

COUNCIL



TUESDAY, 8 SEPTEMBER 2020 - 4.00 PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor R Skoulding (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 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 C Marks, Councillor D Mason, Councillor A Maul, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick, Councillor W Rackley, Councillor C Seaton, Councillor W Sutton, Councillor S Tierney, Councillor D Topgood, Councillor S Wallwork, Councillor Wicks and Councillor F Yeulett

APOLOGIES: Councillor S Count, Councillor A Lynn, Councillor M Purser, Councillor M Tanfield and Councillor S Wilkes

C18/20 **PREVIOUS MINUTES**

The minutes of the meeting of 6 August 2020 were confirmed and signed, subject to the amendment on page 9, where reference is made regarding Wisbech Boxing Club receiving the Queens Award, which is incorrect and it should state that March Boxing Club were the recipient of the award.

C19/20 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Miscandlon made the following announcement:

Members may already be aware that I have had to take the difficult decision to cancel this year's annual charity coffee morning and will seek alternative opportunities to raise money for the Chairman's Charity Macmillan Cancer Relief. It is my intention to ask Member Services colleagues to share the link to the Macmillan Cancer fund raising page with Members should they wish to make a personal donation. I will ensure that the link enables any donations made to remain within the Fenland area.

C20/20 **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.**

This item was withdrawn from the agenda due to the absence of the Leader of the Opposition, Councillor Michelle Tanfield.

C21/20 **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 Sutton referred to the last meeting of Full Council, where Councillor Mrs Laws advised that only 4% of planning applications received fulfilled the validation requirements. He added that since that meeting he has analysed the systems and he is concerned about how there still appears a lengthy timeframe. He would like to know how this delay can be rectified going forward and made the point that there is only one note on the Public Access system against an application from the Validation Team which details the status of the application. Councillor Mrs Laws stated that validation rate is still at 4%, with the Planning Team operating a fair and open approach, where they will assist the agents and developers and at the present time there is a 2.5 week backlog with submissions of applications, with the planning portal dictating that it has been the busiest summer on record and this also being the case with some of the neighbouring authorities. She stated that the Local Validation List was adopted in August 2020, following a period of consultation in February 2020, which has resulted in some applications being registered as invalid, whilst agents are provided assistance to understand the new requirements and this has affected the Council's performance, as it is dealing with applications two or three times before they can be registered as valid as well as an accumulation of invalid applications, annual leave, and record numbers of applications having an impact. Councillor Mrs Laws expressed the view that the situation could be improved if applications were submitted and valid on receipt, however, any applications which require amendments are dealt with as soon as the requested information is received. She added that the validation figures in April 2020 were 94.43%, May was 21.83%, June was 79.13% and July was 68.54%, with staffing levels currently being investigated, and made the point that the Developer Forum have received a presentation with regard to validation to enlighten the agents on the process, which does not appear to have had an impact, so other measures are now being looked into. Councillor Sutton thanked Mrs Laws for her response and asked whether all of the interventions, consultations and actions taken by the Validation Team should be documented on the Public Access system? Councillor Mrs Laws stated that it is something that could be considered, however, the Council is trying to build relationships with agents and developers.
- Councillor Sutton asked Councillor Benney whether the motion being determined under agenda item 7 at today's Council meeting has any relevance to the report that was withdrawn from the Cabinet meeting held earlier today? Councillor Benney confirmed in the affirmative.
- Councillor Sutton asked Councillor Murphy whether he could provide an update with regard to Waste Vertical Integration (WVI) and also with regard to the abolition of the charge for brown bin collections as was indicated during the election period? Councillor Murphy stated that there is no update with regard to WVI and that he cannot recall any discussion with regard to the removal of the charge. Councillor Sutton stated that he has seen sight of letters distributed during election time which indicated that the brown bin charge may be removed, but he will follow the matter up going forward, agreeing to send copies of the letters to Councillor Murphy.
- Councillor Sutton asked Councillor Boden whether the details of the recipients of the monies awarded, as part of the different business grants and discretionary grant schemes will be publicised, due to the fact that it is £20,000,000 of public money that has been paid out? Councillor Boden stated that Councillor Sutton is correct, it is public money that has been allocated as part of the scheme, however, there is an implied confidentiality when it comes to disclosure as to who has received that funding. He added that as it is public money and with the amount being so large, there is a public interest to ensure those monies have been spent correctly and prior to the first grant process scheme commencing the Council were advised that there would be an audit process which would be followed up after the grants had been distributed and that process has commenced by Central Government. Councillor Boden stated that an internal audit process has also been initiated to check our records and as a Council we are of the opinion that Central Government will find no matters of concern as part of their external audit process. Councillor Boden added that if there is anybody who wishes to challenge any inappropriate allocation of funds then they should report it to the

Section 151 Officer who will carry out a thorough investigation. Councillor Sutton stated that he has been made aware of various party political offices across the country who has claimed monies as part of the scheme, which, in his opinion, is very wrong and he would hope that this is not the case locally. Councillor Boden stated that under the rules of General Data Protection Regulation (GDPR), he cannot make any comment on any applications for funding, but he will discuss with officers and report back to members of the Council when he has ascertained what his position is to be able to respond. Councillor Boden reiterated that if any member has any knowledge of any improper allocation of grant funding, then they should report it directly to the Section 151 Officer for investigation.

- Councillor Hay referred to the meeting of Council on 6 August where she highlighted the Cambridgeshire Autonomous Metro (CAM) and the routes it will take. She stated that she is passionate about ensuring that Chatteris has better transport links and the Mayor of the Combined Authority has already indicated that there will be a connection to the Fens when the final routes are published and asked Councillor Boden as the Leader of the Council and in his position on the Combined Authority to raise this subject about including Chatteris in the CAM network at every opportunity. Councillor Boden stated that the following the meeting on the 6 August, he spoke to the Mayor and he has stated that he will look at the suggestion made by Councillor Hay, adding that key announcements concerning the CAM are expected over the next few months, including detailed plans with regard to the route map. Councillor Boden invited Councillor Hay to meet with himself and the Combined Authority Mayor concerning the connections for Chatteris and the CAM.
- Councillor Booth referred to a recent article which had been published, concerning the reports of the abolition of District Councils to be replaced with County Councils, which is something that he has alluded to for some time to be considered across Cambridgeshire to save tax payers money and he asked Councillor Boden for clarity as to what his thoughts are and whether it had been discussed at the Combined Authority. Councillor Boden stated that it is not primarily a matter for the Combined Authority (CA), although they had initiated a review several months ago and this was almost finalised until events within Central Government took over. He gave a comprehensive response with regard to this subject at a previous meeting at Council, but recently the County Council Network had produced a report and the District Council Network have also produced a report, which came to a different conclusion from that of the County Council's. Councillor Boden added that the Government had announced that there would be a white paper produced with regard to Local Government Reform, and some of the contents have been leaked, however, the information has not been consistent and, therefore, it would not be prudent for him to speculate on the content of the white paper, this white paper has now been delayed and will be published in October. Councillor Boden stated that the opportunity that is within Cambridgeshire and Peterborough already with the elected Mayor already in place, as well as the Combined Authority, but also the coterminous Clinical Commissioning Group from the National Health Service, mean that there is the opportunity of merging health and adult social care together, which will save money and potentially bring an improvement to public services. He made the point that he has said many times, that there are too many layers of Local Government and another layer is currently being considered with regard to Strategic Planning for Transport, where a regional organisation is attempting to obtain statutory powers to share with existing organisations. He would like there to be a more stream lined approach in Local Government to ensure it is as responsive as possible to local needs and developed as locally as possible.
- Councillor Booth referred to a motion that was submitted in May 2019, with regard to the review of play areas across the district and stated that he is aware that Covid may have delayed such work, but asked Councillor Murphy if he could be provided with an update. Councillor Murphy stated that Covid has had an impact, but this is now being looked into further, agreeing to provide Councillor Booth with an update in due course.
- Councillor Booth referred to page 32 of the agenda pack where the matrix shown provides details of the cumulative totals of household waste collected and highlighted to Councillor Murphy that the performance figure is shown as 27% and the target is 28%, however, the

figure shown is highlighted in green and it should be shown as amber.

- Councillor Booth referred to the matrix shown on page 42, where it details the occupancy of berths at the harbour at Wisbech where the target is 85% and the cumulative performance is 81% and highlighted to Councillor Benney that it is shown as green and it should be shown as amber. Councillor Benney stated that he will check the figures and provide an update to all members.
- Councillor Topgood asked Councillor Tierney, in relation to his role as the other Portfolio Holder for the Environment, whether he has any comment to make regarding the charging for brown bins, which Councillor Sutton had referred to earlier. Councillor Tierney stated that there are two portfolio holders; Councillor Murphy is responsible for operational matters and he is responsible for the strategic side. He expressed the opinion that he would like to remove brown bin charges, but the Government are undertaking various work on what will happen with the collection of bins going forward.
- Councillor Mrs Bligh expressed the view that the new Council website is excellent, is very easy to navigate and find things and asked Councillor Tierney if those officers and teams responsible for the website be congratulated and if there has been any other feedback received concerning it. Councillor Tierney thanked Councillor Mrs Bligh for her feedback and added that there have been very positive comments received and he is very pleased with the outcome.
- Councillor Hoy stated that a number of members of the Council stood under a manifesto of energize change, with the manifesto having a number of commitments, one was to set up a business development centre and the second was to set up community forums. She added that community forums are easy to set up and asked Councillor Boden whether many have been set up to date? Councillor Boden stated that he does not have that information and added that he cannot answer her question. He stated it is the accepted practice that if elected you should carry out the wishes of local electors and to fulfil the promises that were made. Councillor Boden welcomes candidates suggesting particular ideas that they believe are appropriate for their wards even if they may not be the policy of the party that they are representing and added that with regard to waste vertical integration (WVI), there were four candidates who stood under that platform and they were all defeated, and it would appear that the local electorate were supportive of encouraging WVI and their views need to be respected. Councillor Boden stated that with regard to Business Development Centres and Community Forums that is the responsibility of individual councillors to determine how and when they fulfil the promises that they have made to their electorate or if they actually choose to do so.
- Councillor Booth stated that with regard to candidates standing under a particular party political flag, it is normal practice for a manifesto to be in place which states the aims and objectives that a candidate wishes to achieve, however, if all candidates of a particular political party have their own individual views then they should stand as independents. He added that candidates will have their own aspirations, but if major pledges are being made, then it is the expectation that they are being made under a manifesto. Councillor Boden responded that political parties do have to have some cohesion, but there does need to be room for individual candidates within those parties to give their own interpretations and their own causes that they wish to follow.
- Councillor Sutton stated that at Annual Council in May 2019, Councillor Boden was asked whether he would consider a member of the opposition to fulfil the role of the Chairman of the Overview and Scrutiny Panel and asked whether consideration had been given to that approach? Councillor Boden stated that he did consider it and he will continue to consider it in future, but he came to the conclusion that the most important thing was to find the best person to fulfil the role, regardless of political party, and he has every faith in the ability and integrity of Councillor Mason to hold the position of the Chairman of the Overview and Scrutiny Panel.

Councillor Tierney presented a motion regarding the proposal of a moratorium on sales of Fenland District Council (FDC) land in Wisbech within 500 metres of the track of the decommissioned railway line or within 500 metres of any part of the site of the proposed new incinerator and stated that:

FDC has consistently supported the reintroduction of a rail service into Wisbech, and has opposed the proposal to build a mega-incinerator in Wisbech. In the near future, both schemes will reach critical milestones.

To help promote the re-instatement of the railway line, and to help defeat the incinerator proposal, Full Council recommends that those exercising delegated authority for decisions connected with the disposal of land observe a six-month moratorium on all sales of FDC land in Wisbech within 500 metres of the track of the decommissioned railway line in Wisbech or within 500 metres of any part of the site of the proposed new incinerator unless either:

- (a) the proposed sale assists in the promotion of the re-instatement of the railway line and does not assist in the promotion of the incinerator OR
- (b) the proposed sale assists in the fight to oppose the proposed incinerator and does not harm the proposal to re-instate the railway line.

The moratorium above shall not apply in respect of transactions which FDC is obliged to complete by a Court, or under the terms of a Compulsory Purchase Order, or under threat of legal action against FDC which FDC is unlikely to be able to defend successfully.

Councillor Meekins seconded the motion and Councillor Miscandlon opened the motion up for debate:

- Councillor Meekins stated that the proposed construction of the incinerator has provoked the residents of Wisbech, like no other issue that he can recall, adding that prior to the Covid-19 lockdown, the rallies and public meetings that took place saw people of different ages come together to discuss the subject and to make their feelings known. He advised that he spoke to local people at those events and they had informed him that it was the first time that they had ever demonstrated, which in his opinion, shows the strength of local objection and the large amount of yellow banners which have been placed at various locations around the town of Wisbech against the project, show that the incinerator has little or no support in the town or a place in the town, as the proposed site is in close proximity of Thomas Clarkson School and also many houses, including the future development at the disused College of West Anglia site. Councillor Meekins stated that everything legally possible should be done to prevent this incinerator being built and he supports Councillor Tierney's motion wholeheartedly.
- Councillor Booth stated that he will support the motion, but he does have concerns that the moratorium is only for 6 months. He made the point that the Wisbech rail project has been ongoing for a number of years and, in his opinion, 6 months is not long enough to fully utilise the power and effect of the motion and he would like to suggest that after 6 months it is reviewed again to ascertain the status. Councillor Booth added that if the incinerator is brought before the Ministry for Communities and Local Government it can take many years before appeals are considered.
- Councillor Tierney stated that the Council has previously supported a motion to state that it will do everything within its power to oppose the building of the incinerator, but it is not known currently what schemes that those responsible for the building of the incinerator are proposing and whilst it is wrong to speculate, it could be through land that is owned by the Council. He stated that in response to Councillor Booth's concerns regarding the six month period not being long enough, this appears to be the timescale where the proposal may be brought forward, however, if required then the moratorium can be brought back again to

Council. Councillor Tierney made the point that there is also a very specialist school which looks after vulnerable children even closer to the proposed site than Thomas Clarkson school.

- Councillor Marks stated that he has concerns regarding the motion, although he does understand the reasoning behind it and is against the incinerator, however, he believes it has further ramifications for the Council and local businesses. He stated that by placing a six month period and 500 metre area embargo on the sale of land belonging to the Council, it could have serious implications on businesses who may be considering expanding or relocating in that embargoed area, which may mean that those businesses will look to relocate to other areas outside of Fenland, taking employment opportunities and wealth with them. Councillor Marks expressed the view that the embargo could mean that other land owners in the area could look to sell their land to the incinerator company during this time and should the incinerator be given approval or not there is the possibility of appeal which could take years and should the moratorium be kept in place it could stifle growth in Fenland and land owned by the Council. He made the point that the strapline of Fenland District Council is 'Open for Business' and questioned whether that is the case as if the motion succeeds then one of the biggest growth employment areas for Fenland for the foreseeable future has been eradicated. Councillor Marks questioned whether the Council continues to support the March to Wisbech rail link as it could be used in the future for freight movements, which would mean that waste could be used by rail to feed the incinerator and that he would like to see a new motion put forward where instead of embargoes, covenants and ransom strips could be placed on all land around the incinerator that the Council owns, which would ensure that the Council have a safeguard in place for other land which is not being used in conjunction with the incinerator. Councillor Marks asked Councillor Tierney whether he has any written proof, which he could provide to him today, which shows that the incinerator company requires any further land than it has already taken lease on? Councillor Tierney agreed with most of Councillor Marks comments, but added that public land should be used to the best of its ability and the Council should be doing all it can to promote business. He added that it may mean that when it comes to the Secretary of State, there may be an argument whereby the incinerator company tries to make the best case about why the incinerator should be allowed to proceed against the people of Wisbech, with the Council previously promising that they would do everything legally possible to stop the incinerator and whilst he agrees it will effect some companies the residents feelings need to be taken into account and they do not want this incinerator in Wisbech. Councillor Marks reiterated his initial question to Councillor Tierney and asked whether he has any written confirmation concerning additional land being required? Councillor Tierney stated that he has nothing written down which can be disclosed, but stated that there must be the acceptance that the incinerator company could purchase a piece of land from a third party or a third party purchases land and sells it on, which would strengthen the case for the incinerator. Councillor Marks stated that currently any other landowner around the incinerator could sell and Fenland would have the embargoes in place and somebody else could sell and the embargoes would be worthless. Councillor Tierney stated that we do not control that scenario, but we do control the motion before members today.
- Councillor Sutton stated that he agrees with Councillor Marks and all that he has stated. He believes that there is another solution to this situation, which is to allow the sale of the land, and although he has no evidence, he feels that there has been negotiations taking place with regard to the sale of land in close proximity to the site. Councillor Sutton added that he does not disagree with some of the information that Councillor Tierney has provided, but if the Council are to do everything possible to stop the incinerator, it means that the improvements to the A47 must be stopped and also the possibility of the rail line, both of which would impact in the favour of the incinerator. He stated that he would suggest that Councillor Tierney withdraws his motion and brings forward another with regard to covenants on the land, which he would anticipate would receive 100% support from all members. Councillor Sutton expressed the view that there could be reputational damage to the Council if there have been negotiations taking place, it is detrimental to business and he

urged Councillor Tierney to withdraw his motion.

- Councillor Topgood stated that he will support the motion, councillors have been elected to take into consideration the views and thoughts of the local people. He added that posters are being placed in the local villages which are voicing concerns over the proposal and there appears to be little or no support for the incinerator.
- Councillor Boden stated that he is disappointed to hear that Councillor Sutton cannot support the motion as he had hoped that the motion would have been accepted without any opposition, which would have sent a strong message to the proponents of the incinerator but also to our residents. He added that he was sympathetic to the comments made by Councillor Marks, who is correct with the point he made that the Council are not stopping other landowners from selling to the proponents of the incinerator, but all the Council can do is to act within the powers that it has for the land that it owns. Councillor Boden referred to the comment that Councillor Marks made that there is the potential, despite the relatively small number of employment sites which we own in the relevant area, that we may stifle some genuine employment opportunities that have nothing at all to do with the incinerator. Councillor Marks is correct that there is a danger of that. Under the Constitution, Full Council does not have authority to stop land transactions, as these decisions are delegated either to officers or to the Cabinet dependent on the size and value of the land concerned. He added that the motion is a request to those who make those decisions about observing a moratorium, and if there is a situation where any legitimate employer wishes to take action within the area that has been prescribed and it would be in our interest for that to go ahead, and it has nothing to do with the incinerator, he gave assurances to Councillor Marks that he would be open to any direct approach from any such company or from any councillors so that consideration could be given to that legitimate employment opportunity which can have nothing at all to do with the incinerator and discretion will be appropriately used in those circumstances.
- Councillor Benney stated that he fully supports the stopping of the incinerator, but in his role as the Portfolio Holder for Assets and Growth he cannot support the motion. He stated that he is bound by confidentiality but expressed the view that by not selling a piece of land could be detrimental towards the stopping of the incinerator and to the business community of Wisbech. He stated that both he and Councillor Mrs Laws have undertaken work with agents and developers to encourage business and growth in Fenland and by putting this moratorium in place could prove damaging to the reputation of the Council. Councillor Benney stated that the proposed location for the incinerator is not best placed and with it will bring traffic problems and pollution, but in his position as Portfolio Holder he does not think the motion is the correct course of action for the business community and is damaging to the work that he has undertaken since he has been in his role, whilst he fully supports the stopping of the incinerator and he sympathises with the feelings of the people of Wisbech.
- Councillor Hoy stated that the incinerator company have been very clear in some of their documentation that they have a requirement for extra land for their substations and site construction works. She is surprised with the earlier comments made by Councillor Marks and made the point that Councillor Sutton abstained when the previous motion was before Council and now he appears to be against the moratorium. Councillor Hoy referred to a point made by Councillor Sutton with regard to the rail infrastructure and she stated that there has been no suggestion anywhere that waste will be transported by rail and adding that if the incinerator is built it will sever the railway line and there will be no rail station in the town centre. She stated that she is not against business; however, the people of Wisbech deserve to be supported and the reputation of the Council will be effected if the piece of land is sold to assist the proposed incinerator. She concluded by requesting a recorded vote.
- Councillor Mrs Laws stated that she agrees with Councillor Benney and added that she does not want to see the incinerator, but she has not been provided with any evidence to prove this is going to happen being aware of how much time both Councillor Benney and Officers have spent on the subject and she has attended meetings from a planning perspective. Councillor Mrs Laws made the point that the Conservative Group and the

Leader of the Council have provided guidelines to encourage business and growth and economy and she has adhered to those guidelines as has Councillor Benney. She does not support the incinerator, but in her role as Portfolio Holder, she has abided by the request of the Leader of the Council and, therefore, she cannot support the motion.

- Councillor Maul stated that he will be supporting the motion and added that he understands the comments made by other members, and the Leader has made his position clear. He feels the views of the residents of Wisbech have to be taken into consideration and everything possible needs to be undertaken to stop the incinerator being built, which is why the motion should be supported and passed.
- Councillor Tierney stated that Councillor Mrs Laws and Councillor Benney have undertaken great work in their Portfolio Holder roles by promoting growth and business in the area and he understands the points raised by them and by Councillor Marks, however, feels that if the proposed incinerator was to be built in their wards they may take a different view. He does not think that Councillor Sutton will change his opinion even though the proposed site does fall in close proximity to his ward, but he will not withdraw the motion as covenants can be overturned but what cannot be overturned is the Council's refusal to sell its land.

A Recorded vote was taken on the Motion.

In Favour: Councillor Mrs Bligh, Councillor Boden, Councillor S Clark, Councillor Connor, Councillor Cornwell, Councillor Mrs Davis, Councillor Divine, Councillor Mrs French, Councillor Miss French, Councillor Hay, Councillor Hoy, Councillor Humphrey, Councillor Mason, Councillor Mrs Mayor Councillor Maul, Councillor Meekins, Councillor Miscandlon, Councillor Murphy, Councillor Patrick, Councillor Rackley, Councillor Seaton, Councillor Skoulding, Councillor Tierney, Councillor Topgood, Councillor Wallwork and Councillor Wicks.

Against: Councillor Benney, Councillor Mrs Laws, Councillor Marks, Councillor Sutton and Councillor Yeulett.

Abstentions: Councillor Clark

The motion was adopted.

(Councillor Booth left the meeting prior to the recorded vote taking place)

C23/20 CORPORATE GOVERNANCE ANNUAL REPORT 2019/20

Councillor John Clark presented the Corporate Governance Committee Annual Report 2019/20.

The committee is tasked with two key functions:

- Providing independent assurance of the adequacy of the risk management framework and the control environment, and
- Independently scrutinising the authority's financial and non-financial performance and overseeing the financial reporting process.

Councillor Clark thanked all members of the Committee for their comments and input into the report, and also the help given by officers.

Councillor Boden stated that he is delighted to hear the report from Councillor Clark. Further to the point raised earlier by Councillor Sutton with regard to Chairmanship of committees, he expressed the opinion that both the Overview and Scrutiny Panel and the Corporate Governance Committee need Chairmen who are willing to be honest and be able to challenge and he is delighted that Councillor Clark has risen to the challenge, which proves that the committee is carrying out the

function it is in place to do.

Councillor Boden expressed the opinion that with regard to Council Tax freezes and the potential loss of income to the Council of 2.325 million pounds, our residents have a financial gain by freezing Council Tax, which to a certain extent is better than the Council spending it. He added that when previous decisions were made the Council was not aware of Covid-19, or the budget and the implications it would have. Councillor Boden stated that Councillor Clark has correctly stated that the Council faces significant financial challenges as a result of the pandemic and it would be premature for us as a Council to make any medium or long term predication as to the way forward as a result of the pandemic. He added that as a result of previous administrations of the Council and prudent leadership, the Council is in a stronger position to overcome the challenges as a result of Covid-19 compared to many other districts councils' in the country.

Councillor Boden referred to the point raised concerning the internal audit function of the Council, with Councillor Clark being correct with the point he raised regarding bringing the Internal Audit Team back in-house and how we would ensure it was appropriately staffed. He stated that a key member of the Audit Team was redeployed to assist with the administration of the business grant process and as a result there is a 6 month Internal Audit Plan for 2020/2021, rather than the normal 12 month process, which has been the same route taken by many other authorities across the country. Councillor Boden stated that the staffing issue in the Internal Audit Team will be addressed at the Staff Committee meeting on the 21 September.

AGREED to note and acknowledge the work of the Corporate Governance Committee and it's compliance with CIPFA's annual checklist for 2019/20.

C24/20 COATES CONSERVATION AREA APPRAISAL

Councillor Seaton presented to members the report and detail in relation to the public consultation on the Coates Conservation Area Appraisal.

Councillor Seaton highlighted to members a typographical error on the report cover sheet and stated that it should have stated: Benwick, Coates and Eastrea Ward.

Councillor Seaton thanked members and officers for the considerable amount of work which has been undertaken on this project.

AGREED to approve the Coates Conservation Area Appraisal and Management Plan.

(Councillor Miscandlon declared an interest in this item, by virtue of the fact that the Coates Conservation Area forms part of his ward and he has been involved in discussions at Whittlesey Town Council, but he will approach the item and any discussion or vote with an open mind.)

(Councillors Boden, Mason and Mrs Mayor declared an interest in this item, by virtue of the fact that they are members of Whittlesey Town Council where this item has been discussed)

(Councillor Connor declared an interest in this item, by virtue of the fact that this area forms part of his ward as part of his County Council position, but he will approach the report and any discussion or vote with an open mind)

(Councillor Mrs Laws declared an interest in this item, by virtue of the fact that she believes she is pre-determined as she has been involved in the discussions regarding this item at Whittlesey Town Council, and she, therefore, took no part in the discussions or voting thereon)

(Councillor Wicks declared an interest in this item, by virtue of the fact that he believes he is pre-determined, and took no part in the discussions or voting thereon)

C25/20 **O&S ANNUAL REPORT 2019/20**

Councillor Mason presented the Overview & Scrutiny Panel Annual Report for 2019/20 which provides a focus on the work undertaken by the committee during the past twelve months as well as providing a forward look to 2020/21. He stated that all members of the panel remain committed to ensuring it adds value whilst holding the Executive to account and that the panel, both past and present, took an active and enthusiastic role in the overview and scrutiny process.

Councillor Mason drew members' attention to a few key successes:

- Engagement with a number of external partner agencies to highlight and challenge performance in issues directly affecting residents of Fenland, which has included scrutinising the Wisbech Rail project in conjunction with the Cambridgeshire and Peterborough Combined Authority Transport Manager, Freedom Leisure, Anglian Revenue Partnership and the Crime and Disorder Reduction Partnership in addition to the Police,
- Recently the Panel have moved its focus in order to obtain a better understanding of the response and support provided to the residents of Fenland and businesses as a result of the Covid-19 pandemic, with the stated onset of the Covid-19 pandemic having been unprecedented in its nature and it has already resulted in operational and financial challenges, which will require strong, purposeful and effective Overview and Scrutiny both now and throughout the coming municipal year, which will be a direct result of members engagement and enthusiasm and will that they continue to have.

Councillor Mason thanked all members and officers who have contributed to the success of the panel both past and present and would recommend that Council acknowledge the broad scope of the work undertaken by the Overview and Scrutiny Panel.

AGREED to acknowledge the broad scope of work undertaken by the Overview and Scrutiny Panel during 2019/20.

5.55 pm

Chairman

Appendix A

Play Areas Briefing Note

Question from Cllr Booth at Council on 17 September:

A motion was passed in May 2019 to review play areas. Is there an update on this?

Response:

A motion was tabled at Council on 23 May 2019 regarding Play Areas in Fenland which was referred to Cabinet for consideration. This work relies on S106 funding, supplemented by additional funding applications, to landfill tax credit distribution organisations.

On 18 July 2019, Cabinet considered the motion and noted the report recognising that the Council manages many play areas, maintains them safely and is continuing to invest in replacement play areas as and when suitable funding is available. Cabinet also commissioned an update on a complete list of FDC owned and/or maintained play equipment, to be listed by FDC ward and to include a very brief summary of the equipment at each site and its state of repair/maintenance.

On 18 September 2019, Cabinet considered the list of play areas and the associated condition survey of the facilities. Members paused delivery of the play area programme pending an updated work programme.

On 4 November 2019, Members considered and agreed a 5 year capital programme of maintenance on existing FDC play assets which is in the process of being delivered.

In the current financial year, the Parks & Open Spaces team has:

- Completed the new skate park in West End Park March
- Started development of a large play area improvement in Snowley Park, Whittlesey
- Applied, unsuccessfully, for funding to Mick George community fund for play area improvements in Wisbech Park.

Additionally, we have applied for CCC grants for;

- West End park, March – pathway and play area improvements; successful with £75,000 grant. Pathway works to commence shortly, with play area works awaiting outcome of a further funding bid.
- Pavilion in Wisbech Park – successful with a £240,000 grant; awaiting supplementary financial support prior to proceeding.

An additional bid for Growing Fenland funding for the Wisbech Park Pavilion project may be submitted to the CPCA early next year. A bid has already been submitted to the CPCA for a Water Park in Wisbech Park as a part of the Growing Fenland project.

The team is also applying for funding to support the following projects:

- Parks, Play Areas and Open Space in Doddington
- Parks, Play Areas and Open Space in Parson Drove
- Later in the 2020/21 financial year, we shall apply for funding to support play area improvements in Chatteris

Future plans are detailed in the Cabinet report regarding play areas.

APPENDIX B
ACTIONS FROM COUNCIL – 8 SEPTEMBER 2020
(updated 02.12.20)

QUESTION FROM.....	TO.....	QUESTION	ACTION
Cllr Sutton	Cllr Laws	At the last meeting, you stated that only 4% of applications received that fulfilled the validation requirements. How can we try to rectify the situation? Should there be more information on the public access portal to notify the public that validation requirements have not been met first time?	The service has recently run validation training workshops for agents in order to try and improve the completeness of application submissions and is likely to do so again as the performance of agents has worsened following the revisions to the scheme of validation. The agents were consulted on the changes and limited feedback was received and they were advised of their introduction. We are not aware that any other councils publish invalid applications online and it is not considered that this would be beneficial. Applications are published as and when they are valid and the consultation commences. To publish prior to the application being valid risks premature comments being received and drawings or documents that are known to be incorrect. It would also involve staff time publishing information that we know is going to be superseded. The reasons why an application is invalid is retained on the case file and is public information. At present this information is not published as and when an application is made valid but it could be. However, it is considered that to do so risks confusing the public as they will see that there is an application to comment on but at the same time see in the published documents a letter stating the application is invalid.
Cllr Sutton	Cllr Boden	£20m has been paid to various businesses under the COVID-19 business support grants. As this is	The Local Government Transparency Code places a requirement on Local Authorities to publish each individual item of expenditure that exceeds £500, this requirement includes grant payments. For each individual item of expenditure the following information must

QUESTION FROM.....	TO.....	QUESTION	ACTION
		<p>public money, are there any plans to publicise the recipients of the funding?</p> <p>Has funding been allocated to any local political offices?</p>	<p>be published:</p> <ul style="list-style-type: none"> • date the expenditure was incurred • local authority department which incurred the expenditure • beneficiary • summary of the purpose of the expenditure • amount • Value Added Tax that cannot be recovered • merchant category (eg. computers, software etc). <p>It is therefore the intention of the District Council to publish this information however we are aware that there have been a number of issues with the administration of the Business Grant scheme nationally involving fraudulent applications. Whilst we remain committed to complying with the transparency code we also have an obligation to protect public money and therefore the data will be published once the Business Grant Scheme is complete and all outstanding applications have been processed and finalised.</p> <p>All applications for grants from politically related premises have been processed and finalised. To provide additional transparency, there is therefore no reason not to provide that part of the information now. The Council has paid grants of £10,000 to the following organisations. All of these organisations occupy properties which qualified for small business rate relief:</p> <ul style="list-style-type: none"> • Whittlesey Conservative Club • Wisbech Conservative Club Ltd • Wisbech & District Conservative club • The Chatteris & District Conservative Club

QUESTION FROM.....	TO.....	QUESTION	ACTION
			<ul style="list-style-type: none"> North East Cambs Conservative Association <p>A grant of £10,000 was paid to March & District Conservative & Unionist Club Ltd as part of the Retail, Hospitality and Leisure scheme.</p>
Cllr Booth	Cllr Murphy	A motion was passed in May 2020 to review play areas. Is there an update on this?	Please see briefing note attached at appendix A
Cllr Booth	Cllr Murphy/ Benney	<p>Questions were raised over the RAG rating of two KPI's – should they be amber or green:</p> <ul style="list-style-type: none"> Page 18 (CELP 10) % of household waste recycled through the blue bin service Page 28 (MS1) Number of berth holders/occupancy of berths at Wisbech Yacht Harbour (85 berths) 	<p>Ref Page 18 (CELP 10) The percentage of household waste recycled through the blue bin service was 27% with a target of 28%. As this is within 4% of the target then the RAG indicator is green. Anything that was 5% lower than the target would be amber (in this case lower than 26.6%)</p> <p>Ref Page 28 (MS1) The number of occupied berths at Wisbech Yacht Harbour (MS1) is a number, not a percentage. A total of 81 of the 85 berths are occupied which is a 95 % occupancy rate and so the indicator is green (90 – 95% would be amber and less than 90% would be red).</p> <p>A key will be included in the Joint Portfolio Holder report going forward which will explain the RAG ratings.</p>