form of discrimination”.

Councillor Booth seconded the motion and Councillor Mrs Mayor asked for a vote to be taken on the motion.

The motion was passed unanimously.

C46/19 COMMERCIAL AND INVESTMENT STRATEGY

Members considered the Commercial and Investment Strategy report presented by Councillor Boden.

Members asked questions, made comments and received responses as follows:

- Councillor Sutton felt this policy to be the reincarnation of a policy from a previous administration in 2016/17 and not a new one as suggested. Councillor Boden agreed it is not the first time we have talked about having a commercial and investment strategy but the difference is that this time we are trying to create one.
- Councillor Yeulett asked for confirmation that there will be further opportunity to challenge and discuss this strategy. He added that mention is made within the report of housing provision and as affordable housing is a national and local problem, will the strategy be proactive in helping and encouraging home ownership for the less well-off and younger people. Councillor Boden agreed these were valid points and it is correct that we look at how hard working families can get on the housing ladder; however the reasons for housing shortages are different across the country. The Mayor of the Combined Authority has plans for homes up to £100k which should play a significant part in helping people get on the housing ladder but in this policy we need to bear in mind that we have wider objectives. Councillor Boden confirmed this policy is subject to change and amendment.
- Councillor Hay said she felt the policy to be long overdue but better late than never. The policy is about creating a return to this Council so that we can keep council tax down and deliver the services we need; this is the way forward.
- Councillor Tanfield said that she is pleased this is now coming to fruition but her concern is that we have the skill required to run this commercial side. The process of raising investment is very complex and it is important to get the governance arrangements and structure right, however it is very positive. Councillor Boden responded that Councillor Tanfield's comments were correct; given the spirit of the ambition, the officers themselves recognise they do not possess the entire skill set required and a level of buy-in will be required on special areas of investment.
- Councillor Booth said that his concern is that there is a lot more that needs to be determined with this policy. He is not sure that the recommendation quite says what Councillor Boden says it does. It says we will approve the draft policy but then officers will formulate the proposals. Proposals can sit underneath a policy but is it therefore that this policy will come back after those proposals have been arranged? This needs to be clarified. Councillor Booth also pointed out areas within the report which he feels need updating, for example p.124, section 3.4 of the agenda pack incorrectly states that the Council's housing stock was transferred in 2017. He would also ask that the board oversee the arrangements; currently under these proposals it says there will be a minimum of two members on the board and three officers. The board is to direct strategy of the commercial investment and officers will provide the technical support and advice. However at face value the officers will have the ability to out-vote the members, which is a situation that should be avoided. Councillor Boden agreed there are some contradictions and errors within the report which need to be corrected. He added that there are governance issues to do with the relationship between the board which will be sorted. However, he is grateful for the general support given by members; it will be a co-operative process and the returns for our council are significant, and the impact it can have on protecting services and allowing us to keep council tax down will be very significant if we get it right. He hopes that there will be more detail available when Council meet again in January.
- Councillor Count asked if it would be advisable to add a recommendation that non-material amendments go to the Section 151 Officer in consultation with the Leader. Councillor Boden said this suggestion could be adopted. Councillor Booth said that if the policy is going to be looked at by Council anyway, he did not feel we need to delegate to other officers. He pointed out some further errors within the report. Councillor Booth said that in agreeing to Councillor Count's suggestion, he assumed he was agreeing only the correction of small errors. Matters of substance will need to be brought back to the Council.
- Councillor Hay said we do have a commercial investment committee at County; investment opportunities were slow at the beginning but now things are moving on at pace. She asked for

assurance that we would speak to County colleagues so that we were not stepping on their feet; also it would be good to learn from their experience of what works and what doesn't. Councillor Boden thanked Councillor Hay and confirmed that discussions are already in place and both authorities are working together.

- Councillor Yeulett asked Councillor Boden if we are in touch with councils similar to ourselves in respect of the affordability problems for housing. Councillor Boden said we are not in the same position as the vast majority of other district councils because of the existence of the Combined Authority. The sheer size of the funds available within the CA to assist with affordable housing makes a massive difference and he is hopeful that further funds will come from national government.
- Councillor Mrs Mayor pointed out that there will be a Members Seminar on 28th November in which there will be a discussion on the Commercial and Investment Strategy. She also reminded members that, further to the recommendation stating that the report will be taken to Cabinet and Council in December, this will now be in January.

Proposed by Councillor Boden, seconded by Councillor Mrs Laws and decided that the Council AGREES to:

- **Formally approve the draft Commercial and Investment Strategy.**
- **Authorise CMT to take all required actions to formulate proposals for consideration by Cabinet and Council in January 2020 which facilitate the financial and governance arrangements necessary to give effect to the Strategy and the establishment of a Local Authority Trading Company.**
- **Request and authorise Officers to proceed to obtain outline planning permission for the residential development of three Council owned sites (two in South Wisbech and one in Coates) in order to make an application to the Cambridgeshire and Peterborough Combined Authority for financial support in the provision of affordable housing. It is also worth noting the tight timescales by which the construction of such affordable housing would need to be achieved in order to qualify for such financial support.**

Further to the recommendation of Councillor Count, Council also AGREED that non-material amendments be approved by the S151 Officer in consultation with the Leader.

(Councillor Tanfield left the Council Chamber at 5.39pm)

C47/19 DISCRETIONARY RATE RELIEF POLICY

Members considered the Discretionary Rate Relief Policy, presented by Councillor Boden.

Members asked questions, made comments and received responses as follows:

- Councillor Tanfield asked how many businesses we would envisage attracting into Fenland over the next five years. She wondered how the criteria was arrived at because, as a business owner herself, it seems harsh to expect 50% of the staff to be apprentices. Who would teach them? We are trying to help businesses and get them into Fenland, but not by having a policy that no-one can fulfil. Councillor Boden agreed we do not have unlimited funds available, but we do need to target, therefore what should that target be? We could subsidise more low paying jobs in the area, but that will perpetuate the current problem. We do not want a low-paid economy but we do want to attract higher paid, higher skilled jobs in more productive industries. That, he stated, is the rationale behind the policy. The objective is that any business would need to show that either half the workforce is apprenticed or that staff are receiving more than the average wage in Fenland, it is ambitious to try and attract larger, higher paying employers into the area. Councillor Boden also pointed out that no targets have been set for the number of businesses we would envisage attracting into Fenland.

- Councillor Booth said the policy aims are good. However, he does have concerns about the eligibility criteria and the number of businesses it will attract. It also seems there has been no cost benefit analysis. He would ask that the criteria not be over complicated as it could put businesses off. He also stated that by requesting two years of audited accounts, we are potentially missing an opportunity in not attracting start-ups or new firms. Councillor Boden replied that a cost benefit analysis was examined at the start of this process. He also emphasised that this is a discretionary relief. However, he took on board the comments regarding not making the application process over complicated and every effort is being made to ensure that it will not be. The requirement for two years of audited accounts, whilst stated in the report, is not an absolute obligation and there is flexibility to allow that requirement not to be fulfilled.
- Councillor Tierney stated that he runs a small industrial business in Hertfordshire and all his customers are medium to large sized. He works closely with those companies and is confident that they all meet the criteria described within this policy. This is a policy where we offer a discount on rates to attract those sorts of companies here, if only one comes then it is a benefit, therefore he fully supports this.
- Councillor Booth said he was in no doubt this is a good policy but he just wants to make sure it is not too restrictive and puts people off. He said that the wording seems quite rigid and does not offer the flexibility as suggested by Councillor Boden; therefore he feels that this does need to be given consideration.
- Councillor Hoy quoted page 142 of the agenda pack, pointing out that the policy states that “The Council recognises that there will be occasions when an applicant does not satisfy the above criteria. These criteria are not restrictive and nothing in them shall be taken as restricting the Council’s ability to depart from its general guidelines as to the granting of relief as it sees fit to do so bearing in mind the facts of each case”. Therefore each case will be considered on its own merit.
- Councillor Sutton said the figures in the report do not reflect those in the policy so confirmation is required as to what is correct. He would also like confirmation as to how many other district or borough councils have this kind of policy. Furthermore, he felt a huge omission from the policy is that of having a claw back clause. Councillor Boden said it is not usual practice for local councils to have claw backs in this form. He thanked Councillor Sutton for highlighting the error within the report, stating that the narrative in the report is correct, 50% of the jobs which are created either have to be apprenticeships or have to be above the average wage for Fenland. The policy will be amended accordingly.
- Councillor Count thanked Councillor Boden for the clarification regarding the narrative. He agreed with Councillor Tierney and stated that this is basically another tool in the box. The reason for the criteria regarding apprenticeships is clear. This is a start in life for many, if we continue to attract low paid jobs we will stay at the bottom of the productivity list nationally. We want to attract employers who will be able to raise aspirations. It can cost a business a lot of money to move; if we attract none it has cost us nothing, if we attract one, it may cost us for a number of years but there is so much to benefit from if we do. It is a clear cut, advantageous policy for the benefit of Fenland and he would encourage all to get behind it.
- Councillor Yeulett stated he will support the policy if it leads to upskilling and benefits the economy.
- Councillor Hay welcomed the recommendation, saying we need to attract big businesses to this area.
- Councillor Boden confirmed that two changes in the application guidance under qualifying criteria would be made and thanked Councillor Count for pointing these out. These changes were namely the exclusion of the words “full time” in the third bullet point, and in the fourth bullet point, the lack of mention of apprenticeships would be changed to match the narrative in the report.

Proposed by Councillor Boden, seconded by Councillor Mrs Davis, Council AGREED to adopt the proposed Local Discretionary Business Rate Relief policy, guidance and application form and notes the proposed application and assessment process and to

accept the amendments as stated by Councillor Boden.

C48/19 INDEPENDENT REMUNERATION REVIEW

Members considered the Review of Members' Allowance Scheme report presented by Amanda Orchard, Chairman of the Independent Remuneration Panel.

Amanda Orchard thanked all councillors who provided their views as part of the review, whether by completing the questionnaires or attending the face-to-face interviews on members' allowances. Their candid input had proven invaluable in formulating a comprehensive and robust set of recommendations as outlined in the resulting review report. She expressed her personal thanks to the Council officers who assisted the Panel and her fellow panel members, Gerard Dempsey and Carol Hart.

Councillor Mrs Mayor proposed to adopt the recommendations, seconded by Councillor Booth. Councillor Mrs Mayor opened the item for discussion.

- Councillor Boden thanked the Independent Remuneration Panel for their work and the clarity of the report produced. He said that although members are required to give due consideration to the contents of the report they are not required to agree with it. It was his intention, and as a matter of principle, to agree to whatever was proposed in the report before it was produced. However, he feels there are a couple of errors within the report which need to be addressed and therefore has proposed two amendments to the report which has been tabled to members.

Firstly in respect of the Special Responsibility Allowances, although the Chairman of Licensing Committee does an excellent job, a greater significant amount of work and responsibility is undertaken by both the Chairman of Planning and Chairman of Overview and Scrutiny. Therefore Councillor Boden would suggest the allowance be reduced from £8,000 to £7,000 and not £5,000 for the Chairman both these committees (item 4 of the Report Recommendations).

The second change he would like to suggest refers to paragraph 5.9 of the Report. It was suggested that a letter be sent to the CPCA outlining the view that any payments to members representing constituent councils on the CPCA be payable by the CPCA. The problem with this recommendation is that by law the CPCA are not allowed to make any payment. Therefore this resolution is a pointless exercise and without changing any other part of the recommendation made, it seems appropriate not to send such a letter.

Councillor Boden proposed that these tabled amendments be taken as an amendment to the motion. Councillor Topgood seconded the proposal.

Councillor Mrs Mayor opened the amendment for debate.

- Councillor Count thanked the Independent Review Panel for the work they had undertaken saying that it was not widely known that about 30% of councillors' time was taken up on reaching these judgements. He agreed with Councillor Boden's comment regarding the letter to the CPCA, this cannot be done as it was part of the order laid down with the original agreement. He pointed out that he chaired all the meetings up until getting the agreement, and what was envisaged at the start is not what we have now. He stepped back because there was so much work involved, he could not run a council or sit on the CPCA board effectively and many members originally involved have stood down. A number of authorities are now paying their leaders an extra allowance and some districts are doing this work themselves, which he believes is an unhealthy situation. Recently the government has made an approach to mayors throughout the country regarding a 'levelling up of powers'. They have said they would like to see the ability for every mayoral authority to have the same powers that all the others have,

which he believes is quite a difficult thing for local leaders to appreciate because this will involve removing certain functions from certain councils, as well as taking on other ones from national government. If this comes to pass, even more work will be involved so this unhealthy situation that we find ourselves in where leaders struggle with burden will get worse not better. Therefore whilst we cannot write the letter, if there is a period of change and government is going to lay down a new set of orders, then that perhaps is the time where this can be resolved.

- Councillor Tierney said every Fenland district councillor is worth their allowance; a lot of the public do not know all that they do and if they did they may appreciate they are getting a good deal. Most councillors earn less than the minimum wage. You cannot tell staff they are not going to get a rise or cut public services and then award yourself a rise. Therefore he is proud that this council has shown leadership and he would say this is the best independent review report he has ever seen in his time as a councillor. The panel has done a fantastic job and clearly listened to all that members have said. However, he supports the amendment to the allowances as suggested by Councillor Boden; he felt the original suggestion too harsh but they are still taking a cut. Furthermore, members were told from the beginning that, notwithstanding all the extra work, there would be no additional allowances for work with the Combined Authority.
- Councillor Sutton stated he would not be accepting the amendment. He had long felt both the Chairman of Overview and Scrutiny and Chairman of Planning were overpaid in comparison to a portfolio holder. He said it was absolutely wrong to go against the Independent Remuneration Panel and this had never happened before, whether members agreed with their findings or not. Neither does he think it necessary for planning members to be paid more. The Council's position has always been to go along with the Panel's recommendation.
- Councillor Hoy said she did not see how we could send a letter but added that we are in a difficult position as other local authorities are paying their leaders a further £5,000 a year for the extra work and we are not. However, we could not say we did not know there would be extra work because everyone knew at the time this would be the case. Therefore she felt it important to put on record that the Leader has done the right thing to not accept or ask for any more money.
- Councillor Booth said he did not support the amendment and agreed with Councillor Sutton that as a matter of principle and morally we should not change the recommendations set by an independent panel. It feels we are setting our own salary and that is wrong. The rationale for reducing the SRA to the Chairman of Planning and Chairman of Overview and Scrutiny was so that they would be paid similarly to neighbouring authorities. Also he cannot see the justification for the new figure decided at. The only time he has voted against the recommendation of an independent panel was in a period of austerity when they suggested an increase which he felt was not right. Regarding the CPCA, they were good points that had already been made but we have always been told that the CPCA was going to evolve very quickly but that seems to have stalled. He cannot see the harm in sending the letter.
- Councillor Sutton requested a recorded vote be undertaken.

A recorded vote was taken on the revised motion with the amendment as follows:

Special Responsibility Allowance

The allowances for the Chairman of Overview and Scrutiny and Chairman of Planning to be reduced from £8,000 to £7,000.

and

This Council does NOT agree to the recommendation that a letter is sent to the CPCA outlining the view that any payments to members representing constituent Councils on the CPCA should be payable by the CPCA, if justifiable, to ensure consistency across the area whilst also ensuring that the CPCA is responsible for the associated financial consequences of creating additional Committees requiring representation.

In favour of the tabled amendment: Councillor Boden, Councillor Benney, Councillor S Clark, Councillor Count, Councillor Mrs Davis, Councillor Hay, Councillor Hoy, Councillor Humphrey, Councillor Mrs Laws, Councillor Lynn, Councillor Murphy, Councillor Rackley, Councillor Tierney, Councillor Topgood, Councillor Wallwork

Against the tabled amendment : Councillor Bligh, Councillor Booth, Councillor Cornwell, Councillor Divine, Councillor Maul, Councillor Meekins, Councillor Patrick, Councillor Sutton, Councillor Wicks, Councillor Wilkes, Councillor Yeulett

Abstentions: Councillor J Clark, Councillor Miss French, Councillor Mrs French, Councillor Marks, Councillor Skoulding, Councillor Purser

The amendment was carried.

Councillor Mrs Mayor asked for a vote to be taken on the substantive motion to include the amendment.

Council AGREED to adopt the recommendations within the report of the IRP.

(Councillor Miscandlon declared an interest by virtue of the fact that he is the Chairman of Overview and Scrutiny and left the room for the duration of this item).

(Councillor Connor declared an interest by virtue of the fact that he is the Chairman of Planning and left the room for the duration of this item).

C49/19 GAMBLING POLICY

Members considered the Gambling Policy report by presented by Councillor Humphrey.

Proposed by Councillor Humphrey, seconded by Councillor Meekins, Council AGREED the recommendation from the Licensing Committee to adopt the Statement of Gambling Principles for the period of 2019-2022 as set out in Appendix A of the report.

C50/19 CUMULATIVE IMPACT ZONE

Members considered the proposed Cumulative Impact Assessment Policy (CIA) report presented by Councillor Humphrey.

Proposed by Councillor Humphrey, seconded by Councillor Skoulding, Councillor Mrs Mayor opened the item for discussion.

Councillor Tierney proposed a motion amendment without notice for the item to go back to Licensing Committee for a rethink. He thanked the Committee for their efforts in helping tackle street drinking and alcohol issues, which residents are concerned about. However a majority of Wisbech members in this instance do not feel the policy is right. When the issue came to Wisbech Town Council it was almost unanimously turned down; it has been in place for years now and has done little to address the issues it purports to resolve. Street drinking problems have not gone away and it unfairly targets several wards in Wisbech and is ineffective for what it is trying to achieve. It is also felt that there is a strong risk that it will make it difficult to improve the Wisbech night time economy and prevent good new businesses from opening, some of which may be part of the solution, while protecting older businesses, some of which may be part of the problem. Many Wisbech members felt more consideration was needed as to the potential limits and

consequences and would appreciate the Licensing Committee have a rethink with a view to the concerns raised by many Wisbech members.

Councillor Topgood seconded this proposed motion amendment and Councillor Mrs Mayor opened the deferral request for debate.

- Councillor Hoy agreed that Wisbech Town Council had objected but Councillor Tierney does not want the CIA at all. However, she was of the view that this should affect off licences rather than on licences. The biggest problem is that Public Health objects to every application and do not use the CIA properly. She agreed that Licensing Committee should have a further look at this, even if they come back with the same answer.
- Councillor Tierney added that he has no precept view on this. He was on Licensing Committee for a number of years and said each year that he does not think the policy works. He would hope that Licensing Committee has a rethink but if they come back with the same recommendations then that is fair enough.

Councillor Mrs Mayor asked for a vote for the amended motion to defer back to the Licensing Committee.

Council AGREED that the CIA be referred back to the Licensing Committee.

6.28 pm

Chairman