

COUNCIL



25 JULY 2013 - 4:00 PM

PRESENT: Councillor G G R Booth, Councillor D Broker, Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor T R Butcher, Councillor J R Chambers, Councillor J F Clark, Councillor M Cornwell, Councillor Mrs C R Cox, Councillor J R Farmer (until 5.30pm), 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 Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen, Councillor C J Seaton, Councillor R Skoulding, Councillor D Stebbing, Councillor W Sutton, Councillor G Swan, Councillor P A Tunley and Councillor F H Yeulett.

APOLOGIES: Councillor D W Connor, Councillor M F J Cotterell, Councillor P Hatton, Councillor P Murphy and Councillor T E W Quince

13/13 TO SIGN AND CONFIRM THE MINUTES OF THE MEETINGS OF 9 MAY 2013 AND 30 MAY 2013.

Councillor Melton, on behalf of the Council sent their best wishes to Councillor Cotterell MBE for a speedy recovery.

The minutes of the meeting of 9 May 2013 were agreed and signed.

The minutes of the meeting of 30 May 2013 were agreed and signed subject to the following amendment:

- Minutes no. 12/13 - Councillor Booth stated that the minutes did not capture the reasons for his comments with regards to the Core Strategy. He asked that the following comments be noted:
 - With regards to feedback received following the circulation of the draft last year, there were 6 that clearly opposed to the hierarchy, although around half of these were in relation to specific villages, which were mainly from developers.
 - Of the remaining responses, there was I believe 20 who responded to agree with the hierarchy as set out in the July 2012 version. These included the County Council, Kings Lynn and West Norfolk Borough Councils, as well as other organisations and individuals. Therefore we do not appear to be listening to the responses received.
 - My concerns with the policy as it stands are due to the ambiguity regarding what development is acceptable. Where before there were clear guidelines, now it is open to fairly wide interpretation.
 - The setting of a numerical limit as set out in the July 2012 version does not mean it will curtail larger developments.
 - We need growth within our villages, but that growth needs to be organic and support the continued viability of the villages. We need to ensure that community cohesion continues. We should avoid the development of dormitory villages where people do not interact.
 - We also need to consider how the policy will be interpreted by planning inspectors at

Appeal. If the Council refuses permission on development in the future, I feel the existing policy will not be sufficiently strong enough to enable the council to put forward a strong case. We also need to consider if there is potential for more costs in the future to be awarded against the council.

14/13 CIVIC ENGAGEMENTS UPDATE - INFORMATION ITEM

Councillor Mayor introduced a new standing item for full Council which is the Civic Engagements Update Information Item.

He informed members that moving forward this item will be for information only, however on this occasion, as it is the first time this item has been included in the Council agenda he wanted to inform members that the item has been included to illustrate the number of civic events which he and the Deputy Chairman attend in the weeks preceding the full Council meeting.

Councillor Mayor thanked everybody for attending the Armed Forces Day Flag Raising and Parade of Standards event on Monday 24 June 2013. The feedback and success of previous events ensured that the Council was able to support the Armed Forces Day for the fifth year.

Councillor Mayor thanked all those who attended the annual Chairman's civic reception on Friday 12 July 2013, the event took place at the newly refurbished function suite at the Manor Leisure Centre, Whittlesey, and was a great success. He paid particular thanks to his wife Councillor Mrs Mayor, and everyone involved in running the event on the night.

15/13 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Mayor informed members that a formal written motion on notice has been submitted to the Chief Executive by the Leader of the Council, Councillor Melton for debate at Full Council. Unfortunately the motion was received outside the time frame prescribed in the constitution. It is considered appropriate to debate the motion prior to the next meeting of Full Council, as the matter is currently extremely relevant and therefore would benefit from discussion in a timely manner.

Members agreed to suspend Standing Order 22 to permit the motion to be put before Council as a late item for this item only.

Councillor Mayor invited Councillor Melton to present his motion.

Councillor Melton stated the following:

This Council sends congratulations to their Royal Highnesses' The Duke and Duchess of Cambridge, upon the birth of their baby boy, Prince George of Cambridge.

16/13 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 Booth asked the Leader, for clarification with regards to a letter that has been sent out to all members from the Wisbech Museum Trust, which indicates that their funding has been cut. Councillor Melton stated that this Council has suffered 30% cuts in the last 3 years, and services

across the whole of the Council are feeling the effects of those cuts, he confirmed that there will be a bidding process this year. Councillor Butcher confirmed that it had been agreed that the Wisbech Museum Trust would receive £50,000 from Fenland, but that the additional £10,000 will come from another source. We are just waiting for the Trust to sign the agreement and the funds will be transferred.

Councillor Booth stated that when he had asked the question previously he had not understood that the additional £10,000 funding had come to an end and that he felt that members were not being furnished with the full facts. Councillor Butcher confirmed that the £10,000 had come from another source.

17/13 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Councillor Mrs Bucknor asked the Leader a question in relation to the Chapel, owned by FDC in Mount Pleasant Road. She stated that with regards to child deprivation, Waterlees is in the top 6% in England, there are almost 1,000 children living in the ward, by comparison to Birch Ward, Chatteris where there are just over 400. She informed members that Waterlees is a very densely populated compact ward and that there is going to be an additional 90 places in our local school every year for the next 3 years. This means that as well as being one of the most deprived wards it has more children than anywhere else and there will be provision for a further 270, a 50% increase, in the next 3 years. She asked what provisions are being planned for the young people of Waterlees now and in the future.

She stated that in late 2011 she and Councillor Bucknor asked the Leader about the possibility of making the Chapel in Mount Pleasant Road a multi-purpose venue. Perhaps a community drop-in centre during the day and a safe place for young people in the evenings, but still able to retain its use as a Chapel as well. The Leader supported them, giving officer time to this project, we were asked to keep this out of the public domain, which of course, until today. The project has had overwhelming support from all involved. Officers advised us that it was going to Cabinet in January, and then to our surprise, it was suddenly contained in the Wisbech 20/20 Vision. We were encouraged that it was being formalised, but since January I have been trying to find out what is happening, and to this day this item has never gone to Cabinet. She asked what provisions have been made, and why was it included in the Wisbech 20/20 Vision?

Councillor Melton thanked Councillor Mrs Bucknor for her questions and stated that providing extra facilities for any ward within Fenland is always under review. This has been discussed and at this time Cabinet members are not making a decision on this issue, we need to look at all the assets and how best they support the people of the Waterlees Ward. Our capital has been hit severely hard and we have tried to spread that capital over Fenland evenly. He stated that the Waterlees Ward has not been forgotten and confirmed that 40% of our capital expenditure has been spent in Wisbech. He informed members that he understands that his own ward is not as deprived as some in Wisbech, stating that there are problems across the whole of Fenland, but we have a financial problem and we have to ensure that we are getting value for money.

Councillor Mrs Bucknor stated that she is not suggesting that Councillor Melton should prioritise the Waterlees Ward, just that financial resources should go where there is the greatest need. She confirmed that she and Councillor Bucknor have spent a year with officers and asked if this was a waste of time. She asked who had discussed this. Councillor Melton confirmed that he had discussions the Deputy Leader and relevant officers. He stated that there is need in every ward, particularly the rural wards, and we have to take them all in to consideration. Our officers have given up a lot of time to look at this and we are looking at ways that we might be able to provide the funding.

Councillor Swan stated that he would like to express thanks from Whittlesey Town Council to FDC for stepping in at the last minute and helping with the Whittlesey Cycle Road Race. He informed members that the Tour De France will be visiting this area next year and that the Whittlesey Cycle Event will take place just 2 weeks before, this is a great tourism opportunity and could be of great benefit to Fenland. Councillor Jolley thanked Councillor Swan for his comments, stating that it is nice to be appreciated and that it was a team effort, so the thanks would be passed on to the officers involved.

Councillor Booth stated that he noticed from the report that the Customer Access Team were receiving a high volume of calls, and asked what action is being taken to ensure that we are providing the level of customer service that our customers have come to expect from us. Councillor Clark confirmed that there were some staffing issues due to illness during this period which compounded the issue, and agreed to investigate further and feedback.

Councillor Booth asked that with regards to the Member Services Hotline Summary why is the data reported since it was launched and not just in the last 12 months. He also requested that the data be recorded year on year so the comparisons are clear. Councillor Clark stated that there was no rationale for reporting the detail in this way and that this reporting method will be changed in future reports following this feedback.

18/13 YOUTH DISTRICT COUNCIL PRESENTATION

The Chairman of the Youth District Council, Councillor Miss Barrow, gave a presentation informing members of the work that the Youth District Council have achieved during the past year, and what they would like to achieve in the future. She thanked the members for their continued support of the Youth District Council, with special thanks to Councillors Melton and Garratt who regularly attend their meetings.

Councillor Mayor thanked Councillor Miss Barrow for an excellent presentation and for her hard work and commitment with the Youth District Council.

Councillor Melton thanked Councillor Miss Barrow for attending the Council meeting today, and congratulated her on an excellent presentation. He stated that it had been a pleasure to work with the members of the Youth District Council, and the events organised by them have been a huge success and very important to the young people of Fenland. It is admirable that you are taking on real issues, The Employability Skills Day was a great event, never under-estimate how important these days are, all young people should be taking this very seriously. It gave me great pleasure to see you all at the Pride of Fenland Awards, all giving up your spare time to support this event, I am proud to be part of this event and was proud to see you all there too.

19/13 CORPORATE GOVERNANCE COMMITTEE ANNUAL REPORT 2012/13

Councillor Mrs Newell presented the Corporate Governance Annual Report 2012/13.

Councillor Mrs Bucknor asked what offsite procedures we have in place with regards to disaster recovery. Councillor Mrs Newell agreed to investigate and feedback.

Councillor Booth asked if there will be an audit of the Council Tax Benefit Scheme to reflect the changes. Councillor Mrs Newell confirmed that everything will be looked at by the auditor and stated that as you are now a member of the Corporate Governance Committee you will become familiar with the procedures.

Councillor Booth asked if Council Tax Benefits will be looked at within the next 12 months as the changes have just been introduced. Councillor Mrs Newell agreed to find out and feedback.

It was decided that:

- **The Council acknowledge the scope and the achievement of the Corporate Governance Committee's work, including the commitment to ensuring effective governance arrangements across the council and its partners, and**
- **The Annual Report be adopted.**

20/13 TREASURY MANAGEMENT ANNUAL REPORT 2012/13

Councillor Clark presented the Treasury Management Annual Report 2012/13 and thanked Rob Bridge, Mark Saunders and the Finance Team for their work.

Councillor Mrs Bucknor congratulated the Team, stating that given the problems internationally, this is a very good report, well done.

Councillor Booth reiterated the acknowledgement to Rob Bridge and the Finance Team. He stated that the Council need to recognise that the interest rates are going to be staying low for quite some time. Councillor Clark confirmed that the Council already have evidence that the returns are diminishing, and know that things are going to get more difficult.

It was decided that the report be noted.

21/13 OVERVIEW AND SCRUTINY ANNUAL REPORT 2012/2013

Councillor Chambers presented the Overview and Scrutiny Annual Report 2012/13.

Councillor Booth noted that the Overview and Scrutiny Panel did not utilise the call in procedure last year. Councillor Chambers stated that clearly there were no issues that the panel felt required them to utilise this procedure. Councillor Booth reminded the Chairman that he has the ability to call-in without the backing of other members of the panel. Councillor Chambers confirmed that he had no reason to call-in any decisions, stating that Councillor Booth was a member of the panel until recently and had not referred anything for call-in either. Councillor Booth confirmed that he had spoken regarding several call-ins whilst he was on the panel.

It was decided that the council acknowledge the broad scope of work undertaken by the Overview and Scrutiny Panel during 2012/13.

22/13 CUMULATIVE IMPACT ZONE POLICY

Councillor Oliver presented the Cumulative Impact Zone Policy report.

Councillor Farmer proposed the following Motion, stating:

The Council should agree option 3 and not 2. Option 1 covers the existing area that is covered by the Designated Public Place Order (DPPO), and as it is understood that this is thought to be a slightly different issue. Option 2 has taken a 1/3 of a kilometre arc from a point on the Market Place. Option 3 is focussed on areas where there have been previous issues, areas that are referred to as hot spots.

Rather than simply taking a large circle which covers almost all of the businesses, it makes more sense to focus on the areas where the issues are happening, the hot spots. There will be an assumption that that premises will not get a licence in the zone detailed in option 2, this area is cutting across streets, and therefore, premises will have different licences at different ends of a street. The arc swings through the brewery and the licensed premises within that brewery. Clarity and focus will enable us to say to a business that if you are operating on a specific road then you

fall into the zone.

Councillor Miss Hoy seconded the proposed motion.

Councillor Mayor reminded members of the rules of debate.

Councillor Mrs Mayor, Chairman of the Licensing Committee confirmed that the area proposed in option 2 is a 0.3 mile radius, not a 0.3 kilometre radius. She stated that every application that comes before the Committee will be assessed on its own merits. She informed members that she was disappointed at the low number of responses during the consultation, and had contacted the Leader of Wisbech Town Council who confirmed that the Town Council were very happy with the proposals in place. In addition to this Councillor Farmer sent no personal response in during the consultation period.

Councillor Miss Hoy stated that this motion is not an anti-cumulative impact proposal, and to clarify Wisbech Town Council discussed and agreed the Cumulative Impact Zone as a general idea, without the detailed zones, we were not agreeing to option 2, we were agreeing to the concept. She stated that at that Town Council meeting Councillor Farmer had made recommendations, and feels it is unfair for Councillor Mrs Bucknor to comment on that meeting as she was not there. She confirmed that she would be voting in favour of this motion.

Councillor Miss Hoy stated that if you limit the number of licensed premises, you are protecting businesses that might not be good for the area, and preventing new businesses that might be better for the area. She confirmed that she supports the cumulative impact zone, has made that promise and will stick to it, but feels that option 3 is the best option as it looks at the genuine hot spots rather than the 0.3 mile radius suggested.

Councillor Booth confirmed that he was at the Licensing Committee Meeting where option 2 was agreed. He stated that option 3 was considered but discounted as it was felt that if you limit the cumulative impact to those small areas it might drive those businesses elsewhere. It was decided that option 2 was the better option, there was a concern about cutting through streets, and the Committee agreed that it would be clearer road by road, but felt that the centre of Town should be the focus as the areas outside this are mostly residential. He stated that he has sympathy with Councillor Farmer, but that he would not be supporting the motion.

Councillor Mrs Bucknor stated that this issue had been discussed in great detail. Wisbech has more licensed premises than Cambridge City and something needs to be done to limit this.

Councillor Farmer stated that Councillor Mrs Bucknor's comment is factually incorrect, and reiterated the fact that he feels that the focus should be where the need is the greatest.

Councillor Mrs Bucknor stated the 2 areas have a comparable number, and that the need is where it has to be, she confirmed that when we discussed this at Licensing Committee we all had concerns about cutting streets in half, but if you adopt option 3 then businesses would just set up outside of those areas. She confirmed that is for this reason that she would not be supporting the motion.

Councillor Owen stated that he has looked at the area covered by option 2 and it is far too limited, and this would just encourage people to open premises in other areas. He confirmed that he supports the cumulative impact zone and had sought after the implementation of the zone for a while, but that he dismisses the motion, as it is too restrictive, and the whole thing will need to be reviewed again.

Councillor Farmer thanked members for the interesting comments that they have made and to Councillor Mrs Mayor for clarifying the size of the area. He confirmed that the zone covers almost

every licensed premise in Wisbech except Tesco and that is wrong. He stated that we have problems in Fenland with attracting businesses into the area and feels that this measure would blight 1 of the 4 Market Towns. If a restaurant wanted to open in that area, it may be near no other licensed premises, and yet the presumption is that you will not be able to serve alcohol.

Councillor Booth stated for clarification, Tesco already has a licence, the Cumulative Impact Zone is about granting new licenses, and amendments to current licenses.

Councillor Farmer stated that this is a measure that will affect existing businesses who want to make changes to their licence. He informed members that he would have been happy if existing businesses were exempt from this regime.

Councillor Oliver stated that there has been a lot of discussion today. He confirmed that option 2 was chosen, as option 3 was too small an area, and it does not cover all of the hot spots, just some of them. The presumption that a premise will not be able to get a licence is not correct. He stated that to clarify, any new premise that applies for a licence will have to comply with the licensing objective, and this will include the cumulative impact of the licensed premises in the area.

It was decided that the motion not be supported.

It was decided that the Cumulative Impact Zone policy be adopted as recommended by the Licensing Committee.

23/13 MEMBER ALLOWANCES REVIEW PROPOSAL

Councillor Melton presented the Member Allowances Review Policy report.

Councillor Booth stated that the member allowances were reviewed 2 years ago, and asked why we are looking at this today. Councillor Melton confirmed that there is an option to say that we could discuss this, but stated that it is his opinion that we do not.

Decided that members would not conduct a review of the current scheme of Member Allowances at this point with the next review taking place to comply with statutory timescales.

5.35pm

Chairman