

COUNCIL



1 MARCH 2012 - 4.00PM

PRESENT: Councillor M I Archer, Councillor G G R Booth, Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor J R Chambers, Councillor J F Clark, Councillor D W Connor, Councillor M Cornwell, Councillor M F J Cotterell, Councillor Mrs C R Cox, Councillor M J Curtis, Councillor J R Farmer, Councillor Mrs J French, Councillor S Garratt, Councillor P Hatton, Councillor D Hodgson, Councillor M J Humphrey, Councillor P Jolley, Councillor S J E King, Councillor K G Mayor, Councillor Mrs K F Mayor, Councillor A K Melton, Councillor A Miscandlon, Councillor Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen, Councillor D R Patrick, Councillor T E W Quince, Councillor R E Scrimshaw, Councillor C J Seaton, Councillor R Skoulding, Councillor D Stebbing, Councillor W Sutton, Councillor H B Wegg, Councillor F H Yeulett.

APOLOGIES: Councillor T R Butcher, Councillor B M Keane, Councillor P Murphy, Councillor K G Peachey, Councillor P A Tunley

47/11 TO CONFIRM AND SIGN THE MINUTES OF THE MEETING OF 15 DECEMBER 2011

The minutes of the meeting of the 15 December 2011 were confirmed and signed.

48/11 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

ANNUAL TEA PARTY EVENT - The Chairman thanked all those who attended his Annual Tea Party Event, hosted jointly with the Chairman of the Fenland Twinning Association. He stated that the event was a great success with a large number of people in attendance, with some becoming new members of the Twinning Association.

49/11 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.

There were no written questions from members of the Council

50/11 TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.

Under Procedure Rule 8.4, the Leaders of the Opposition put questions to the Leader of the Council as follows:

- Councillor Booth asked how the Council planned to take the Localism Act forward. Councillor Melton stated that he welcomed the Localism Act and Fenland was already working towards this with the negotiation of the transfer of the public toilets at an advanced stage and he invited anyone prepared to come forward with a formalised bid for any assets, services or provisions to ensure a sustainable business plan is included. Councillor Booth asked if a working group could be set up to look into what can be taken forward regarding the Localism Act. Councillor Melton stated guidelines were expected and he would expect

engagement from within the district.

- Mrs Bucknor stated that certain bus services were stopping. What action is the Council taking to mitigate this? Councillor Owen stated that he would look into this but not all transport would be removed and those main services still viable would probably remain;
- Mrs Bucknor stated that two new money shops had recently opened in Wisbech and asked if the Council will be working to bring forward a Credit Union. Councillor Melton stated he would bring this forward to be discussed;
- Mrs Bucknor asked if Councillors could receive regular updates regarding any progress made with derelict shops. Councillor Melton stated that he received regular updates and would ensure that these are widely published.

Members put questions to Portfolio Holders as follows:

- Councillor Mrs French stated that the owner of 11B West End, March refuses to allow the Council entry to the property in order to solve a rat infestation problem in the area and asked if this could be enforced. Councillor Owen stated that a baiting programme had been carried out across March town over the winter months but with the mild winter the rat population was still active. The Council has taken necessary steps asking all residents who had signed a petition that had previously been handed into the Council to contact Elston Environmental Services for a free survey; but to date five residents have contacted the Council stating that they did not wish to receive a survey as they had not seen any rats, this makes it difficult to survey the whole area. One resident has allowed access but no rat infestation signs were identified. Councillor Owen stated that the Council does have powers of access if a rat infestation is suspected, but a warrant would be required. Hot spots need to be identified and action taken in these areas and if the Council does not receive the assistance needed it will proceed through the magistrates courts. Councillor Mrs French suggested that an article placed in the local newspaper reporting the problem may help;
- Councillor Quince asked if the pump-out pump along the River Nene in March would be replaced or would the facility be closed as the pump is now beyond repair. Councillor Owen stated that the pump would cost £25,000 to repair and the Council cannot justify this expenditure when there is a facility available further down the river at the Marina, although it will no longer be a free service as the Marina do impose a charge;
- Councillor Booth asked that if the amount of collected recycling has dropped by 9% compared to last year, has normal waste dropped too. Councillor Melton stated that recycling was Councillor Murphy's portfolio who was currently at a RECAP conference but would ensure that a written reply from Councillor Murphy would be forthcoming;
- Councillor King asked when Cabinet would be reconsidering the derelict buildings in Wisbech. Councillor Mrs French explained that although it may appear nothing is happening regarding these buildings, the Council is in fact working on these and an update, including options, will be presented to Cabinet on 19 April 2012. Councillor King stated he was extremely pleased and asked if any contact had been made with regard to the bank that holds the mortgage for the Phoenix Hotel. Councillor Mrs French stated that contact had been made with the bank who have passed the Council onto the solicitors; an invoice has been provided with an invitation to meet the Council which has been acknowledged but not taken up, the Council will continue to work on this. Councillor King stated he was pleased that contact had been made and suggested that the Council speak with MP Stephen Barclay who has national links with the Bank of Hong Kong. Councillor Mrs French stated that she did not think that MP Stephen Barclay would be able to achieve any more than the Council already had;
- Councillor King stated that the derelict property, 14 Norfolk Street, Wisbech was now largely demolished with the rubble dumped in Orange Grove and exposing the Five Bells party wall to the weather; would this mean that the scaffolding can now be dismantled and cleared. Councillor Mrs French stated that the building was still safe and secure and no demolition work had been carried out on the building and with regard to the party wall, this would be a

civil matter. Work on this building has not commenced and the owner has confirmed that this will not happen until there are improvements in the economic climate, therefore the scaffolding is still required and the Council will continue to monitor the building;

- Councillor King stated that he had received complaints with regard to houses of multiple occupations (HMO) that have no planning permission and suggested that a press release be prepared to explain the procedure to enable complainants to report the addresses concerned as members of the public at present feel that nothing can be done. Councillor Owen stated that HMOs must be three storeys or more and at present all those that are three storeys are licenced but if there are two storey or less properties in a similar situation then the Council will impose the same controls once aware of the buildings concerned. Complaints can be reported to the Council via the One Stop Shops, Contact Centre or the Police. Councillor Mrs Bucknor stated that concerns had been raised regarding the safety aspect of the Horsefair in Wisbech and asked when the designs would be made public. Councillor Owen stated that the designs were virtually ready and would be published;
- Councillor Booth expressed his concern regarding the time taken to process claims for benefits. Councillor Owen stated that the Council was very close to targets and he was pleased with the way staff were working.

(Councillor Owen declared an interest by way of being a self-employed pest controller)

51/11 **TO CONSIDER RECOMMENDATIONS (IF ANY) FROM CABINET, THE OVERVIEW AND SCRUTINY PANEL AND COMMITTEES**

There were no recommendations from Cabinet, the Overview and Scrutiny Panel and Committees.

52/11 **TO RECEIVE PETITIONS SUBMITTED IN ACCORDANCE WITH PROCEDURE RULE 9.**

There were no petitions received.

53/11 **CORPORATE PLAN 2012-15**

The Chairman called upon Councillor Melton, Leader of the Council, to present the recommendation of the Cabinet in relation to the Corporate Plan; Councillor Melton presented the report expressing his delight at the Plan and that the draft Plan had been consulted upon and been through the full scrutiny process.

- Councillor Booth stated that the second priority was Localism but there was not a general item regarding localism for the general population included in the Plan, to engage everyone in the process. Councillor Melton confirmed that this would come forward as the Council's approach to Localism was developed;
- Councillor Yeulett stated that local government encourages shared services and would Fenland be taking this idea forward? Councillor Melton stated that Fenland is pursuing shared services and would keep Members updated and that any decision made would need to be endorsed by full Council and go through the full scrutiny process;
- Councillor Booth asked how Fenland would track progress with regard to the Plan. Councillor Melton stated that the Council would continue to consult, benchmark and use the scrutiny process to ensure that targets are relevant and would take up the Government's offer of a peer review; these results will be fed back to Members and included in future plans. Councillor Melton stated that Fenland had lost a third of its total revenue in a short time and had done well to continue to provide front line services and produce an ambitious plan.

It was DECIDED that Fenland's Corporate Plan 2012-15 be APPROVED.

Councillor Clark presented the General Fund Budget 2012/13 and Capital Programme 2012/15 report and stated these were challenging times and this had not been an easy process. The Council has ambitious plans for when the economy recovers and will have the resources to deliver. He thanked Paul Medd, Rob Bridge, Carol Pilson, Mark Saunders, Sam Anthony and all staff involved for their support.

- Councillor Mrs Bucknor asked if Members could be given more information regarding the drainage boards. Councillor Cotterell stated that he would arrange for a list of representatives from the Council who sit on the Boards to be given to Councillor Mrs Bucknor and arrange viewing of any of the accounts;
- Councillor Yeulett remarked that the George Campbell Leisure Centre in March had not been included in the report. Councillor Clark stated that the Council would only be carrying out repairs where necessary. Councillor Melton stated the George Campbell was no longer viable and the Council were currently working on a scheme for a replacement by linking into tourism and resulting in a leisure pool that would include a wave machine and a lazy river. March is an ideal location but there is a need to raise funding with proposed developers and the centre would need to be sustainable, available to all in Fenland and to boost tourism. Councillor Yeulett asked for reassurance that in the meantime the George Campbell would not deteriorate to a state where it would become unusable and Councillor Clark replied that the Council would ensure it remained open;
- Councillor Booth asked where savings would come from to which Councillor Clark stated he could not disclose this information due to staff involvement, however the savings did include the full year effect of the refuse changes, leisure review and changes to the one stop shop opening hours;
- Councillor Booth asked why a 0% general inflation figure for the medium term forecasts had been used. Councillor Clark stated that once settlement has been received from the government there would be more definite plans;
- Councillor Booth asked if any monies would be set aside for community funding this year. Councillor Melton replied stating it was an evolving situation and there are no guarantees either way.

Councillor Melton thanked Councillor Clark for taking on the role and keeping him constantly informed. The Council is in a stable financial position and there is still a good reserve in the capital and revenue. Councillor Melton also thanked Rob Bridge and his team for their involvement.

It was RECOMMENDED that:

1. **the General Fund Revenue Budget for 2012/13 be APPROVED;**
2. **the Capital Programme and provisional funding statement be APPROVED**
3. **the Medium Term Financial Strategy be ADOPTED**
4. **the Treasury Management, Minimum Revenue Provision, Investment Strategy, Prudential and Treasury Indicators and the revised Treasury Management Policy Statement be APPROVED**
5. **the Band D Council Tax level for Fenland District Council Services for 2012/13 be set at £241.56, no increase on the current year**
6. **the expenses detailed in the report be treated as general expenses for 2012/13**
7. **the Port Health Levy for 2012/13 be set as in the report**

Councillor Clark presented the Council Tax Resolution report.

IT WAS RESOLVED THAT:

1. it be noted that the Tax Base for the year 2012/13 has been calculated in accordance with the Local Government Finance Act 1992 and associated regulations as follows:
 - 31,018 being the amount calculated by the Council as its Council Tax Base for the year, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended);
 - (as detailed in Agenda Item 11, (1), b) being the amounts calculated by the Council, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate, in accordance with regulation 6 of the Regulations;
2. the Council calculates that the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) is £7,492,584;
3. the following amounts be now calculated by the Council for the year 2012/13 in accordance with Sections 31 to 36 of the Local Government & Finance Act 1992 (as amended):
 - £62,559,881 being the aggregate of the amounts which the Council estimates being the items set out in Section 31A(2) (a) to (f) of the Act [Gross Expenditure including benefits & Town/Parish Precepts]
 - £54,255,846 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act [Revenue Income including reimbursement of benefits, specific & general grants & use of reserves]
 - £8,304,035 being the amount by which the aggregate at 3(a) exceeds the aggregate at 3(b), calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year [Net Expenditure, including Parish Precepts]
 - £267.72 being the amount at 3(c) divided by the Council Tax Base at 1(b), in accordance with Section 31B(1) of the Act, [basic amount of its Council Tax for the year, including Parish precepts]
 - £811,451 being the aggregate amount of all special items referred to in Section 35(1) of the Act [Parish Precepts]
 - £241.56 being the amount at 3(d) less the result given by dividing the amount at 3(e) by the amount at (1(a)), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates;
 - (as detailed in the table at Agenda Item 11, (3)(g)) being the amounts given by adding to the amount at 3(f) the amounts of the special items relating to dwellings in those parts of the Council's area mentioned divided in each case by the amount at 1(b), calculated by the Council, in accordance with Section 34 (3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;
 - as detailed in the table at Agenda Item 11, (3)(h) - being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands

[Council Tax relating to the District Council & Parish expenditure]

4. it be noted that the year 2012/13 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown in the table in Agenda Item 11 (4)
5. having calculated the aggregate in each case of the amounts at 3(h) & 4, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2012/13 for each of the categories of dwellings shown in the table at Agenda Item 11(5)
6. authorise the publication of the amounts
7. authorise the appropriate officer to demand the amounts in accordance with the Council Tax (Administration and Enforcement) Regulations 1992
8. this Council hereby determines that its relevant basic amount of Council Tax for 2012/13 is not excessive in accordance with Section 52ZB of the Local Government Finance Act 1992, as amended by Section 5 of the Localism Act 2011.

56/11 BOUNDARY COMMISSION FENLAND ELECTORAL REVIEW – COUNCIL SIZE SUBMISSION

The Chairman presented the Boundary Commission Report stating that all Members had been consulted on the contents of the Council Size report which recommends to the Boundary Commission that the Council's size remains at 40 Members.

It was RECOMMENDED that Fenland's Council Size submission to the Boundary Commission for Fenland Electoral Review (FER) be NOTED AND APPROVED.

57/11 MEMBERSHIP OF COMMITTEES AND PANELS

The Chairman presented the Membership of Committees and Panels report stating that this item was concerned with the political proportionality of the Council which needed to be reviewed and updated following recent changes to the number of political groups on the Council.

It was RECOMMENDED that the revisions to the appointment of political proportionality as set out in Agenda 13(2) be ADOPTED

58/11 APPOINTMENT OF ELECTORAL REGISTRATION OFFICER

Councillor Melton presented the Appointment of Electoral Registration Officer report.

- Councillor Archer asked who presently undertakes this role and did any remuneration accompany the role. Paul Medd, Chief Executive, stated that there was no remuneration and as Returning Officer it would represent Electoral Commission best practice for the role of Elections Registration Officer to transfer to him to ensure both roles are combined together.

It was RECOMMENDED that:

1. the Chief Executive is appointed as Electoral Registration Officer along with the role of Returning Officer;
2. the Monitoring Officer is authorised to make such typographical changes to the Council's Constitution as required.

59/11

SENIOR MANAGER PAY POLICY STATEMENT

Councillor Melton presented the Senior Manager Pay Policy Statement.

- Councillor Mrs Bucknor asked what % was paid for car allowance. Councillor Melton stated a response would be given to Councillor Mrs Bucknor;
- Councillor Archer asked what fee the Chief Executive receives as a Returning Officer. Councillor Melton stated that none of these figures are hidden and will be published;
- Councillor Booth asked if the layout of the report was set down in legislation to which Councillor Melton stated that it is in line with legislation requirements.

It was RECOMMENDED that the Senior Managers Pay Policy Statement for 2012/13, as required by the Localism Act 2011, be ADOPTED.

5:25pm

Chairman