

COUNCIL



WEDNESDAY, 17 JUNE 2020 - 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 D Mason, Councillor C Marks, Councillor A Maul, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor W Rackley, Councillor C Seaton, 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

Members observed a minute's silence in memory of Councillor Alan Bristow, a District Councillor and former member of the Planning Committee, who passed away on 19 April 2020, and Kit Owen, a former District Councillor, who passed away on 1 May 2020.

C1/20 TO ELECT A CHAIRMAN FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £4,116 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Boden, seconded by Councillor Mrs French and resolved that Councillor Alex Miscandlon be elected as Chairman of the Council for the period to the next Annual Meeting and that he be paid an allowance of £4,116 plus travelling expenses.

The Chairman addressed the Council as follows:

'I wish to thank Councillor Boden and Councillor Mrs French for proposing and seconding me to be the Chairman of the Council and for all members in their support.

I am very aware of the honour that has been bestowed upon me following in the footsteps of previous Chairmen identified in the photographs around the Council Chamber at Fenland Hall.

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'

Councillor Miscandlon stated that he would like to formally acknowledge and thank the previous Chairman, Councillor Mrs Mayor, for undertaking the role as Chairman of the Council from May 2017 to June 2020.

Councillor Mrs Mayor, addressed the Council as follows:

It has been an honour and a privilege to have served as both Vice Chairman and

Chairman over the last five years and to have had the opportunity to represent Fenland through attending and supporting other authorities and organisations at their civic functions and charity fund raising events.

I have met some truly inspirational people and made some good friends along the way. 2019 was an outstanding year in particular with three Royal visits to Fenland; two at Wisbech where I met the Duke of Gloucester and HRH The Prince of Wales and Duchess of Cornwall; and the third being at Chatteris when Princess Anne visited Stainless Metalcraft. I was also invited by our neighbouring District, South Holland, to a visit by the Duke of Kent where he unveiled a memorial in Spalding's Peace Garden.

What can I say about the past 4 months that hasn't already been said not just locally but also nationally and internationally; the coronavirus Covid-19 pandemic brought life as we all knew it to change dramatically and meant that many meetings were either cancelled or postponed and our meetings to be held virtually. Civic life as we knew it was brought to a very abrupt end and all planned events were sadly cancelled.

I would like to thank Members for giving me the opportunity to represent this Authority and to former Councillor David Hodgson and Councillors Maureen Davis and Alex Miscandlon for their support during their respective years as Vice- Chairman.

I should also like to express my sincere thanks to Cllr Mrs Laws who has this past year stepped into the breach as my consort when Ken's health has not permitted him to accompany me.

The role of Chairman would be extremely difficult without the support of the Chief Executive and Monitoring Officer for their guidance, so thank you to you and the Management Team as a whole.

Special thanks go to Members Services for their support and in particular to Jo for all that she does in the background; an immense amount of work and organisation regardless of the request.

And finally, thank you to you all for putting your trust in me, it was totally unexpected that I was asked to do a third term as Chairman and I will end by repeating that it has truly been an Honour and a Privilege.

C2/20 TO ELECT A VICE-CHAIRMAN FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £1000 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Purser, seconded by Councillor Boden and resolved that Councillor Rob Skoulding be elected as Vice-Chairman of the Council for the period to the next Annual Meeting and that he be paid an allowance of £1,000 plus travelling expenses.

The Vice Chairman addressed the Council as follows:

I would like to thank Councillor Boden and Councillor Purser for proposing and seconding the nomination to elect me as Vice Chairman of Fenland District Council and I thank all Members for your support. I will endeavour to support Councillor Miscandlon in his role as Chairman.

C3/20 PREVIOUS MINUTES

The minutes of the meeting of 20 February 2020 were confirmed.

C4/20 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

The Chairman stated that this is the first meeting of full Council during the COVID-19 pandemic and he added that he would like to take the opportunity to offer his thanks on behalf of all Members of this Council, to those working to save lives and keep essential services running throughout Fenland, making sure our local NHS services have not been overwhelmed.

He added that Council staff have risen to the challenges COVID 19 has presented by providing support to vulnerable people shielding at home, facilitated the Small Business and Retail, Hospitality and Leisure Grant schemes therefore supporting local businesses, supported local residents that would otherwise have been homeless during the pandemic, continuing to run essential services such as Refuse collections and Street Cleansing as well as supporting and advising companies as well as local residents regarding COVID compliance.

C5/20 MEETINGS OF THE COUNCIL 2020/21

The suggested meeting dates for the Annual Meeting of the Council and for the ordinary meetings of the Council for 2020/21 were proposed as follows;

The Annual Meeting of the Council in 2021 to be held on Tuesday 18 May 2021.

The ordinary meetings of the Council be held on;
Thursday 6 August 2020
Tuesday 8 September 2020
Monday 14 December 2020
Tuesday 23 February 2021

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

- Councillor Booth stated that at the Annual Council meeting in 2019, there was a debate with regard to the days on which meetings are held. He added that there was a commitment for meetings to be held on Thursdays, but this now does not appear to be the case and questioned why? Councillor Boden stated that at that time it had been decided that there should not be a list of dates considered at the Annual Council meeting this year where changes of dates had to be further proposed. He added that consultation took place with the Combined Authority and the County Council to ascertain dates of their meetings this municipal year to enable us to schedule our own dates around them whilst also considering Town and Parish Council meetings. He added it had not been possible to schedule meetings of the Council to all be held on a Thursday, due to the amount of meetings that take place elsewhere some of which Members also attend.

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

C6/20 COMMITTEE STRUCTURE, POLITICAL BALANCE AND ALLOCATION OF SEATS

Members considered the Committee Structure, Political Balance and Allocation of Seats report and received an update in relation to the Committee Structure.

Councillor Boden advised Members of the Council that he wished to advise them of a slight alteration to the composition of the Overview and Scrutiny Committee as detailed in page 21, Appendix B, section 3.4.

Councillor Count and Councillor Connor will form part of the Overview and Scrutiny Committee in place of Councillor Hay and Councillor Mrs Mayor.

Councillor Mrs Davis and Councillor Mrs Mayor will be substitute Members of the Overview and Scrutiny Committee.

Proposed by Councillor Miscandlon, seconded by Councillor Boden and AGREED to approve the Committee Structure, Political Balance and Allocation of Seats report including the update as detailed by Councillor Boden.

**C7/20 CAMBRIDGESHIRE & PETERBOROUGH COMBINED AUTHORITY
APPOINTMENTS**

Members considered the Combined Authority Membership and Other Appointments report, presented by Councillor Boden.

Councillor Boden confirmed the following appointments to the Combined Authority's Committees:

Combined Authority Board: Councillor Boden, Substitute: Councillor Mrs French

Audit Committee: Councillor Benney, Substitute: Councillor Miss Hoy

Overview & Scrutiny Committee: Councillor Hay and Councillor Mason, Substitutes: Councillor Miscandlon and Councillor Tierney.

Councillor Boden added that the Transport Committee and the Housing Committee have been omitted from the report, and stated that the appointments to those committees are as follows.

Transport Committee Councillor Seaton, Substitute Councillor Tierney

Housing Committee Councillor Boden, Substitute Councillor Mrs Laws.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED that the appointments and nominations to the Cambridgeshire and Peterborough Combined Authority for the municipal year 2020/21

**C8/20 ITEMS TAKEN UNDER SPECIAL URGENCY IN THE LAST THREE MONTHS -
FREEDOM LEISURE AND CONSTITUTIONAL AMENDMENTS REPORT**

Members considered and noted the Freedom Leisure report, presented by Councillor Boden.

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

- Councillor Miscandlon stated that at the time of the decision concerning Freedom Leisure, he held the position of Chairman of the Overview and Scrutiny Committee and before any decisions were made with regard to Freedom Leisure he had lengthy discussions with the Legal Team at the Council, before he approved the non-call in facility that had to be taken in a very timely manner.
- Councillor Booth, added that the debate that took place with regard to Freedom Leisure at the Overview and Scrutiny Committee meeting on 8 June 2020 can be viewed on You

Tube.

Proposed by Councillor Boden, seconded by Councillor Connor and members AGREED to note the decision taken under special urgency in relation to financial support to Freedom Leisure due to Covid 19.

Members considered the Constitutional Amendment report presented by Councillor Boden

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

- Councillor Booth stated that he has read the changes to the Constitution and expressed the opinion that whilst he appreciates that due to the pandemic there needs to be a new way of working he has concerns that some of the changes that have been introduced such as not allowing public speaking or petitions will stifle the democratic process. He added that the virtual Planning Committees have enabled members of the public to make representations, and therefore, members of the public should be able to present at meetings of the Council.
- Councillor Booth commented that some members may recall that a motion had been discussed previously at Council, where consideration had been given with regard to holding meetings of the Council virtually.
- Councillor Booth stated that the report states that political parties will have to vote against motions in the Constitution, which he is concerned to read. He also questioned what the review period is for these amendments. Councillor Boden stated that with regard to the review period, the legal requirement for the remote meetings lasts until the 7 May 2021.
- Councillor Boden commented that there was significant concern at many authorities with regard to the practical way to facilitate questions and petitions. Councillor Boden expressed the opinion that, progress has been made with virtual meetings taking place over the last few months and therefore he would like to discuss this further with Councillor Tanfield and Councillor Booth to review whether further changes can be made.
- Councillor Booth asked whether this can be reviewed within the next 3 months. Councillor Boden stated he will be happy to review this on an ongoing basis.
- Councillor Sutton expressed the opinion that he also has concerns with regard to page 49 and 8.1 with regard to the submission of motions, where it states that 'Members will have the ability to submit motions to Council as set out in the Constitution. In order for the Motion to be accepted, the Member submitting the motion will need to provide the Monitoring Officer with evidence that it is time critical'. He stated that if an elected member has a motion to be considered why should they have to prove it is time critical? He expressed the view that the report needs to be reviewed in time for the next Council meeting and he added he will only be supporting the report, if the time critical element is removed.
- Councillor Boden stated that the rules were put in place at the end of March, when there was a great deal of concern as to whether the technical abilities were in place in order to hold meetings remotely and in the last three months meetings have been able to be conducted in a satisfactory manner. He added that the paragraph that Councillor Sutton has alluded to at 8.1 is an item which he would like to review and to have removed.
- Councillor Boden stated that he has already stated that he will meet with Councillor Booth and Councillor Tanfield, and added that Councillor Sutton can also attend that meeting to review the documents. He added that he is reluctant to make any changes immediately, as it may reflect on other elements of the document being ratified today.
- Councillor Boden expressed the opinion that in light of the fact that the comment could impact on the next meeting of Full Council, he asked Officers whether they could clarify whether there was any reason why the second sentence of 8.1 could not be removed immediately without any detriment. He added that if there was any concern then it would have to be delayed to the next meeting of Full Council in August.
- The Monitoring Officer, Carol Pilson, stated that there are two options available as outlined by Councillor Boden. Firstly, Councillor Boden has given an undertaking to review the rules

and, therefore, she could utilise her powers between this meeting and the next Council meeting for those changes to be ratified at the meeting on 6 August. Alternatively, if Members wish to remove the one sentence immediately, by moving an amendment on that one particular sentence it would not cause a significant issue.

- Councillor Sutton expressed the view that he wished to move an amendment and thanked Councillor Boden for his consideration on the item.

Members considered the amendment to the Constitutional Amendment report proposed by Councillor Sutton.

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

- Councillor Mrs French stated that she supports the amendment to the document and added that she had attended a Cambridgeshire County Council Highways meeting, where motions and public speaking had been facilitated and suggested that officers may find it helpful to contact colleagues at the County Council to explore their operation of remote meetings.
- Councillor Tierney expressed the opinion that it is frustrating to have motions delayed however it is important to focus on time critical business as a priority during the pandemic.
- Councillor Boden stated that following the guidance of the Monitoring Officer, he is prepared to accept the amendment of the removal of the second part of the sentence as detailed in paragraph 8.1. He added that there is an adequate way that the Monitoring Officer can make changes, which can then be ratified by Full Council.
- Councillor Tanfield expressed the view that she is happy to support the proposal by Councillor Sutton. She added that we are all experiencing difficult and challenging times and the suggestion of looking at the method of operation for County Council meetings should be explored. She expressed the opinion that a regular review of the guidelines is welcomed.
- Councillor Hoy stated that she does not support the amendment. She added that she would rather wait until the next meeting of Full Council and then decide whether changes are required.

Proposed by Councillor Sutton, seconded by Councillor Yeulett to remove the second sentence at both 8.1 of the Virtual Meeting Procedure Rules and 10.3 of the Council Procedure Rules which read ‘In order for the motion to be accepted, the Member submitting the Motion will need to provide the Monitoring Officer evidence that it is time critical.’ The amendment was APPROVED.

Members considered the remainder of the Constitutional Amendment report proposed by Councillor Boden.

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

- Councillor Booth expressed the view Councillor Boden formulating a review of the Constitutional Amendment Report should be included.

Proposed by Councillor Booth, seconded by Councillor Mrs French and agreed that the Constitutional Amendments be APPROVED.

(Councillor Cornwell declared an interest as his son is an employee of Freedom Leisure and left the meeting prior to the commencement of this item)