

COUNCIL



21 MAY 2015 - 4:00PM

PRESENT: Councillor S Bligh, Councillor C Boden, Councillor G G R Booth, Councillor M G Bucknor, Councillor Mrs V M Bucknor, Councillor M Buckton, Councillor T R Butcher, Councillor J F Clark, Councillor S Clark, Councillor M Cornwell, Councillor S Count, Councillor S R Court, Councillor Mrs C R Cox, Councillor M Davis, Councillor Mrs J French, Councillor S Garratt, Councillor D Green, Councillor A Hay, Councillor D Hodgson, Councillor Miss S Hoy, Councillor M J Humphrey, Councillor S J E King, Councillor D Laws, Councillor D Mason, Councillor Mrs K F Mayor, Councillor A Miscandlon, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen, Councillor R Skoulding, Councillor W Sutton, Councillor M Tanfield, Councillor G Tibbs, Councillor S Tierney, Councillor F H Yeulett.

APOLOGIES: Councillor D W Connor, Councillor A Pugh, Councillor C J Seaton

Ken Mayor opened the meeting by asking all to stand and join him in a minute's silence to pay tribute to the former Fenland District Councillor Patsy Brewin who sadly passed away on 11 March 2015. Patsy had dedicated her life to local politics and community work, having also been a March Town Councillor and Mayor of March. Patsy and her dedication to Fenland would be fondly remembered.

1/15 TO ELECT A CHAIRMAN OF THE COUNCIL FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £3,781 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Miscandlon and seconded by Councillor Mrs French and **resolved that Councillor Mrs Carol Cox be elected as Chairman of the Council for the period to the next Annual Meeting and that she be paid an allowance of £3,781 plus travelling expenses.**

The Chairman made her declaration of acceptance of office and addressed the Council. Councillor Mrs Cox thanked Members for voting her in and gave a special thank you to both Ken Mayor and Councillor Mrs Kay Mayor for their superb workmanship over the last year and it had been a privilege to have been their Vice-Chairman. The Chairman also congratulated all Members that had retained their seats in the election and to those new Members who had been elected. She stated she would enjoy this position and would do her very best to represent Fenland.

2/15 TO ELECT A VICE-CHAIRMAN OF THE COUNCIL FOR THE PERIOD TO THE NEXT ANNUAL MEETING AND TO RESOLVE THAT AN ALLOWANCE OF £919 PLUS TRAVELLING EXPENSES BE PAID TO THE PERSON ELECTED.

It was proposed by Councillor Clark and seconded by Councillor Sutton and **resolved that Councillor Mrs Kay Mayor be elected as Vice-Chairman of the Council for the period to the next Annual Meeting and that she be paid an allowance of £919 plus travelling expenses.**

The Vice-Chairman made her declaration of acceptance of office and addressed the Council. Councillor Mrs Mayor thanked both Councillor Clark and Councillor Sutton for proposing and seconding the nomination and thanked all Members for their support and would endeavour to support Councillor Mrs Cox in her role as Chairman.

3/15

TO CONFIRM AND SIGN THE MINUTES OF THE MEETING OF 26 FEBRUARY 2015.

The minutes of the meeting of 26 February 2015 were agreed and signed subject to an additional response from Councillor Sutton.

Councillor Sutton referred to minute 71/14 - Questions from the public; whereby he recently sent a letter of apology to Mr Hodson accepting his error at Full Council where he had suggested the issue had not been raised at the Developers Forum as he genuinely did not remember and therefore he apologised unreservedly. He also stated he did not accept that the question had been asked on behalf of the Developers Forum, the Chairman had put his question to the Forum and Graham Nourse had answered it; there was no appetite at the Forum for discussion and certainly no request for it to be taken to Full Council, this had been confirmed by other Members and at the last Developers Forum.

4/15

TO ELECT THE LEADER OF THE COUNCIL FOR THE 4 YEAR TERM OF THE COUNCIL.

It was proposed by Councillor Sutton and seconded by Councillor Butcher and **resolved that Councillor John Clark be elected as Leader of the Council for the four term period of the Council.**

Councillor Clark stated:

As the Council moves into a new term of office, it was worth reflecting what a challenging but successful time the Council has had over the last five years, along with the challenges ahead. In 2010 the Council was in the top 10 Councils hardest hit by the austerity measures and grant reductions and this meant that by the end of 2015/16 the Council will have successfully delivered £8million of savings.

Throughout the five years, every team has been reviewed, restructured and reduced, including the Corporate Management Team and other general management costs. The Council has also entered into successful shared services arrangements for Planning Policy, Revenues and Benefits and Building Control using an approach that everything would be looked at and only shared if there was a compelling business case to deliver savings and maintain service quality. The Council has also delivered service transformation of its Corporate Services (Accountancy, HR, ICT and Legal) delivering considerable savings and it has been this approach that has enabled the Council to freeze Council Tax in the last two years, ultimately supporting the residents of Fenland; this approach to financial management has also been acknowledged by external auditors year on year.

The Council now has a balanced and delivered budget for 2015/16 (£1.005million savings delivered), and the Council's medium term forecasts estimate that there will be a need to deliver a further £1.8million of savings from 2016/17 to 2018/19; however there are a number of risks and challenges as the Chancellor has already made it clear that he will announce a new budget on 8 July 2015.

Councillor Clark promised that as previously, he would ensure through appropriate Member seminars that all Members would be made aware of key proposals and help inform the decisions that needed to be made as a Council. The Council has come a long way, but the journey was not over and he hoped that everyone would support him to ensure that the Council can continue to provide excellent services to residents, whilst successfully delivering its future cost savings and budget reductions.

PAST CHAIRMAN - Councillor Mrs Cox stated she would like to formally acknowledge and thank the previous Chairman Former Councillor Ken Mayor for undertaking the role as Chairman of the Council from May 2013 to 2015.

A past Chairman's badge was presented to Ken Mayor and he was then invited to say a few words, stating:

"It has been an honour and a privilege to have served as both Vice Chairman and Chairman over the last four years and to have had the opportunity to represent Fenland.

I have been a Member of this Council for sixteen years and during that time I feel that I achieved a lot. I have been the Chairman of the Overview and Scrutiny Panel, Safer Fenland Partnership and Staff Committee and also a Cabinet Member - I believe I made a significant contribution and at the age of 76 feel it is the right time to retire. I have met some inspirational people through attending civic events and also by supporting other authorities and organisations at their civic functions and charity fund raising events. I have been given so much pleasure over the last two years in being able to showcase this District of Fenland.

A few of the many highlights include:

- The two Civic Receptions held at the refurbished Manor Function Suite and the Sir Harry Smith Community College.
- Six Remembrance Parades - two each at March, Whittlesey and the American Cemetery at Madingley where I laid wreaths.
- The two Commonwealth Flag Raising ceremonies held at Fenland Hall.
- Two Armed Forces Veterans Day ceremonies; a Parade of Standards from Veteran organisations held at Fenland Hall and a Church Service to commemorate the Centenary of the First World War which was quite poignant for me as my grandfather was a victim of that war
- I was particularly pleased last year to receive our Twinning Partners from Stadt Nettetal in Germany. Kay and I have been members of the Fenland Twinning Association for many years and have had the same family visit us and returned visits to Nettetal several times. I would recommend to all new Councillors that this is something to get involved with.
- Kay and I were fortunate enough to meet two members of the Royal Family. The Duke of Gloucester at the Internal Drainage Boards National Exhibition, hosted by North Level IDB and more recently Princess Anne at the official opening of the refurbished Neale Wade Academy.
- Two Civic Carol Services held at St Mary's Church, Whittlesey and St John's Church, March.
- And the two fund-raising Macmillan Coffee Mornings here at Fenland Hall which raised many hundreds of Pounds. I was pleased to present a cheque for £1,200 to the High Sheriff of Cambridgeshire to add towards her fund raising activities for Macmillan Nurses. This money was raised by the staff at the Manor Leisure Centre over a fund raising weekend. All of the donations will be used for the benefit of the people of Fenland.

I would like to thank the following:

- Members, for giving me the opportunity to represent the Authority;
- Carol Cox, for her support as Vice Chairman over the last two years;
- Officers of the Council, Chief Executive, Monitoring Officer and Solicitor for their guidance;
- Member Services for their support;
- Special thanks to Sharon Smith, from both myself and Kay for everything she has done in

the background, an immense amount of work and organisation regardless of the request. The success of the Civic Receptions are testament to her organisational skills and commitment to her job;

- And to my wife, Kay, a huge thank you for all your support and commitment as my Consort.

I would also like to wish my successor in the role of Chairman every success for the future, if my experience is anything to go by you will thoroughly enjoy the role.

The Chairman thanked Councillor Mrs Mayor as the past Consort, presenting her with flowers.

FENLAND TWINNING ASSOCIATION - The Chairman informed Members that on 27 May, in partnership with the Chairman of the Fenland Twinning Association that she would be hosting a one day visit from Mayor Jamieson from the Sunshine Coast Council in Australia whereby he would be taken on a tour of the District to showcase to him the best of what Fenland has to offer.

DISTRICT COUNCIL ELECTIONS 2015 -RETURNING OFFICER ANNOUNCEMENT - The Chief Executive stated that as the Council's Returning Officer, he would like to offer his congratulations to all 39 candidates who were successfully elected to represent their constituencies and Fenland District Council for this next 4 year term. As the Council's Chief Executive, both himself and officer colleagues look forward to working with Members and providing all the appropriate support to ensure the Council can deliver its key priorities for all the local communities, key stakeholders and residents. Following all out Fenland District Council elections, it is customary for the Returning Officer to confirm the outcome of the elections at the Annual Council Meeting. The names of those successful candidates, their political standing and the ward they present was then read out:

- Bassenhally - Chris Boden (Conservative) and Kay Mayor (Conservative)
- Benwick, Coates and Eastrea - Ralph Butcher (Conservative) and Alex Miscandlon (Conservative)
- Birch - David Green (Conservative)
- Clarkson - Carol Cox (Conservative)
- Doddington and Wimblington - David Connor (Conservative) and Maureen Davis (Conservative)
- Elm and Christchurch - Will Sutton (Conservative) and Michelle Tansfield (Conservative)
- Kirkgate - Garry Tibbs (Conservative)
- Lattersey - Steve Garratt (Conservative)
- Manea - Mark Buckton (Conservative)
- March East - John Clark (Conservative), Andrew Pugh (Conservative) and Fred Yeulett (Conservative)
- March North - Mike Cornwell (Conservative), Steve Count (Conservative) and Stephen Court (Liberal Democrat)
- March West - Jan French (Conservative), Kit Owen (Conservative) and Rob Skoulding (Independent)
- Medworth - Steve Tierney (Conservative)
- Octavia Hill - Samantha Hoy (Conservative) and Simon King (Conservative)
- Parson Drove and Wisbech St Mary - Sarah Bligh (Conservative) and Gavin Booth (Liberal Democrat)
- Peckover - David Oliver (Conservative)
- Roman Bank - Samantha Clark (Conservative), Michael Humphrey (Conservative) and Chris Seaton (Conservative)
- Slade Lode - Florence Newell (Conservative)
- Staithe - David Hodgson (Conservative)
- St Andrews - David Mason (Conservative)
- Stonald - Dee Laws (Conservative)
- The Mills - Anne Hay (Conservative)

- Waterlees Village - Michael Bucknor (Independent) and Virginia Bucknor (Independent)
- Wenneye - Peter Murphy (Conservative)

LGC AWARD - OPERATION PHEASANT - The Chief Executive stated he was delighted to advise Members that the Council had won another prestigious national award. On this occasion the Council received a Local Government Chronicle award in recognition of the work undertaken through 'Operation Pheasant', alongside Cambridgeshire Police and other agencies. Fenland fought off competition from many other Councils across the country to win the 'Partnership of the Year' category. The entry detailed the huge success made by Operation Pheasant in tackling the problems relating to migrant exploitation, rogue private sector landlords and Houses of Multiple Occupation. Fenland District Council's role in Operation Pheasant has included: tackling private rented sector poor property conditions, providing new migrants with a 'Welcome Pack' to assist with their integration into the community, 'Myth Busting' information to existing nearby residents to help promote cohesion, waste management advice, planning enforcement on unauthorised conversions, advice on appropriate benefits as well as tackling benefit fraud, pursuing rogue landlords, and the facilitation of a mediation service to help resolve resident disputes. Operation Pheasant has delivered a number of significant outcomes in relation to the private rented sector, which include:

- 19 cases of human trafficking uncovered, resulting in arrests and prosecutions;
- 220 cases of gang-master activity uncovered;
- 321 benefit offences uncovered;
- 336 properties inspected through multi-agency visits, uncovering and addressing 205 housing hazards.

This work has made a real difference to people's lives, and has addressed challenges that affect some of the most vulnerable members of the community.

Councillor Sutton and Councillor Oliver received the award from the Chairman.

Councillor Sutton stated that Councillor Oliver started this work; Operation Endeavour was part of Operation Pheasant and with the changes in Cabinet it then became his responsibility and he acknowledged the great effort and involvement from Councillor Oliver but the award should really go to Sarah Gove, Housing Manager and her team who are a credit to Fenland District Council. Councillor Sutton explained he had been on some of the visits which were a gut wrenching experience that would bring tears to your eyes as the conditions in which some people live in was unbelievable; that these people would rather live in encampments on the A47 than in housing under rogue landlords. This award is for the team that do the work on the ground and not necessarily Members.

MJ AWARDS - SENIOR MANAGEMENT TEAM OF THE YEAR - The Chief Executive stated he was pleased to announce that the Council had been shortlisted at the national Municipal Journal Awards in the category of 'Senior Management Team of the Year'. The judges stated "that the Council's management culture and approach to organisational modernisation was evident and underpinned with examples of successful partnerships and outcomes for growth and regeneration. Working effectively with elected Members, Fenland's management team has met the challenge of making savings, balancing the budget and creating a strong organisation for the future". In making the shortlist judges were looking for evidence of a clear corporate ethos and of effective relationships between the different members of the team, as well as with Cabinet and members of the Council. This award category recognises the important role of the senior management team in a local authority and its impact on service delivery and successful organisational change. There were six other councils shortlisted out of a high number of other Councils across the country who submitted an entry. The winner will be announced on 18 June 2015.

TO DETERMINE THAT:

(1) THE ANNUAL MEETING OF THE COUNCIL IN 2016 BE HELD ON THURSDAY 12 MAY;

(2) THE ORDINARY MEETINGS OF THE COUNCIL IN 2015/16 BE HELD AS FOLLOWS:

The suggested dates for the meetings of the Council were proposed by Councillor Tierney, seconded by Councillor Humphrey and agreed by Members.

7/15 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.

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

Councillor Mrs Bucknor asked:

- Could the Leader update Members with regard to the wider use of Fenland Hall to which Councillor Clark stated that a press release would be announced tomorrow and the tenants had been found for the rear of the building and the top floor, plus tenants have been identified for The Base; this was still in its early stages but should result in an income of £90,000.

Councillor Booth congratulated Councillor Clark on becoming Leader stating he would support him as much as he could and looked forward to taking the Council forward and making the correct decisions for the district. Councillor Booth then asked:

- Could the Leader provide an update regarding the issue that residents had relating to accessing documents on the planning portal to which Councillor Clark stated this matter had been investigated by officers and the issue related to the speed at which large documents could be downloaded. By their nature these types of documents do take longer to open when viewed. To speed the download it would involve splitting the document into a number of separate documents, which was not user friendly. Officers are not aware of significant complaints relating to this matter but would continue to monitor the issue and give further consideration as to whether an IT solution is required. Councillor Booth explained that Kings Lynn and West Norfolk have made their documents a reasonable size and suggested that Officers should look into their solution.
- Could the Leader provide an update of any progress being made or proposed to improve the service standards of the Contact Centre to which Councillor Clark responded stating that in 2014-15 a service standard of 70% was achieved for answering all calls within 20 seconds (actual performance as 72.7%) and handling 90% of incoming calls (actual performance was on target). Fenland's performance has been benchmarked against a number of other local authorities, these performance standards were very high in comparison, particularly with continued constraints on local authority budgets, which meant that Fenland were unable to increase capacity in the Contact Centre to further improve performance. Contact Centre demand fluctuates during the year and this is reflected in profiled targets that increase during the year. At peak times there is a call-back facility; after 15 seconds a message is received asking if the customer would like to leave their contact details in order that staff can return the call, or an option to stay on the line and wait. This week an additional feature has been added so that if the wait is longer then the same message is repeated at the same interval whilst they are on the line. When Advisors become free at quieter times in the day, the telephony system automatically generates the outgoing call-back to the customer. This means that no customers involuntarily wait excessive times for their calls to be answered. With regards to staffing to meet peaks of

demand. There are a number of part time staff on a rota to help resource appropriately however at some peak times, demand outstrips resources for short periods during the day. Customers can also contact Fenland by visiting one of the Fenland@Your Service Shops and Hubs as well as via email. Councillor Booth stated that within the commercial world the standard was higher but he understood Fenland's constraints. He had raised this because he had been approached by a local resident stating they had to wait a considerable time but he was aware that a significant number of calls would have been received in April due to Council Tax and ARP and thanked Councillor Clark for his response.

- Now that the new administration has been formed, could the Leader provide a definitive process and timeline to be followed for the resolution of the footway/street lighting issue that is affecting the rural parishes and could he give his commitment that this would now be a priority. Councillor Clark responded stating that as Councillor Booth was aware, Councillor Seaton, Finance Portfolio Holder, was currently on leave. Therefore upon his return, this issue would be raised as Councillor Seaton was keen to move this forward to a resolution before there was a need to set council tax levels for 2016/17.

8/15 TO FORM PANELS AND COMMITTEES AND ALLOCATE SEATS ON THOSE PANELS AND COMMITTEES IN ACCORDANCE WITH THE POLITICAL PROPORTIONALITY RULES; INCLUDING OUTSIDE BODIES MEMBERSHIP.

Members considered the Membership of Committees, Panels and Outside Bodies.

The adoption of the Schedule of Appointments and political allocations set out in the report were proposed by Councillor Sutton, seconded by Councillor Clark and agreed by all Members.

9/15 SCOPE OF MEMBER ALLOWANCES SCHEME REVIEW

Members considered the Scope of Member Allowances Scheme Review.

The item was proposed by Councillor Tanfield, seconded by Councillor Butcher.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs Bucknor asked for clarification regarding the pay allowance to panel members to which Carol Pilson responded stating that this had not yet been set but would be done in consultation with Group Leaders and be benchmarked against other authorities.
- Councillor Booth stated he was happy to support this recommendation but asked that the Council ensure it had no connections, ie a Council tenant, to anyone appointed.

It was AGREED that:

- **The Scope of the Members Allowances Scheme as set out in the report be APPROVED;**
- **the process to delegate for the appointment and selection of the Independent Remuneration Panel to the Monitoring Officer in consultation with Group Leaders be APPROVED.**

10/15 STREET TRADING POLICY

Members considered the Street Trading Policy presented by Councillor Oliver.

The item was proposed by Councillor Humphrey and seconded by Councillor Miscandlon.

Members asked questions, made comments and received the responses as follows:

- Councillor Mrs Bucknor asked for Acacia Avenue to be added as it had been omitted from the report;
- Councillor Mrs French asked if this included all burger vans to which Councillor Oliver responded stating that it did;
- Councillor Count asked if there was a delegation of authority included within the report to enable missing streets and new developments to be added to which Councillor Oliver explained that a 12 week consultation period would be required before any additional new developments could be added;
- Councillor Booth stated he was happy to support this and thought the Council had done an excellent job regarding going out to parish councils pre-consultation but did not inform them that there was a further consultation;
- Councillor Booth stated that the report included ice-cream vans but only those that stopped for more than 15 minutes; could this be reviewed in a year's time to ensure this is working effectively as many ice-cream vans do not stop that long. Councillor Oliver thanked Councillor Booth and stated this would be looked at and monitored but that the Council can use other powers regarding nuisance and suggested Councillor Booth contact Environmental Health if he had an issue;
- Councillor Hoy stated that Wisbech Market Place was now owned by Wisbech Town Council and asked what consultation had or would be done to which Councillor Oliver stated that Wisbech Market Place was private property and the report stated that if the land was private then it would be exempt; Wisbech Town Council were consulted and did reply to the consultation.

It was **AGREED** that:

- **Schedule 4, Local Government (Miscellaneous Provisions) Act 1982 be ADOPTED;**
- **The proposed Street Trading Policy for Fenland District Council be ADOPTED;**
- **Implementation Date of 13 July 2015 be AGREED;**
- **The fees payable for Street Trading Consent, as follows, be NOTED:**
 - **New Application fee: £50 non-refundable initial consultation fee (not required if location has been previously consented);**
 - **Daily Street Trading Consent, all week days, including bank holidays: £12.00 per day (06:00hrs - 22:00hrs);**
 - **Annual Street Trading Consent, all days of the year, including all bank holidays: £542.50 per year**
 - ***£50.72 Monthly rate per pitch (Standing Order x 10 payments - Monthly charges include a 6.5% discount if paid by Standing Order FOR THE WHOLE YEAR (payable over 10 months 1 April - 1 January). If a licence is cancelled before the full year is completed, the discount will be cancelled and full fees will be payable for the period of the licence. There is no discount given for any cash or cheque payments made.**

11/15 **MOTION SUBMITTED BY COUNCILLOR GAVIN BOOTH REGARDING GOVERNANCE ARRANGEMENTS**

Councillor Booth presented his Motion regarding Governance Arrangements stating that this Motion had been before Council in a similar format twice before and the reason he brought it again

to Full Council was because it had been debated at recent Member meetings regarding the potential for changing back to a committee system. He explained that this motion would not bind the Council to changing to a committee system; it only asked Officers to look at potential recommendations and present back to Members for consideration. The Motion read as follows:

"This Council notes:

- that Section 21 of and Schedule 2 to the Localism Act 2011 permits councils to cease to operate in its existing form of governance (Leader and Cabinet form of executive arrangements) and to start to operate a committee system form of governance (ie a non-cabinet committee system), from their Annual General Meeting (AGM);
- that the resolution to start to operate a different form of governance must be made at a meeting in advance of Council AGM in order to be implemented from that AGM;
- that committees are the most democratic form of decision making and enable all councillors to be involved;
- that under the committee system, rules apply that require committees to reflect the proportionality of the Council thus ensuring representative decision making; and
- that other councils have reverted to a committee system which has ensured both democracy and accountability for all councillors and therefore all electors.

This Council believes that:

- due to the leader/cabinet system too many elected Members have been insufficiently involved in the decision making process and denied the right to a public vote on many important decisions;
- preparatory work needs to begin now to enable a smooth transition to a committee system in 2016 should Members choose.

I therefore move that the Council investigates the change back to a committee system with effect from the AGM on 5 May 2016 and requests the Chief Executive and Monitoring Officer to submit a report to a cross-party membership working group of 7 members (to be appointed at today's meeting) explaining, in detail, how the committee system could be re-introduced at Fenland District Council. Recommendations to be presented to Full Council as soon as practicable, but not later than Full Council on 17 September 2015, in order to allow sufficient lead time should Council decide to adopt the committee system."

Councillor Mrs Bucknor seconded the Motion; the Chairman opened the Motion up for debate.

Councillor Owen stated that having given due consideration to the Motion, he did not think that now was the right time for officers to spend time on compiling a report when the Council should be working on more important issues, not least finance and therefore opposed the Motion.

Councillor Tierney stated that the claims about the benefits of a committee system fall down under scrutiny and explained that with the Cabinet System there was always someone to blame which is a very powerful reminder to the executive that they serve the people.

Councillor Mrs Bucknor stated she had worked in both systems and favoured the committee system as in her opinion; it is more open and democratic. Members have been through the issue of the Hudson, Community House and she did not think that the Cabinet was someone to blame or more democratic; the problem is that one person makes the decision, which was not democratic. Under a committee system more Councillors would be considered, it was more open and did not take longer; this already works in Norfolk and parts of Cambridgeshire and therefore she did not understand the opposition to it. Councillor Mrs Bucknor stated she had been told that certain councillors had been "whipped" on this and if that was the case, this would be reflected in the vote.

Councillor Hoy stated that she and Councillor Clark had had their differences in the past week, but to suggest that he had told her that she was to vote against this was a joke; no-one had told her how to vote today and the reason she did not support the committee system was because she had looked into this at the County Council and there were a lot of allowances therefore this would not be a cheap cost saving move and also because it was not efficient.

Councillor Mrs Newell stated she had experience of both and that the committee system did not work and was out-dated.

The Chairman asked if Councillor Booth would like to make a further comment, to which he reiterated that this was not binding; the motion allows the options of different types of committee systems to be looked into and it was important for all councillors to be engaged in the decision making process.

The motion was dismissed.

Councillors Booth and Mr Bucknor requested that their vote for the Motion be recorded.

12/15 MOTION SUBMITTED BY COUNCILLOR GAVIN BOOTH REGARDING CAR PARKING CHARGES

Councillor Booth presented his Motion regarding Car Parking Charges and stated that:

"The purpose of the Motion was to provide assurance and certainty to residents and businesses within the Fenland District Council that Car Parking charges would not be introduced and therefore ensure the viability of the market towns. One of the corporate objectives of this Council is to ensure that we are "Open for Business". If car parking charges were introduced it would have a devastating impact on the towns and villages for the following reasons:

- it would drive trade to out of town shopping centres;
- it will also hit people in their pockets for just using the town centres;
- It will also affect workers who travel to the town centres;
- in the rural areas many people do not have access to public transport so have to use cars, you would be penalising them if parking charges were introduced
- it will undo in a single stroke the work this Council has undertaken to revitalise the towns through lottery bids and renaissance grants provided;
- it is also likely to lead to a decrease of investment by businesses in Town Centres, if their profits are going to be hit.

We also need to consider the consequences of introducing parking charges in towns. It will drive parking onto residential streets within the towns as people will naturally try to avoid any charges. This will have a detrimental effect on residents, which in turn could lead to residential parking zones being introduced.

Any revenue from Car Parking quickly becomes swallowed up by the capital costs and administration needed to enforce it. There is also the principle that revenue gained should be used to pay for transport related matters. Therefore it will not be the cash cow that people believe it will be. Instead it will slowly kill our towns, resulting in lack of investment, potential loss of jobs and add more costs to the residents of this district. This should not be a political issue; instead this should be based on common sense. I understand that a petition started a week ago has already attracted around 1,000 signatures. This is an amazing response to a local issue and we need to take heed of what people are saying. This issue has also been covered in the local media; therefore Councillors should be aware of the strength of public feeling on this issue.

If charges are introduced or no firm decision taken today, residents will feel cheated. This was not

a major feature put to them as part of the recent local elections. If introduced it will undermine further people's trust in local government and politics, which is already low. Also, let us not forget the advice that Councillor Melton passed onto this Chamber four years ago that he had received when he first became a Councillor, as elected District Councillors it is our primary duty to serve all residents of the District to the best of our ability. This should be our overriding goal above all other considerations. Therefore I ask Councillors to use common sense and support this motion, so that we can go forward and give peace of mind to residents and businesses for the next four years."

Councillor Mrs Bucknor seconded the Motion and the Chairman opened the Motion up for debate.

Councillor Boden stated he did not want to see paid parking and supported Councillor Booth but that there were three elements of his Motion that he had reservations about; the first was that it did not put this spending decision in the context of the overall spending challenges which face the Council; secondly, it did not follow good government principles in providing evidence based decision making and the third and most crucial element, was that it was not the best way to ensure that the Council did not end up with paid parking by default; because in eight months' time when the budget and financial strategy is set, Officers will come to Council (even with this Motion as it is written) stating that a certain amount of savings will need to be made and there will be no alternative but to impose car park charges to make up the revenue deficit and he would like that to be avoided and to do this he would like to amend the current Motion, building on the words of Councillor Booth as follows:

"This Council understands the pressures faced by the Market Towns to ensure they remain viable shopping and business centres for the whole of the Fenland District Council area. Therefore to ensure no avoidable additional burdens are unnecessarily placed on the Market Towns and to provide assurance to residents and businesses; this Council takes the decision that, unless and until Fenland District Council completes and properly evaluates a Comprehensive Spending Review, (a) no car parking charges will be introduced within Fenland District Council owned car parks and (b) no disposal will take place of any of the public car parks owned by Fenland District Council."

A Comprehensive Service Review would provide a transparent decision making process in a very difficult spending period and to avoid car parking charges being forced upon the Council, effectively by default, he wanted to see that there was a better way of evaluating all the options to show that less damaging decisions could be made to achieve the necessary savings that Fenland has to make. It would be officer led but it would give all Councillors the chance to choose between undeniably unpalatable options albeit a difficult set of choices therefore he invited all councillors to support the amendment but he particularly cordially asked Councillor Booth to do so to put aside any party politics and support the amendment for two reasons; firstly, a comprehensive service review would give opposition councillors more of a say in the way in which the very difficult decisions will be made over the course of the next year; secondly, this would be the best way to demonstrate how savings can be made by this Council without imposing car park charges.

Councillor Clark seconded the amendment and the Chairman opened the Motion up for debate.

Councillor Booth stated he had quickly appraised Councillor Boden's amendment and it almost negated his original Motion because it effectively "kicks it into the long grass" therefore he did not think that this amendment could be considered under the Procedure Rules of the Constitution because an amendment to a Motion can only be made if it did not alter the intent of the original Motion yet the amendment was in effect continuing with what he believed the Council would be doing anyway; his Motion in its original form was quite clear in its intent therefore he did not believe this was an admissible amendment.

Carol Pilson, Monitoring Officer, stated that officers had scrutinised the amendment prior to the meeting and the legal advice was that the amendment to the Motion did not negate the original Motion; it simply qualified it.

Councillor Booth responded stating that the Constitution states that "as long as such omission, insertion or addition of words does not have the effect of negating the Motion before the Council." Councillor Booth stated that this Motion was quite clear in saying no car parking charges, yet the amendment stated it would be considered in the future therefore it definitely negated the original motion.

Councillor Mrs French stated she supported and welcomed the amendment as she totally opposed car parking charges as she had done in previous years and pointed out that on 19 January, Cabinet went to the Overview & Scrutiny Panel with the Draft Corporate Plan 2015/18 and the wording contained within the report stated "attract new businesses and jobs and support existing businesses in Fenland, raise the economic profile of Fenland" and if car parking charges were introduced it would be against the policy of Cabinet.

Councillor Mrs Bucknor stated she did not agree with the legal advice as she thought the amendment negated the original Motion as it stated no car parking charges would be introduced prior to carrying out cost analysis which meant charges could be brought in after the analysis whereby the original Motion stated clearly that there would be no car parking charges. Councillor Mrs Bucknor stated, that like Councillor French, she had opposed car parking charges previously and she still stood by that as it would have a negative effect in Fenland but she still believed that the amendment to the motion was out of order.

Councillor Tierney asked for clarification as to whether the amendment was now being discussed, to which he was informed that the amendment was legal and now under discussion. He stated that he found himself in a difficult position; he would not vote against the Comprehensive Spending Review, information fairly gathered and presented was a good thing and comes with a guarantee of no car parking charges; he would never vote for car parking charges.

Councillor Hoy stated that during this year's budget discussions, the information available to Members did suggest that the books were balanced and there was no need to put council tax up. Now with the discussion of paid parking was confusing and disappointing; some things must be ruled out and she believed paid parking was one of those; it would severely damage the Council's reputation and damage the towns. As the Council was now allowed to keep 100% of the business rates from shops and restaurants; damaging them with paid parking was a false economy. However she supported the amendment for two reasons, firstly, as she was Conservative, she was never opposed to gathering information and looking carefully at budgets and secondly, this amendment made it clear that no paid parking would be introduced in the meantime however she wanted to make it clear that she would never vote for any motion or policy that would seek to introduce paid parking in Fenland. She welcomed the spending review and that this would show that paid parking would not need to be considered at all.

The Chairman stated that before a vote was taken on the amendment that she would like to remind Members of the revised Motion which had been circulated earlier and invited Councillor Booth to give his right to reply.

Councillor Booth stated that a number of Councillors had said that they would never support car parking charges but if they agree to the amendment then they are effectively delaying the decision until sometime in the future and unfortunately this amendment clearly did not have a timetable and therefore Members would not really know when the spending review would be completed by plus this amendment did not give a clear message that they did not support car parking charges in the future therefore he urged Members to vote against the amendment and instead vote for the original motion and this would give certainty to all across the District that car parking charges were not on

the agenda for the next four years.

Councillor Mrs French stated she would like to remind Councillor Booth and other Members that this was never in the Conservative manifesto and if it was to be introduced it should be done near to an election so that residents were aware when they made their vote.

Councillor Tibbs stated that as a new councillor he had a lot to learn but he looked forward to learning by experience and from the wise advice of his fellow councillors but he did know that the people who elected him, did not vote for him because he would vote for paid parking and he would support the amendment regarding the comprehensive spending review but he would never support a motion for paid parking

Councillor Booth replied stating that the original motion made it crystal clear that car parking charges would not be introduced for the next four years and by amending it, Members were merely delaying any decision to an undetermined date and not sending a clear message that it would never be introduced.

A vote was taken on the amendment and the amendment to the Motion was adopted.

Councillor Booth requested it be recorded that he voted against the amendment.

Councillor Booth requested to move an amendment to the new substantive motion, stating he would like to add in "The Comprehensive Spending Review should be completed no later than the September 2015 Full Council meeting".

Councillor Mrs Bucknor seconded the amendment and the Chairman opened the amendment up for debate.

Councillor Mrs Bucknor stated that this amendment would dispel the concerns that any business thinking of opening up in the market towns would have. What would Members do if the review were to show that there would be an economic benefit to bringing in car parking charges because this was what Members were supporting.

Councillor Mrs French reminded Members that the Council had a balanced budget and therefore there was no panic and no need to rush and to suggest that a Comprehensive Spending Review could be produced in this timeframe was ludicrous and totally unfair of Members to do that; she thought the Leader should make that decision when the budget was being looked at for 2015/16/17 and it would be up to him to bring it at a reasonable time, possibly prior to budget setting next February.

Councillor Boden stated he agreed with Councillor Mrs French in that if officers were asked to produce a Comprehensive Spending Review then more time would have to be given although it could not go on indefinitely as the budget would need to be set for 2016/17. The whole purpose of a Comprehensive Spending Review was to allow Members to make a decision within a reasonable timeframe in order to effect budgets for future years and it was unreasonable and unfair to give officers less time to find alternative sources of savings or income generation to be able to stop car parking charges; therefore he encouraged Members to reject the amendment.

Councillor Humphrey stated that the original amendment that became the substantive motion certainly dealt with this in the best way and did think that the original motion was "putting the cart before the horse" because car parking charges had not been discussed and was something that was whipped up by the opposition and the media and therefore believed Members should reject the proposed amendment.

Councillor Count stated that as Members were aware, there was a Cambridgeshire County Council

by-election coming up in Wisbech and he was sure that part of the motion that had come forward for discussion was purely to grab some headlines on that day but this latest proposition showed a lack of understanding of how the government and councils worked; George Osbourne will announce a budget in July which may affect the Council and to ask officers to unpick the detail of this by September, was unrealistic. This was a nonsense amendment to the substantive motion as there was now a terrific Motion in front of Members as amended stating that no charges would be introduced until after the Comprehensive Spending Review was completed that gives the Council more options; the additional amendment had been thought up on the moment to affect the County Council election and urged Members to oppose it.

Councillor Mrs Bucknor stated that to say this was something that had been whipped up by the opposition could not be further from the truth; as far as she was aware, no opposition Members were aware of the possibility of introducing car parking charges and understood that this was a discussion held by two Conservative Councillors which she queried.

Councillor Mrs French interjected stating the vote should be taken as Councillor Mrs Bucknor's comments were not relevant to the vote.

The Chairman invited Councillor Boden to give his right to reply.

Councillor Boden stated the amendment was unrealistic and suggested the amendment be rejected.

The Chairman reminded Members that they were now voting on the amendment made by Councillor Booth.

The amendment to the Motion was not passed.

The Chairman explained that a vote would now be taken on the substantive motion as tabled by Councillor Boden.

Councillor Booth asked for a right to reply to which Carol Pilson informed him that the person that put the substantive motion had the right to reply therefore it was Councillor Boden. The person that moves the amendment does not get a right to reply.

The Chairman again asked for a vote to be taken on the substantive motion as tabled by Councillor Boden.

The Motion was passed.

(Councillors Tierney and Skoulding declared a non-pecuniary interest in this item due to owning businesses in the town centres that could be affected.)

5.45pm

Chairman