

# COUNCIL



**WEDNESDAY, 8 DECEMBER 2021 - 4.00 PM**

**PRESENT:** Councillor A Miscandlon (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 D Divine, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor A Lynn, Councillor C Marks, Councillor A Maul, Councillor N Meekins, Councillor J Mockett, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor W Rackley, Councillor C Seaton, Councillor S Tierney, Councillor D Topgood, Councillor S Wallwork, Councillor R Wicks and Councillor S Wilkes.

**APOLOGIES:** Councillor R Skoulding (Vice-Chairman), Councillor S Count, Councillor Mrs M Davis, Councillor M Humphrey, Councillor Mrs D Laws, Councillor D Mason, Councillor Mrs K Mayor, Councillor W Sutton and Councillor M Tanfield.

## **C24/20      APPOINTMENT OF VICE-CHAIRMAN FOR THIS MEETING**

Councillor Meekins was nominated as Vice-Chairman for the meeting.

## **C25/20      PREVIOUS MINUTES**

The minutes of the meeting of 30 September 2021 were confirmed and signed subject to the following comments:

- Councillor Booth wished for it to be noted that he had left before the Electoral Review item (minute C22/21) due to a prior commitment at a school governance meeting which he had accepted before the date of the Full Council meeting was altered.

## **C26/20      TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

Councillor Miscandlon made the following announcement:

“I would like to take this opportunity to pay tribute to Eric Lewis who was the first Chief Executive of Fenland District Council who sadly passed away on the 29th of September at the age of 96. Qualifying as a solicitor shortly after the war, Mr Lewis took his first post in local government as assistant solicitor at Scarborough Borough Council. He then moved to Reading and Aldrich Councils before being appointed the Town Clerk for Wisbech Borough Council in 1961. Upon local government reorganisation he took up the role of Fenland District Council's first Executive Chairman in 1974. Mr Lewis therefore played an important part in contributing to the history of Fenland District Council and I would like to thank his son and daughter for notifying us of their loss. So, we pay tribute to Mr Lewis today and offer our sincere condolences and extend them to the Lewis family. I would like you to join me in a minute silence for that purpose.”

Members joined Councillor Miscandlon in observing a minute silence.

Following the minute silence Councillor Miscandlon made a further announcement:

“I would like to take this opportunity to ask members to join me in observing a further minute

silence in honour and reflection of the life and achievements of Sir David Amess the MP for Southend who tragically lost his life on the 15th of October. Southend was the town I was born in, so I have a personal connection here. His death was rather tragic because he was carrying out his duty as we all do as Council Members so it is something we all should be very aware of. I would like you all to join me in an extra minute silence in respect to Sir David Amess thank you.”

Members joined Councillors Miscandlon in observing a minute silence.

**C27/20 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.**

Councillor Miscandlon stated that no written questions had been submitted under Procedure Rule 8.6 and asked if there were any questions under Procedure Rule 8.4 from Councillor Cornwell, Leader of the Opposition.

- Councillor Cornwell began by acknowledging the work of Eric Lewis noting that, alongside Ernie Thompson, they handled the pressures of combining the different local authorities well when Fenland District Council was formed and proclaimed that this was a huge achievement in his work.
- Councillor Cornwell said that he was pleased to hear that the Council was due to receive £48,500 from the Forestry Commission but expressed his disappointment that this would only fund around 4000 whips and 80 standard trees. He noted that the environmental benefits of the award will, therefore, be very slow and that there was only a 2.3 percent tree coverage compared to 16 percent nationally. Councillor Cornwell asked how the Leader planned to address the environmental deficit and increase tree planting on top of the initial grant? Councillor Boden stated that he was reluctant to increase tree planting across Fenland despite the low coverage and this was due to the geography of the area. He noted that historically Fenland was overwhelming made up of peat bogs and has never been a heavily wooded area as the soils are mainly peat or peating so the area requires the right types of trees in the right places. Councillor Boden explained that planting trees in the wrong area, which are not specialised for the peaty soils, results in the withdrawal of water from the peat soils which can cause subsidence and allows the release of more carbon from the soil negating their usual environmental impact of carbon capture. He added that the trees provided must be planted carefully and selectively due to these factors and that Fenland will never be an area with a high coverage of trees. Councillor Cornwell noted that peat originated from forests that were flooded and compressed so there must have been trees in the past but accepted that as long as there was some action in instigating tree planting that they would have to be specialised.
- Councillor Cornwell said that at the Overview and Scrutiny meeting of 8 November 2021 he and other members were surprised to hear that the Planning Shared Service only related to the Head of Planning and the Technical Team Manager. He noted that the promised integrated service had never come to fruition as was originally promised and asked whether Councillor Boden would instigate a review of the current arrangements alongside Peterborough City Council's review to ensure that the original promised financial and service improvements can occur? Councillor Boden explained that he had already asked the Planning Portfolio Holder to consider how to proceed in future arrangements, which he hoped would still include Peterborough City Council but that it was actively under consideration. He explained that they were looking at the cost and efficiency of the service and reviewing the current arrangements to get the most cost-effective service whilst maintaining the high quality of service. Councillor Cornwell stated he was happy that there would be a review as there were current shortcomings in the planning service which required actions and outcomes.
- Councillor Cornwell noted the change of dates for Council in September and reminded the Leader that Councillor Maul had asked about vehicle charging points. He stated that

Councillor Boden appeared to have misunderstood the question, instead providing an answer regarding car park charging. Councillor Cornwell noted that there was an increase in green registration plates on vehicles in Fenland and that figures produced by the Government indicated that the numbers are growing at a considerable rate. He expressed the view that the Council must react appropriately if they wished to attract people to the area and that the relevant infrastructure must be provided. Councillor Cornwell asked that the issue be revisited with some urgency and report back on the plans to reduce this environmental deficit. Councillor Boden stated that there was an increasing amount of third party electric charging points in Fenland but that it was unreasonable to expect that garages would be replaced by the Council organising charging points in the future. He explained that there were three concerns that needed to be balanced with electric charging points. The first was funding and making sure that appropriate types of charging were provided, which is constantly developing and that there could be some interesting offers in the near future. Councillor Boden made the point that there did not seem to be the demand for electric charging points in Fenland, citing Whittlesey Town Council which had two charging points that were sparsely used, and finally, he explained that there needed to be coordination with the plans for car parks which had been slowed down by Cambridge County Council and that they would have to consider how electric charging points would fit with the overall plan.

- Councillor Cornwell congratulated the Leader on the investment and infrastructure developments awarded to Chatteris, March and Whittlesey over the past months. He proceeded to ask what was happening in Wisbech as previous plans such as Wisbech 2020 and Wisbech rail seemed to have gone quiet. Councillor Cornwell asked whether Wisbech had been overlooked and whether previous work had been wasted as they did not seem to have anything to show for it? Councillor Boden explained that not all towns and parishes receive money at the same time. Regarding Wisbech he noted that there were a number of plans in preparation which, if successful, would be transformative for the area, but he could not go into too much detail as the plans were currently being worked up and would be subject to a bid process but if they went ahead more would be invested into Wisbech than any other town in Fenland. Councillor Boden assured that the money for the High Street refurbishment was still available and hoped that the other plans would become more public in the next two to three months.
- Councillor Cornwell reiterated that the public have seen massive sums of money going into the other market towns but that it seemed as though nothing was going into Wisbech and that they needed some answers. Councillor Boden thanked Councillor Cornwell for his comments and reiterated that as far as Wisbech was concerned it had not been forgotten and it was simply a matter of time before they saw the investments.
- Councillor Cornwell noted that comments had been made by Councillors appointed to the Combined Authority committees concerning Fenland business and issues that had not been shared with other councillors previously. He asked the Leader whether he would consider incorporating Combined Authority updates in the portfolio holders reports so that councillors all receive the same information, noting that the Mayor was producing updates which were useful, but it would be helpful to receive updates in the portfolio holder reports as these were the regular communication methods. Councillor Boden agreed with Councillor Cornwell's point and stated that it would be helpful to the workings of the Council if councillors were more aware of the items discussed and decided upon at the Combined Authority. He explained that he had been giving consideration as to the best way to incorporate this but that he had not made a decision as of yet.
- Councillor Cornwell offered his seasonal greetings to the Conservative Group.

**C28/20**

**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 Patrick commended the Leader on his efforts to encourage the uptake of Covid vaccinations, which is important given that the Fenland was the only area in the Country with an enhanced response status. He noted that those who had opted against the vaccination were 10 times more likely to die which placed an even greater strain on the NHS and reminded the Council of the new Omicron variant which was showing signs of being more transmissible. Councillor Patrick explained that there was a low uptake in areas such as Wisbech North and asked what further actions the Council can take to encourage further people to come forward and have the vaccinations? Councillor Boden stated that the Council work in conjunction with the Combined Authority, Director of Public Health and other national agencies. He explained that it was important to continue to promote the messages around keeping safe in order to reduce transmission and that the communications needed to be hard hitting. Councillor Boden stated that the facts needed to be right and that they also needed to be careful and bear in mind that certain individuals cannot be vaccinated for medical reasons. He noted that the statistic provided by Councillor Patrick was not inaccurate and that this had been used widely, with the statistics being even worse when looking at those in intensive care. Councillor Boden reiterated that it was important for facts to be presented in an honest and accurate way in order to encourage more individuals to make rational decisions and the Council would continue to provide services whilst working in close proximity with partners and utilising additional funding to continue to promote the vaccines and boosters. He stated that it was too early to say much about the Omicron variant and that more time was needed to study it before predictions could be made.
- Councillor Patrick noted that from the social media activity of some members of the Council it appeared that there were a few individuals who were against vaccination and asked whether the Leader could assure him that all members of his Cabinet were fully supportive and on board with his efforts to encourage people to vaccinate. Councillor Boden explained that Fenland District Council did not have responsibility for this area of work and that it was through his other roles that he had the responsibility. He explained that it was not a requirement for everyone to have the same opinion, that individuals should not be discriminated against based on their opinion and that they needed to push positive messages and facts rather than discriminating against non-vaccinated individuals.
- Councillor Wilkes asked for an update on the March to Wisbech Railway line as progress had seemed to stall. He noted that the service would be of great use to those with disabilities and would make Wisbech much more accessible. Councillor Boden replied that the current position was disappointing for the Council, with the suggested line still at the provisional stage and the Mayor of the CPCA advocating a light rail solution, which would only provide a link to March and would not facilitate transport elsewhere. He stated that this was disappointing in terms of ambition and that he had made, and would continue to make, representations to the Mayor to say that the light rail option does not provide the same benefit as a fixed heavy rail one. Councillor Boden stated that he would continue to have discussions to keep the heavy rail option open rather than only considering a study on the light rail option.
- Councillor Wilkes asked whether the Council had thought about putting a case to East Midlands Railway to increase the frequency that they stop at March Railway Station. He questioned why the other services passing through March could not stop there as it would provide a more consistent service with more direct links. Councillor Boden explained that just because a rail service comes through the station it does not mean that it would be easy for it to stop as it was very difficult to alter rail timetables and that they were worked out well in advance. He explained that services from Whittlesey, Manea and March all needed to go through Ely North which causes capacity issues which would not be resolved until the improvement works take place there. Councillor Boden expressed his disappointment that the Council were currently being outbid for the utilisation of the potential extra slots by other established groups and that the rail line was increasingly being used for freight creating further capacity issues, explaining that far fewer trains stop in Whittlesey and Manea and that they wanted to ensure that trains which do stop in March also stop at these stations.

Councillor Boden made the point that there were constant attempts to lobby for improved services and the Member of Parliament for the area had been actively involved with the train companies to attempt to achieve this. Councillor Seaton supported Councillor Boden's point around the difficulty of getting trains to make extra stops as it affects other trains and services, with there being several different providers that must integrate with each other to run smoothly. He noted that there were current enhancements to the services such as new car parks and improvements to buildings and that he was aware of the need for rail services throughout Fenland. Councillor Seaton also explained that the change of administration at the CPCA had brought a different form of thinking with the possible solution of a light rail option now being promoted by the Mayor. He stated that the Council were interested in the heavy rail option between Wisbech and March as it brought the possibility of freight as well whereas light rail would not enable this. Councillor Seaton assured Councillor Wilkes that the Council was in dialogue with the various service providers and was pushing for better and more regular services within Fenland.

- Councillor Mrs Bligh noted that members of the Planning Committee had to conduct site inspections on their own during Covid and that some sites were difficult to find. She asked whether it could be considered using a more futuristic approach for site visits and use the What Three Words app as it gives precise areas. Councillor Boden stated that he would take this up with the Portfolio Holder for Planning stating that they would need to see what the costs would be for it. Councillor Mrs Bligh informed Councillor Boden that it was a free app.
- Councillor Booth thanked Councillor Hoy for the information she provided on the number of long-term empty properties and asked whether this information could be provided on a regular basis as it would be useful going forward with 400 houses currently empty and a waiting list of approximately 1300 according to Clarion. Councillor Hoy stated that she was happy to provide the figures more regularly but that just because the homes were being brought back into use it did not mean that they would be given to someone on the waiting list as some were privately owned. Councillor Booth accepted that they may not be used as social housing but noted that it would help reduce the pressure on the general housing market.

#### **C29/20      TREASURY MANAGEMENT STRATEGY STATEMENT & ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW 2021/22**

Members considered the Treasury Management Strategy Statement and Annual Investment Strategy Mid-Year Review 2021/22 presented by Councillor Boden.

**Proposed by Councillor Boden, seconded by Councillor Lynn and AGREED to note the report.**

#### **C30/20      REVIEW OF GAMBLING POLICY**

Members considered the review of Gambling Policy presented by Councillor Lynn.

Councillor Meekins paid his compliments to the Licensing Manager for her hard work on the policy.

**Proposed by Councillor Boden, seconded by Councillor Meekins and AGREED to adopt the Statement of Gambling Principles for the period of 2021 - 2025.**

#### **C31/20      FENLAND ELECTORAL REVIEW - FDC WARDING ARRANGEMENTS**

Members considered the Fenland Electoral Review - Warding Arrangements report presented by Councillor Boden.

Members made comments as follows:

- Councillor Booth explained that he would not be supporting the warding arrangements for 42 councillors as he felt that it split the rural areas and failed to represent shared communities. He feels the views and ideas of the opposition have simply been dismissed with exception to the rural working group which focused on a 41-member scheme and aligned more closely with the current rural wards. Councillor Booth reminded the Council that he was on the last working group in 2012 and they had attempted to gain a consensus at the last review but feels this has not been the case this time. He feels there should be a recorded vote as this is a recommendation from the Conservative Group which favoured them and did not respect Fenland communities.
- Councillor Tierney expressed his disappointment on hearing these remarks and feels that on the reviews he had attended everyone's views were listened to and officers had been very helpful. He noted that Councillor Booth had suggested that the boundaries were politically motivated and questioned whether his opposition to them was also politically motivated. Councillor Tierney explained that it would be impossible to know whether the changes would be advantageous to any member or party and stated that he would be supporting the proposal.
- Councillor Lynn stated that he would also be supporting the recommendation and made the point that as a Conservative councillor the changes would mean that he would lose his ward as it would no longer exist in its current state. He argued that the scheme was not a Conservative agenda, and he believes that despite possibly losing his ward he was doing the right thing in supporting the recommendation.
- Councillor French stated that she would also be supporting the recommendation and thanked the officers and Councillor Boden who had worked hard on all the changes.
- Councillor Wallwork made the point that communities are more complex than who your councillor is or your postcode. She stated that communities are made up of similar interests, shared ideas, beliefs, values and hobbies and that communities cannot be split or shattered by boundary lines in terms of political representation.
- Councillor Cornwell acknowledged that councillors work for their communities and that the last thing he wants to see is any splitting of natural or actual communities. He believes certain aspects of the proposal to be wrong and stated that the opposition would not be supporting the recommendation and would instead be submitting their own proposals to the Commission.
- Councillor Booth clarified his earlier comment and stated that he wished to thank the officers for their hard work but feels the issues described previously were due to the way that the meetings had been conducted along with a lack of engagement with the wider community, including Parish Councils. He thought the last recommendation to the Commission had variances of more than 5 percent as it was not appropriate to join certain areas and made the point that other districts had even higher variances of up to 30 percent, such as in Kent, stating that the 10 percent variance suggested by the Commission was more a guide than an absolute limit.
- Councillor Murphy made the point that the Boundary Commission does not consider political arrangements and only looks at the numbers. Councillor Miscandlon agreed with Councillor Murphy's comment.
- Councillor Hoy summarised her reasons for supporting the scheme making the point that there would never be a perfect solution and reminding the Council that at the last review an entire chunk of her ward was lost except for one house. She explained that although it was a strange scenario for streets to be split it was not uncommon. Councillor Hoy objected to the view that the recommendation was political and noted that a councillor had attempted to make a case on social media with the public based on the belief that the recommendation would prevent them from being re-elected. She expressed the view that the idea of the recommendation being political was hypocritical when the reasons for the opposition was also political. Councillor Hoy argued that the scheme for 41 councillors only focuses on the rural areas and neglects the towns stating that no other councillors had the chance to feed into the recommendation. She feels it is a shame that there were no members of the opposition at the Wisbech workshop making it difficult for them to argue that they had not

had the chance to air their views. Councillor Hoy stated that she would be supporting the recommendation.

- Councillor Booth stated that the view that he neglected the towns was incorrect as he had feedback on the recommendations put forward based on the town workshops and his recommendation was an attempt to respect the feelings of these workshops as well as the rural areas. He expressed the view that Councillor Hoy's statement was unfair and inaccurate.
- Councillor Boden stated that it was unfair to claim that they had not attempted to achieve consensus as at the first meeting Councillor Booth supported the idea for 42 councillors and that all but one member of the working group had supported the recommendation for 42 to be put to Full Council. He noted that Councillor Booth had changed his mind, which was his right to do so. Councillor Boden explained that Councillor Booth was correct in his point around the percentage variances not being set in stone, but that electoral equality was an important consideration for them and that the Commission only go over the 10 percent where there is no other alternative. He made the point that no recommendation would ever fulfil all the set criteria perfectly and that it was a matter of balance with the recommendation to Council being the best balance possible.

It was proposed by Councillor Booth that a recorded vote be taken, which was supported by Councillors Mrs Bligh, Cornwell, Maul, Patrick and Wicks.

**Proposed by Councillor Boden, seconded by Councillor Hoy and AGREED that:**

- **the proposed future district warding arrangements which achieve a future Council size comprising 42 elected representatives be approved**
- **authority be delegated to officers in conjunction with the Leader of the Council to add in the rationale and supporting evidence for the preferred proposed warding arrangements, prior to formally submitting the Council consultation submission to the LGBCE for consideration by the deadline of 10 January 2022.**

**In Favour: Councillors Benney, Boden, J Clark, S Clark, Connor, Mrs J French, Miss K French, Hay, Hoy, Lynn, Mason, Meekins, Miscandlon, Mockett, Murphy, Purser, Rackley, Seaton, Tierney, Topgood, and Wallwork.**

**Against: Councillors Mrs Bligh, Booth, Cornwell, Divine, Marks, Maul, Patrick, Wicks and Wilkes.**

## **C32/20      CONSTITUTIONAL AMENDMENTS**

Members considered the constitutional amendments presented by Councillor Boden.

Members made comments as follows:

- Councillor Cornwell argued that the reason for the amendment was due to a lack of members in the majority group wanting to put themselves forward for Planning meetings. Councillor Hoy argued that some members of Councillor Cornwell's group had poor attendance as well, noting that a member of the group had to be placed on planning to avoid the six-month rule. Councillor Cornwell stated that appointing people to stand in for meetings was also used frequently by the Conservative Party across the years.
- Councillor Booth expressed his concern for the change and reminded the Council of the issues with the constitution of the committee a few years back when there were too many members of Cabinet on the committee. He argued that it was a step backwards and stated that he would not be supporting it due to the governance implications.
- Councillor Connor stated that as Chairman of the Planning Committee he welcomed the proposal and hoped that members would support it.
- Councillor Boden summed up that the amendments were there to allow flexibility. He stated that it was not due to an insufficient number of members of the Conservative Party not

wishing to be on the committee, making the point that there were plenty of members willing to join planning but that there were issues around proportionality as there cannot be too many members from one area and that there had to be a balance of members from town and rural areas.

**Proposed by Councillor Boden, seconded by Councillor Connor and AGREED to the constitutional amendment as set out at Appendix 1 to increase the number of Cabinet members allowed on Planning Committee from 3 to 4.**

**C33/20      RESOLUTION UNDER S.85 OF THE LOCAL GOVERNMENT ACT 1972**

Councillor Miscandlon informed the Council that this item had been withdrawn.

5.41 pm

Chairman