

COUNCIL



21 FEBRUARY 2013 - 4.00PM

PRESENT: Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor T R Butcher, 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 D Hodgson, Councillor Miss S Hoy, Councillor M J Humphrey, Councillor P Jolley, Councillor B M Keane, Councillor S J E King, Councillor K G Mayor, Councillor Mrs K F Mayor, Councillor A K Melton, Councillor A Miscandlon, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen, Councillor D R Patrick, Councillor T E W Quince, Councillor R Skoulding, Councillor D Stebbing, Councillor W Sutton, Councillor G Swan, Councillor P A Tunley, Councillor F H Yeulett.

APOLOGIES: Councillor M I Archer, Councillor G G R Booth, Councillor P Hatton, Councillor C J Seaton

56/12 TO CONFIRM AND SIGN THE MINUTES OF THE MEETING OF 24 JANUARY 2013

RESOLVED that the minutes of the Council meeting on 24 January 2013 be confirmed and signed.

57/12 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Mrs Hay - The Chairman welcomed Mrs Hay to the Council. Mrs Hay was recently appointed as the new Independent Member of the Conduct Committee.

Donation - The Chairman informed Members that he would be attending a presentation ceremony on 13 March 2013 where he would be making a donation to the CLIC Sargent Children's Cancer Charity. The donation from the District Council was made up of donations received from the recent Chairman's Carol Concert. The presentation will take place at the Pharmacy in Parson Drove as the owner Mr Khetani has also undertaken considerable fund raising efforts. The Chairman thanked Members for their contributions to date and if anyone would like to make a further contribution then could they contact Sharon Smith in Member Services.

Councillor Bob Wallace - The Chairman acknowledged the sad passing of Councillor Bob Wallace who was a former Chairman of Fenland District Council.

Councillor Melton updated Members regarding the tragic accident involving the Council's refuse workers stating that it was now over two weeks since the horrific accident involving three refuse workers and it has become clear that the extent of their injuries means that recovery will take a very long time. Michael Bagridge suffered serious injuries to one leg. He has undergone a series of operations at Addenbrookes Hospital but has now been moved out of critical care on to a general ward. John King suffered serious injuries to both of his legs, as well as receiving internal injuries. John has also undergone a series of operations at Addenbrookes Hospital but is kept heavily sedated on the critical care ward for the time being. Both John and Michael are being supported by colleagues who visit them regularly in hospital. Members of the Refuse Team are

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also receiving regular updates from John's brother who has been visiting them at The Base to share the latest news. The Council's first thoughts are with the workers and their families and the Council will continue to facilitate transport to and from the hospital for the family, this will continue for as long as needed. Councillor Melton stated that he would keep Members updated when further news is received.

58/12 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.

In the absence of Councillor Booth, Councillor Patrick asked what action was being taken with regard to the recent announcement in the press of several businesses within Wisbech closing; had advice or assistance been offered? Councillor Melton responded stating he had only just received news of the businesses closing in Wisbech. He stated that leasing arrangements had come to an end and some businesses had decided not to renew and at this stage no discussions had taken place. The Council are keen to see the units filled as soon as possible but this issue is not unique to Fenland, it is a sign of the times and is happening across the country. It is hoped that as the economy improves these units will be re-occupied and will therefore offer services and jobs to the community.

59/12 TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDERS RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.

Councillor Cornwell asked the Leader:

"Over the past few months a group of March Members from this Council, the County and March Town have been working with county staff developing the draft Market Town Transport Strategy for March. Aware of the importance of this document relating to our very own Core Strategy the Members have worked very hard to ensure compatibility, particularly in regards to March North East allocation, the considerable views of the local community and our own vision for March allied to our fears concerning the infrastructure shortfall.

Following intense debate and discussions we were extremely proud when county officers finally agreed that, notwithstanding that under current data sets we cannot justify an eastern by-pass and additional rail and river crossing for March, to place a provisional line on a map to indicate a likely route of such a road, We fully realise that such a construction is very unlikely to happen in our lifetime due to the economic circumstances however, unless we make such a move now the town will never achieve it and we are conscious that we are where we are now with infrastructure problems in March because of a lack of prior planning and preparations. Without any warning and indeed the evening of last Monday when the MMTTS public consultation begun that morning, we received via email, a message from a County Council officer, notice that without prior discussion with Members, county officers had removed such a line from maps within the document because "there is a risk that putting a line out on a map and seeking to safeguard it would unreasonably blight the areas near that route without sufficiently robust evidence to justify that step being taken at this time".

This line falls outside any Core Strategy allocation and unless a line is put down somewhere March will never get an eastern by-pass and river and road crossing. Surely putting a line on a map to indicate our vision will help everyone (including the communities, developers and planners) to understand our bigger vision for the town? Will you please take up the issues with the County Leader and update March Members as soon as possible?"

Councillor Melton thanked Councillor Cornwell for his question and stated he too was very

unhappy and would raise this issue with the Leader of the County Council and the relevant portfolio holder. He stated that over the last month robust debates had taken place regarding March development when it was made clear that under no circumstances would Fenland look at planning terms unless the relevant infrastructure was in place.

Councillor King thanked Councillor Melton for taking the issue of dilapidated buildings in Wisbech seriously and could he update Members with regards to the meeting they had both attended yesterday and any possible outcomes. Councillor Melton stated that:

- the meeting had involved himself, Councillor King, Councillor Oliver, Members of the Wisbech Society and English Heritage where they were able to express concern that these buildings had been left for so long with no action having been taken and that the Council felt powerless to act and were now seeking help from outside;
- this had been a very positive meeting with a number of buildings being discussed and it was realised that there is now an acceptance that the criteria of listed buildings and conservation areas need to be relaxed and that where retail is concerned there needs to be flexibility;
- the Council will make this a top priority ensuring all empty properties throughout the district are detailed and acknowledging that they need to be brought back into use;
- the grant criteria for the refurbishment and restoration of these properties is being changed along with national funding which should result in more money becoming available.
- a complete audit of premises will be undertaken, initially in Wisbech and rolling out to the market towns;
- the Council will look at project working on these properties either in partnership with other organisations or on its own by making a bid to bring one of these properties forward which will involve new processes, form filling and officer time but the Council are prepared to give this time and resource and hope that Wisbech can be used as a pilot scheme;
- another meeting is scheduled to take place at the end of April and it is proposed that after Purdah a seminar will be scheduled inviting Wisbech Members, key offices and English Heritage to run through the process;
- regarding the hotel on the Brink in Wisbech, the Council were congratulated for putting in resource to preserve the building;
- the Old Belfast building had been noticed on their arrival into Wisbech; help and advise has been offered to help resolve this building as soon as possible.

Councillor King thanked Councillor Melton for his summary of the meeting and stated that early intervention had also been discussed. Councillor Melton stated that a district was being looked for to pilot this scheme and Fenland if chosen, could be national leaders for it.

Councillor Mrs French asked Councillor Melton if the announcement that he had made last year regarding the aspirations of a new March Leisure Centre were now not taking place as had been reported in the local media. Councillor Melton responded stating that he had made the statement that a state of the art leisure centre facility for Fenland that would benefit the whole of Fenland and fit in with the Tourism Strategy and Development but this was a long term aspiration which would not come to fruition for at least another 15 years; this was because the cost estimated for this project was £15million to £20million and that money was not available. As stated within the Core Strategy, March is set for significant growth and the aspirations need to be known, especially for developers. In the meantime investment to repair and refurbish the George Campbell Leisure Centre is needed to bring the Centre up to standard.

Councillor Mrs French asked Councillor Jolley what plans there were for sports facilities within March as the new document for leisure lacked any details. Councillor Jolley stated the strategy was now out for consultation and that all comments would be taken on board. He advised that March Town Council needed to be involved and should feed into the consultation.

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Councillor Mrs French stated that dog fouling needed to be addressed. There is a need for more signs and bins around the Estover/Flagress area in the north of March. Councillor Murphy responded stating this was being addressed but was a slow process; resources were limited but it was being worked on.

Councillor Mrs Cox asked if there was any mileage in asking the community service to clear dog fouling to which Councillor Murphy stated he would look into this.

Councillor Mrs Bucknor asked the Leader and relevant Cabinet members:

"I know the Council is trying to make savings but I believe we are wasting tax payers money pussy footing around with protracted issues that should be either actioned or dropped. Every time an officer goes out to deal with an issue, it costs money. In some of our own cases officers have come out to the same job time and time again and issues are still issues, unresolved. In financially healthier times it may have been ok for an officer to make frequent visits and the cost of protraction may have been acceptable if not desirable but now issues need to be actioned or dropped because some individuals know that the Council lacks the will to prosecute so they persist in their unlawful or anti social activities and others follow them. It is about time this Council said enough is enough and saved money by acting against individuals that flout the law and make examples of them. We must stop just talking and start acting. Residents expect it and do not understand the lack of action. I am sure many Members have issues similar to our own where officers have gone out to a problem on numerous occasions; although action could be taken they consider it too costly. In March 2012, we raised the issue of an unoccupied house in neglected condition causing great distress to neighbours either side. The weeds which cover the whole of the back garden are higher than the 6ft fence and vermin invested. Still no resolution. In November a caravan in a back garden allegedly housing occupancies. No resolution 4 months later. As councillors we feel frustrated and impotent.

Wisbech Dilapidated Buildings - this has been going on for years. I remember raising it in 1995. Hundreds of Wisbech people are asking for action. Wisbech councillors of all persuasions were quick to sign up to support our campaign on this. It was a repeated request at the 20/20 workshops. The state of Wisbech buildings has even been on the front page of a national newspaper as well as our local newspapers. Michael and I were promised in January that FDC would liaise with King's Lynn; Alan announced it at the 20/20. We were promised that we would be kept updated. We have received zero information and the report to this Council today remains unchanged and uninformative. So what I am saying is it may be cheaper in the long run to get tougher and stop any further deterioration.

Transport - I have raised three times at Council and been promised by the then Portfolio Holder with responsibility for transport that I would get a response. Zero to date. The County have announced they are cutting all transport subsidies. How will that affect Fenland residents? Will that impact on FACT? We need answers.

To sum up, we need to be confident that our residents concerns are being dealt with properly and promptly. We need to be more pro-active in taking enforcement action and more transparent to residents particularly if no action is being taken."

Councillor Mrs Bucknor added that she was delighted to hear about the meeting regarding dilapidated buildings but these need to be dealt with more quickly.

Councillor Melton responded stating that immediate responses do not happen within local government and that yesterday's meeting had been set up quickly; CPOs had been discussed and Fenland was now receiving help from the very top, of which he was very proud of. He explained that Councillor Mrs Bucknor had not been invited to that meeting as it was not a seminar and had

been held under Chatham House Rules therefore he could not go into any detail but after purdah a seminar would be scheduled where all Wisbech Members would be invited.

Councillor Melton stated that regarding transport, the Leader of Cambridgeshire County Council had gone out of his way to discuss the A47 and A605 and has made a commitment to work with King's Lynn and others to bring these forward. He stated he had recently attended a private meeting that had included all Leaders of the surrounding areas where the A47, A14 and other infrastructures had been discussed and that there would be another initiative about the A47 and A605 announced shortly.

Councillor Curtis stated that it was a myth that Cambridgeshire County Council had ended all transport subsidies; instead had wanted to put an end to subsidising empty buses delivering no passengers, a staged reduction was being looked at along with finding a more flexible means for these services; it is not about eliminating them, it is about working smarter with a smaller amount of money.

Councillor Yeulett stated that two months ago he had spoken to the Councillor responsible for infrastructure and had been informed that officials had met in London specifically for the A47. This had been taken forward by a cabinet member at County and proactively pushed forward. He suggested that Councillor Mrs Bucknor read the minutes of the County Council meeting held on Tuesday.

Councillor Farmer asked if the Chairman would sympathise with him being irritated regarding the issue of public transport in Wisbech compared to the south of the county where some subsidies are outrageous and stated that the wealthy areas were being subsidised by the poorer. Councillor Butcher responded stating he sat on Transport at County where Fenland is held up in esteem regarding transport.

60/12 CORPORATE PLAN 2013-16

Councillor Melton presented the Corporate Plan 2013-16 report.

Councillor Tunley asked for clarification on how these proposals would improve residents quality of life and could any guarantees be given regarding new infrastructure such as schools and open spaces and where they would be funded from. Councillor Melton replied stating that the Core Strategy sets out the infrastructure aspirations of Fenland and explained that Fenland was seeking a balanced economy and that unless the infrastructure needs were addressed during the planning process, then developments would not be successful.

Councillor King stated that it would be helpful in future years to include the results of the consultation as evidence.

It was DECIDED that Fenland's Corporate Plan 2013-16 be APPROVED.

61/12 GENERAL FUND BUDGET 2013/14 AND CAPITAL PROGRAMME 2013/16

Councillor Clark presented the General Fund Budget 2013/14 and Capital Programme 2013/16 report.

Councillor Melton thanked Councillor Clark for the way the budget had been presented and for his hard work and diligence as it had been very difficult especially over the previous two years. He stated that:

- £4.05 was the average increase for a Band D property but that most properties within

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Fenland were in Bands A, B and C;

- there had to be assurance that any capital invested would bring a return or best added value to the community;
- some asset sales are very slow but the recent asset transfer was being used for the refurbishment of the George Campbell;
- he was pleased to announce that following an email from Councillor Swan reminding him of a problem with play equipment in Whittlesey, £20,000 had been awarded to help funding due to the match funding that has been received;
- Fenland has allocated a significant amount of capital and were now beginning to see the fruits from this, COWA, refurbishment of the Manor Leisure Centre, Chatteris Leisure Centre, Thomas Clarkson Community College, public toilets;
- rural villages had initially been allocated £500,000 but this has been extended and Fenland would welcome any bids that had also obtained match funding.

Councillor Patrick questioned the allocation of monies for new play equipment in Whittlesey stating he had been attempting to obtain funds. Councillor Melton suggested that if a formal bid was submitted then it would be looked at but there was a need to demonstrate that match funding had been allocated.

Councillor King asked why the increase in Council Tax was less than 2% to which Councillor Clark stated that funding from the government came in different sections which precludes Fenland from implementing 1.99% and Fenland were not prepared to take the risk of a referendum. Councillor King stated this was a difficult decision as many residents have had no pay increase for the past four years and inflation was continuing to increase but he would support the budget.

Councillor King stated there was a problem in Wisbech with business rates as the rents in the Horsefair were much higher than the rest of the town and this needed to be looked at. Councillor Clark stated it was a misconception that Fenland sets the business rates, these are set by the Valuation Officer and are not within the remit of this Council.

Councillor Mrs French stated that business rates were set on square footage and that the rent was up to the landlord.

Councillor Yeulett stated he would support the proposals.

It was DECIDED that:

1. **The General Fund revenue budget for 2013/14 as set out in the report be APPROVED;**
2. **The Capital Programme and provisional funding statement as set out in the report be APPROVED;**
3. **The Medium Term Financial Strategy as outlined in the report be ADOPTED;**
4. **The Treasury Management, Minimum Revenue Provision, Investment Strategy, Prudential and Treasury Indicators and the revised Treasury Management Policy Statement as set out in the report be APPROVED;**
5. **The expenses detailed in the report be treated as general expenses for 2013/14;**
6. **The Port Health levy for 2013/14 be set as shown in the report;**
7. **The Band D Council Tax level for Fenland District Council Services 2013/14 be set at £245.61, an increase of £4.05 (1.68%) on the current year.**

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COUNCIL TAX RESOLUTION 2013/14

Councillor Clark presented the Council Tax Resolution 2013/14 report.

It was RESOLVED that:

1. it be noted that the Tax Base for the year 2013/14 has been calculated in accordance with the Local Government Finance Act 1992 and associated regulations as follows:
 - 26,576 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 are to which one or more special items relate, in accordance with regulations 6 of the Regulations;
2. The Council calculates that the Council Tax requirement for the Council's own purposes for 2013/14 (excluding Parish precepts) is £6,527,459;
3. That the following amounts be now calculated by the Council for year 2013/14 in accordance with Sections 31 and 26 of the Local Government & Finance Act (as amended):
 - £55,951,773 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act [Gross Expenditure including benefits & Town/Parish Precepts];
 - £48,647,986 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]
 - £7,303,787 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]
 - £274.82 being the amount at 3(c) divided by the Council Tax Base at 1(b), in accordance with Section 31B of the Act, [basic amount of its Council Tax for the year, including Parish precepts];
 - £776,328 being the aggregate amount of all special items referred to in Section 35(1) of the Act [Parish Precept];
 - £245.61 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 amounts 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) 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];
- it be noted that for the year 2013/14 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 as shown in the table in Agenda Item 11 (4);
- having calculated the aggregate in each case of the amounts at 3(h) and 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 2012/14 for each of the categories of dwellings as shown in Agenda Item 11 (5);
- authorise the publication of the amounts;
- authorise the appropriate officer to demand the amounts in accordance with the Council Tax (Administration and Enforcement) Regulations 1992;
- This Council hereby determines that its relevant basic amount of Council Tax for 2012/14 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.

It was DECIDED that the Senior Managers Pay Policy Statement for 2013/14 as required by the Localism Act 2011 be ADOPTED.

5:20pm

Chairman