

# COUNCIL

**23 JULY 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 D W Connor, Councillor M Cornwell, Councillor S Count, Councillor S R Court, Councillor Mrs C R Cox, Councillor M Davis, Councillor Mrs J French, Councillor A Hay, Councillor D Hodgson, Councillor Miss S Hoy, Councillor S J E King, Councillor D Laws, 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 A Pugh, Councillor C J Seaton, Councillor W Sutton, Councillor M Tanfield, Councillor G Tibbs, Councillor S Tierney, Councillor F H Yeulett.

**APOLOGIES:** Councillor S Garratt, Councillor M J Humphrey, Councillor D Mason, Councillor R Skoulding

## **13/15 TO SIGN AND CONFIRM THE MINUTES OF THE MEETING OF 21 MAY 2015.**

**The minutes of the meeting of 21 May 2015 were agreed and signed subject to the following amendment.**

Councillor Booth stated that at Minute 9/15 his point regarding business centre tenants being members of the Independent Remuneration Panel was to ensure that the Council was transparent about this connection not that this should exclude them completely from being members of the review.

## **14/15 CIVIC ENGAGEMENTS UPDATE - FOR INFORMATION ONLY**

Councillor Mrs Cox updated Members on the Civic Engagements undertaken by herself and the Vice-Chairman since the last Full Council.

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

**CHAIRMAN'S CIVIC RECEPTION** - The Chairman thanked everyone who attended the Chairman's Civic Reception on Friday 17 July at the Wisbech Grammar School; it was an enormous success with over 130 people in attendance.

**VJ DAY** - The Chairman informed Members of an event to celebrate VJ Day to be held at St Peter and St Paul Church, Wisbech on Friday 14 August to commemorate the 70th anniversary of the Victory over Japan. On 15 August it will be 70 years since the Japanese surrender which finally brought the Second World War to an end. All Councillors, Armed Forces, British Legion, Veterans and their families and relatives are all invited to attend and more details will be sent out to Members shortly.

**MERCHANT NAVY DAY** - The Chairman informed Members that Merchant Navy Day on 3 September she would be hosting a small ceremony at Fenland Hall to raise the 'Red Ensign'. The Council will be added to a Merchant Navy Day 'Roll of Honour' for taking part. The date was

chosen as this was the day in 1939, the first day of WW2 that the SS Athenia was the first merchant ship to be torpedoed and sunk with the loss of 128 passengers and crew. All Members of the Council, Town and Parish Councils and local residents will be invited to attend and refreshments will be served afterwards in the Council Chamber.

**CUSTOMER SERVICE EXCELLENCE (CSE)** - The Chief Executive stated he was delighted to announce that the Council had again been reaccredited for Customer Services Excellence or "CSE" following an annual inspection last month. CSE is a National standard that recognises public bodies that provide customer-focused, high quality, excellent services. Fenland is one of the few Councils that have consistently achieved this rigorous standard for all of its services (both customer facing and internal), not just individual ones. When visiting, the CSE assessor said "the pride and desire to give excellent customer service amongst your staff is clearly evident and perhaps your greatest strength" as well as that Fenland use CSE to "stimulate continuous improvement and drive your desire to give excellent customer service". The assessor also received high praise for the Council when talking to a range of residents and local business customers. He invited both Councillors Clark and Seaton to accept the CSE certificate from the Chairman on behalf of the Council.

### **16/15**      **YOUTH DISTRICT COUNCIL PRESENTATION**

Councillor Ben Martin, from the Youth District Council 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. He thanked the Members for their continued support of the Youth District Council.

Councillor Sutton stated that he had attended the Youth District Council meetings and was very impressed; keep up the good work.

Councillor Booth thanked the Youth District Council for their continued support with the "Too Young to Die" Campaign.

Councillor Mrs Cox stated the presentation was impressive and very informative and that the Youth District Council did a fantastic job.

### **17/15**      **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 Booth asked:

- Would the Council consider writing to Parish and Town Councils with regard to Outside Bodies as there were several vacancies, especially on the internal drainage boards; it would be good to use people with local knowledge from the Parish and Town Councils to fill these positions to which Councillor Clark stated he would like time to consider this but could not see why they could not be used.
- For an update on street lighting to which Councillor Clark stated a Conservative Group meeting had taken place where a consensus had been reached on the way forward; a letter would be sent early next week to all the Parishes informing them of the situation.
- With regard to the technical information from Balfour Beatty, many parishes had asked for details as to why some of the columns needed replacing, he understood that all Parishes had signed up to replace the Category 1 columns due to the danger to people but the only information received so far was just a matrix scoring system and did not give reasons why

they needed replacing. This information was requested a year ago therefore Councillor Booth was concerned that the Council were not receiving the information or service that it would expect. What was the latest information to which Councillor Clark stated he did not have the information to hand but would chase it after the meeting.

**18/15      TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Under Procedure Rule 8.2, Members put questions to Portfolio Holders as follows:

- Councillor Mrs Bucknor asked Councillor Clark that with regard to Outside Bodies, why had no feedback been received from those Members attending Outside Bodies, as had been agreed previously. The only Member to feedback information was Councillor Sutton; there should be a deadline of 28 days after a meeting to submit feedback to which Councillor Clark responded stating that the appointments had only been made at the previous Council meeting and he had been appointed to a drainage board but had then been informed that their first meeting was not until June next year. The intention from Members was to feedback but many would be in a similar position and not be required to attend a meeting until next year.
- Councillor Mrs Bucknor asked Councillor Oliver for an update on Constantine House in Wisbech:
  - Had the owner contacted the Council before the required deadline of the 21 July?
  - As he had not met the Section 215 Notice and not been active in the building since Easter; what action were the Council taking if he did not comply?
  - Has anything been done to protect the building from the elements since the work had stopped?
  - She had received information regarding the landlord stating his business activities made extremely disturbing reading; this information has been passed to the Chief Executive; were any investigations carried out regarding the landlord's business practices whilst endeavouring to deal with him within the last two or three years?
- Councillor Oliver stated he was unable to answer the latter part of Councillor Mrs Bucknor's question but did state:
  - The landlord had not been in touch
  - He had today instructed Council Officers to continue the process of the 215 which would entail attempting to interview the owner followed by taking the 215 to Court whereby a judge would decide whether a fine would be imposed
- Councillor Hoy asked Councillor Murphy if recycling and general waste were taken away together to which Councillor Murphy stated there was a split lorry that took both the brown and blue bins together but not the blue and green bins together, therefore he would look into this.
- Councillor Booth asked Councillor Sutton if an update could be provided on how the partnership with CNC was operating and what was the current timescale for responding to questions raised relating to planning applications. Councillor Sutton responded stating that in September 2014 it was agreed that Fenland District Council merged with CNC Building Control which falls under the management of South Norfolk Council. CNC has processed 2418 building control applications since January, of which 312 have been within the Fenland area. CNC have effectively managed the integration of the Fenland Team and

implemented necessary operational changes to ensure they deliver a quality service to customers in the Fenland area. CNC continue to implement new operational measures to improve customer service including mobile working, electronic plan checking, paperless office, digitisation of Fenland's Building Control paper files commenced (due for completion by September), establishment of a duty surveyor hotline and a regular planning surgery established with the Fenland Planning Team. In terms of performance the focus remains on providing good customer service - CNC aim to return communications within 24 hours of receipt and with a duty surveyor on call it means there is always a technical member of staff in the office to give advice to CNC clients. Customer complaints to date have been minimal. CNC is keen to continue expanding as a business and has a dedicated Commercial Team in place to ensure market share is retained and increased. To date, the partnership with CNC has proved successful. Officers at FDC regularly liaise with CNC to ensure that performance and customer service remains high. Regarding the Planning application responses; Officers normally seek to answer queries relating to planning applications and associated matters as quickly as possible but as a minimum would aim to respond at least within the normal Council 3cs response guidelines of ten working days. The query may involve seeking advice from other third parties such as the Environment Agency or County Council and therefore may exceed this timeframe. In such an event, officers would be expected to inform individuals that their query may take slightly longer to answer but provide them with an indicative timeframe. Councillor Booth stated he had asked the question as he had received feedback from planning agents that it was taking 4 to 5 weeks to receive a response, he understood there had been some staffing changes but there was concern amongst planning agents and therefore the issue would need monitoring. Councillor Sutton responded stating there had been some slight glitches with staff issues but these delays had now been brought back in line.

- Councillor Mrs French responded to Councillor Mrs Bucknor regarding outside bodies stating it was agreed at Overview and Scrutiny and was inappropriate to expect any reports back so soon; her first meeting was not until March therefore reports would not start to be received until that time.
- Councillor Tierney asked Councillor Oliver that regarding the Memorial Gardens, The Crescent, Wisbech and due to ongoing anti-social behaviour, he could confirm these issues were as severe as residents claimed; he asked if a meeting could be set up with residents to look at CCTV and/or to include gating to restrict entry after 10pm. He stated he was aware of the difficulties with regard to funding but a meeting with residents would be beneficial to which Councillor Oliver stated he had seen some of the blogs regarding this on Facebook and he had spoken with the Community Safety Group who will try and organise a meeting and liaise with Councillor Tierney regarding this.
- Councillor Mrs Bucknor asked Councillor Tanfield regarding Tourism, which was extremely important, particularly in Wisbech for the income it generates. She stated that she knew the website would be revised again in August and that new members were being recruited to broaden the remit and that Councillor Tanfield had requested an interest to engage more with Wisbech Tourism Group and she was aware from their last meeting that they were disappointed, that despite inviting Councillor Tanfield, she had not yet had the opportunity to meet with them; perhaps Councillor Tanfield would like to directly engage with them to which Councillor Tanfield said she would.
- Councillor Booth stated he had noticed within the report that there were a number of instances where the Council had not met its target and these boxes were still shaded green; which is incorrect. Could this be checked in future as this was in place as a measure to enable action to be taken at an early stage if necessary.
- Councillor Booth asked Councillor Butcher stating that an update on the Rural Capital Grants Scheme was usually included within the report, yet this time it had not been, why was this and could he give an update to Members generally on Capital Grants to which Councillor Butcher stated this was not his role and handed the question to Councillor King. Councillor King responded stating that he was not aware of the information and would get back to him. Councillor Booth stated he was aware of competition for the remaining

monies and would the Council look at topping that funding pot up as it provides vital facilities for communities to which Councillor King stated he was very sympathetic to the concept of Rural Grants as it had a proven track record but obviously the Council was facing very difficult financial times; the Council would be undertaking a Comprehensive Spending Review over the coming months, as agreed at the previous Council meeting, where all spending priorities would be looked at and this would form part of that. He stated he would raise this with Richard Cassidy along with his previous question next week.

- Councillor Booth stated he was concerned at the low volume of returned questionnaires regarding adaptations; he understood that it was not compulsory to return them to which Councillor Cornwell stated that it was still early in the year and the Council does try to encourage a response but also explained this was ring-fenced monies.
- Councillor Booth asked Councillor Murphy regarding the delivery of services in villages and the number of hours spent on patrol and felt that the total number spent did not give good value for Fenland's residents and this was backed up by the increase in fly tipping, therefore clearly that was a problem. If patrols were increased then this would act as a deterrent; he himself had recently reported three incidents of fly tipping, it's good that there were now signs up and CCTV is in operation to hit the hot spots but more work was needed in rural areas. Councillor Murphy responded stating that all the time could not be used within rural areas as there were not many incidents taking place compared with the towns therefore there are more hours put into the towns instead. He stated that the rural patrols could probably be slightly increased but that the main focus needed to remain where the large volume of incidents were. Councillor Booth disagreed as he was aware of one spot that had become a regular dumping ground as people were aware they would not be caught therefore he hoped more action would be taken at this location. Councillor Murphy asked Councillor Booth to inform him of the location and it would be looked into.
- Councillor Booth asked a question regarding the Contact Centre and stated he had raised his concern with officers about the service levels being provided to residents; he had received at least three complaints stating it was almost impossible to get through to the Council via the Contact Centre and that they were reporting issues to him because of it; this needed to be looked at. He was aware there was a call back facility but this did not always work which frustrated callers. Councillor Seaton responded stating that a report later on the agenda would show changes in the operation within two of the shops and that there was still a 95% excellent rating from those that did use the shops; but this would of course continued to be monitored.
- Councillor Mrs Bucknor stated that within the report regarding flood risk management and local draining issues there were no actions in place and she found this concerning as the Environment Agency had warned that around 1 September 2015 Fenland would be expecting the highest surge in fifteen years. She added that as a Volunteer for Wisbech Flood Wardens they were trying to register as many people as possible so that they receive automatic advice therefore why was there no action stated within the report. Councillor Sutton stated he could not answer this but would come back to her later.
- Councillor Mrs Laws stated she was Chairman for the Delph Ward Flood Warden Group in Whittlesey and they were already prepared as they had worked with the Environment Agency, Fenland District Council, Whittlesey Town Council and their volunteers and now had plans in place including an emergency evacuation plan, residents at risk of flooding were already signed up to Flood Line and any others potentially at risk were within that network; there was nothing more that could be done. Councillor Mrs Bucknor stated she was delighted that they were ready but Wisbech had not received any engagement with Fenland District Council even though they had been asking the Council to attend their meetings; an action plan was already in place but felt that Wisbech was working in isolation. Councillor Mrs Laws responded stating that Whittlesey worked via emails as Fenland cannot attend every meeting but the driving force was the Environment Agency, not Fenland District Council as they were the emergency planners and not in control of the environment and waterways. Councillor Mrs Bucknor stated an action should still be within the report.
- Councillor Boden commended Councillor Mrs Bucknor for the work she had done in

highlighting the issue of flood risks in Wisbech but other areas were also at risk of flooding within Fenland and therefore he asked that when Councillor Sutton received the relevant information that this be passed onto all Members but reiterated that ultimately it was the Environment Agency that had the responsibility.

The Chairman invited Councillor Murphy to make a few comments:

- Councillor Murphy stated it had been too late to add to the report and therefore wanted to update Members:
  - On 15 July 2015 a new Whittlesey Play Area was opened which was a state of the art facility costing £102,000 which many children had already visited;
  - In Bloom had taken place over the last two weeks, judging March, Chatteris, Whittlesey and Wisbech; the judges had commended Wisbech on the best show they had ever seen;
  - St Peters Garden and Wisbech Park won the Green Flag Award;
  - Over the last 6 months a lot of time and effort had gone into the tendering of the Grounds Maintenance Service and Richard Cassidy had worked very hard on this lengthy process and he thanked Councillor Seaton for the work he had been involved in. Councillor Murphy stated he thought the best had been achieved with the Grounds Maintenance now going to another outside company called ISS World but the Cleansing Operation had been kept all in-house and wanted to thank Mark Mathews, Phil Hughes and Bob Ollier for their hard work.
- Councillor Connor congratulated Councillor Murphy, Councillor Seaton and the officers involved for their hard work and for keeping the Street Cleansing in-house;
- Councillor Mrs Laws applauded those involved for keeping the Cleansing team in-house and stated that with regard to the In Bloom awards, that the other towns, Whittlesey, March and Chatteris, has volunteers who had worked hard regardless as to whether they received an award or not.
- Councillor Mrs Bucknor asked if there would be any loss of staff to which Councillor Murphy responded stating that the Cleansing Operation was remaining in-house therefore there would be no redundancies and the Grounds Maintenance was already outsourced and therefore no Fenland staff would be affected.
- Councillor Booth stated that Parson Drove must not be forgotten with regard to In Bloom as the volunteers had worked hard and thanked officers for their support and this was demonstrated with the support at the Parson Drove event over the weekend.

**19/15**      **QUESTIONS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH PROCEDURE RULE 9A.**

The Chairman called upon Peter Taylor to present his question to the Council.

Peter Taylor asked:

"Can I ask when Fenland District Council are going to serve Notices on the Leader of Fenland District Council, John Clark and the Mayor of March, Rob Skoulding, for breach of Planning Regulations regarding PVC windows in listed buildings; and if not, then why not?"

Councillor Will Sutton, Portfolio Holder for Planning, responded as follows:

Council Officers are currently working with both Councillor Clark and Skoulding in respect of replacement windows at their respective properties.

In respect to The Maze, belonging to Councillor Clark, officers are finalising the joinery detail with Councillor Clark's joiner and once a final design is agreed then a formal Listed Building Consent application has now been submitted. With regard to Audmoor House, a Listed Building Consent was granted for replacement windows in September 2014. Joinery details relating to these windows have now been submitted and again officers are finalising details with the joinery company.

On the basis that in this case both property owners are working in full co-operation with Council officers to provide acceptable windows within the respective properties, there is no justification to serve planning enforcement notices at this time.

Councillor Sutton added that if they had followed the path that Mr Taylor had chosen to follow then they would have been treated the same way he had and an Enforcement Notice would have been applied; but they were co-operating and he looked forward to when Mr Taylor complied with the regulations.

Mr Taylor responded stating he had no response from anyone willing to meet him with to discuss his case; he added that he did not want to put windows in his house and find out later he was in breach of planning as no-one had told him what to do. He had tried on numerous occasions, including contacting the Chief Executive, Paul Medd but he had not received a response; he was trying to resolve this issue that has been ongoing for over six years; he asked to be treated fairly to which Councillor Sutton stated he had been treated fairly. Councillor Sutton added that Fenland were only asking for Mr Taylor to comply with the regulations.

**20/15**            **MOTION SUBMITTED BY COUNCILLOR CHRIS BODEN REGARDING REVIEW OF COUNTY DIVISION BOUNDARIES IN FENLAND**

The Chairman stated that prior to Councillor Boden presenting his Motion, she reminded all Members of the Rules of Debate.

Under Procedure Rule 10, Councillor Boden proposed a Motion with regard to the Review of County Division Boundaries in Fenland.

A proposal has been put forward by Cambridgeshire County Council to reduce the number of county councillors to 63, this was accepted by the Local Government Boundary Commission for England; and meant a reduction in the number of county councillors in Fenland from 11 to 10. As part of the LGBCE's consultation process various representations were made to them and they then made a draft recommendation; this was instead of continuing with 63 members they had originally been minded to have for Cambridgeshire, they were now proposing only 61 and this meant that Fenland's representation went down from ten members to nine. The reason given was because they found it difficult to work out the boundaries if Fenland had ten so they decided to have nine instead. They do have to follow certain statutory criteria, achieving electoral equality, convenient and effective local government and trying to reflect local communities and they are meant to try and achieve a degree of co-terminosity with existing district council wards; unfortunately producing a scheme for nine county councillors for Fenland they produced a scheme that did not particularly satisfy this criteria.

Various individuals and organisations have written to object to this and therefore he asked Members of Fenland District Council also provide a substantive response to the LGBCE. These responses do count because the LGBCE does take into account any considerations or consultation responses which are made by local councils. On Tuesday the County Council also made a response, partly relating to Fenland, which was quite identical to the motion.

The proposal by the LGBCE, for example, are recommending that in one division - March North

and Waldersey - 95% of the population of the existing March North division are to be added to 85% of the population of the existing March East division plus 30% of the population of the existing March West division, plus the parish of Christchurch, plus 3,000 people in the parish of Elm, plus the whole of the parish of Wisbech St Mary (apart from Murrow) to be one single division which would be represented by two county councillors. To try and represent an area of that size would be virtually impossible.

It is important that Fenland put forward alternatives but it is also important that Fenland firstly try to get back to the original proposal which the LGBCE itself was minded to accept and that was to have ten county councillors from Fenland. If Fenland does find themselves having to have nine county councillors, there are many better ways of dividing the area than the proposal put forward by LGBCE. A scheme has been put forward within the Motion, which he commended to Fenland District Council. When this went before County Council it was approved by 45 votes to 9 and given that the Conservatives do not have a majority on Cambridgeshire County Council it showed cross-party support.

Councillor Hoy seconded the Motion.

The Chairman opened the Motion up for debate.

Councillor Miscandlon stated that reading through the report and the FDC9 proposal; the villages of Doddington and Wimblington, Benwick, Coates and Eastrea were mentioned but unfortunately it does not mention Pondersbridge, Turves or Kings Delph which are all part of the area; do they not exist anymore in the Boundary Commission's eyes. Councillor Boden stated it was important that all the villages were recognised but these were incorporated within Benwick, Coates and Eastrea Ward but if it was wished to alter this to Benwick, Coates and Eastrea Ward and Lattersey Ward instead then Officers could make the amendment.

Councillor Count congratulated Councillor Boden on the huge amount of work he has done on this on behalf of Fenland. He commended the end drawings achieved for Fenland and the work gone into them as they were the best compromise that is achievable. He hoped that Members would endorse this unanimously because if the recommendation of 61 county councillors is taken forward then it will be Fenland that loses the seat at County Council and Fenland needs that seat. With regard to political equality, a single independent Member would not be able to cover all the villages contained within one ward on their own and that was not political equality and therefore Members needed to stand united behind this.

Councillor Mrs Bucknor stated this had been looked at as a cross-party and she had raised concern regarding how far the areas were spread and therefore she was glad that a lot of extra work had been carried out and taken to the Boundary Commission and hoped that these were listened to. Councillor Mrs Bucknor stated she did not understand the bizarre total realignment of Wisbech from Wisbech North and Wisbech South to instead Wisbech East to Wisbech West; the argument for rearranging Wisbech is that some children that attend a school in a different ward and this was not a strong enough reason.

Councillor Hoy stated she appreciated Councillor Mrs Bucknor's comments but it was the LGBCE that was splitting Wisbech; she was pleased that Kirkgate and Staithe were being put together as they both covered the village of Walsoken and this would bring the village together however she was disappointed that it had been put with Waterlees as only Kirkgate borders with Waterlees and therefore thought it better to put Octavia Hill with Staithe as it currently is and also with Kirkgate as they share the same demographics. When the Fenland District Council Boundary review took place, the Council were in a bizarre situation where Quaker Lane in Wisbech, all of it bar two houses were in the Staithe ward with the two end houses placed in the Octavia Hill Ward and with the LGBCE's proposal they would have two district councillors but also two county councillors and for that reason Octavia Hill and Staithe must remain together with Kirkgate



therefore the proposed Motion is the best for the residents of Wisbech and therefore fully supported Councillor Boden's Motion.

Councillor Tierney stated he supported Councillor Boden's Motion and that too much time could be spent worrying about an area having the same demographic, diversity has value but if similarities were being looked at there were a lot within the proposal for example the area which will be called Riverside will contain Medworth, Clarkson and Waterlees which are the three most deprived wards in Wisbech and also has the highest density of population of Eastern Europeans. He stated the map made sense and this was a good proposal.

Councillor King echoed Councillor Count's thanks to Councillor Boden for all his hard work in undertaking such a huge task. He added that he would like to remind Councillor Mrs Bucknor that at the last boundary change Peckover Ward which was clearly part of Wisbech was moved in with Roman Bank which was very different to Wisbech and this had been done purely on numbers; this situation will always arise. What Members need to remember is that Fenland needs to have ten councillors and not nine; which will make a difference; he therefore asked that if Members were minded not to support this then he would urge them to abstain rather than vote against the Motion.

Councillor Booth stated he had read Councillor Boden's proposal and agreed with most of what had been put forward but his concern was the way the boundaries had been split and the fact that Fenland still had a Waldersey Ward and residents had told him at the previous county council election that they could not understand why Elm had been put in with Wisbech St Mary as there was no connection whereas under previous arrangements with the old Leverington boundary there was a very definitive community identity; which should be brought back as this proposal did not cover this.

Councillor Mrs Laws stated numbers of Councillors were important, previously there had been 40 Fenland District Councillors but now had 39 and Whittlesey has suffered for that; wards are larger, the electorate grows and therefore this made numbers very important.

The Chairman gave Councillor Boden the right to respond.

Councillor Boden stated that the comments made by Councillor King; largely Fenland was determined in what could be put forward and what the LGBCE will accept by numbers and the number of electors which a projected in particular parishes and wards in 2020 and once these numbers were established they have to be worked with alongside the geography within Fenland. For instance the parish of Elm completely bisects the district of Fenland which makes it extremely difficult to be able to join together different parishes and wards within Fenland without the whole bulk of the parish of Elm going north or south; its purely a matter of numbers, which do not allow clear cut boundaries; to split up Elm would mean that the identity of the community would not be represented.

Councillor Boden stated that if Fenland and the County Council both put forward exactly the same proposal then it would carry more weight and be more likely that the LGBCE would drop the ridiculous proposal that they had put forward themselves.

**The MOTION, with a minor amendment to FDC 9 was APPROVED.**

## **21/15      OVERVIEW AND SCRUTINY ANNUAL REPORT**

Councillor Mrs French presented the Overview and Scrutiny Annual Report and thanked all Members and Officers, past and present, for their ongoing support and co-operation. She also thanked the many partnerships and organisations that had taken the time to contribute with the Overview and Scrutiny work.

The item was proposed by Councillor Mrs French, and seconded by Councillor Boden.

Councillor Yeulett thanked Councillor Mrs French and other Members of the Overview and Scrutiny Panel for all the work done over the last year and hoped that the present Members would continue in their footsteps and carry out a similar programme. He drew Members attention to the latter part of the report which was "A Forward Look to 2015/16" and the committee's focus on adding value to the Council's policies and service delivery in the future. There were several new Members now on the committee therefore training was being organised, a big challenge in looking at the Comprehensive Spending Review and also looking at Outside Bodies and the work they were doing.

Councillor Booth stated he hoped that Members would consider using the Call-in procedure over the coming year especially due to the challenges facing the Council and ensure that it is appropriate to actually use it. Councillor Yeulett stated that this had been included within the report and emphasised that this was a last resort.

**It was AGREED that the Overview and Scrutiny Annual Report be ADOPTED.**

### **22/15            CORPORATE GOVERNANCE COMMITTEE ANNUAL REPORT**

Councillor Owen presented the Corporate Governance Committee Annual Report.

The item was proposed by Councillor Owen, and seconded by Councillor Booth.

**It was AGREED that the Corporate Governance Annual report be ADOPTED.**

### **23/15            TREASURY MANAGEMENT ANNUAL REPORT 2014/15**

Councillor Seaton presented the Treasury Management Annual Report.

The item was proposed by Councillor Seaton and seconded by Councillor Clark.

Councillor Mrs Bucknor asked how did the long term debt compare with other Council of a similar size and nature to which Councillor Seaton responded stating that bench marking was particularly difficult as similar size councils had different funding and investment arrangements but he was looking at this on behalf of another Member of the Council and once he had further information then he would let her know.

Councillor Booth stated this was discussed at the Corporate Governance Committee and that the list of who the Council can invest with needs to be looked at as it was extremely risk adverse and therefore the Council was not receiving the best rate of return for its investment. Councillor Seaton stated the Council would look at any suggestions from Members and of course would look to see if there was a better way but this had been through the Corporate Governance Committee, the Council's auditors, Cabinet and had always received approval.

Councillor Clark added that it was easy to chase better interest rates and returns but that always came with a risk, as was proved with those Councils who put their money with the Icelandic Banks. This was not the Council's money, it was Council taxpayers' money and what Members would do with this as individuals is not what should be done as a body.

Councillor Count stated that the investment returns at County Council were 0.5% so not as good a return as Fenland's but County were still happy with this against their benchmarking of 0.43% therefore Members should take comfort from this. The returns advertised on the media of 2% or 3% but these were always limited to small amounts of money, only very low terms are offered for the size of investment from the Council which is disappointing but he assured Members that

Fenland's compared favourably with elsewhere. With regard to the Public Works Loan Board coming down and the LGA attempting to set up a Municipal Bonds Agency with the theory behind it being that Councils like Fenland in the future will have the option of issuing bonds as packages with other councils and this should help lower the cost of interest; if this comes to fruition it will help the government drive down the Public Works Loan Board rate; further news should be available in the Autumn.

Councillor Booth stated he was not proposing to venture into foreign investments like the Icelandic Banks but suggested that there may be a system whereby investment was made in domiciled corporate organisations that would give better returns. Councillor Seaton replied stating that this would be look at.

**It was AGREED that the Treasury Management Annual report be ADOPTED.**

#### **24/15      APPOINTMENT OF INDEPENDENT PERSON**

Councillor Hoy presented the Appointment of an Independent Person Report.

The item was proposed by Councillor Hoy and seconded by Councillor Boden.

Councillor Booth asked if confirmation could be given that as part of the selection process it had been determined that there was no connection with any council or political parties to which Councillor Hoy responded stating that the application form specifically asked for this information and Councillor Boden also drilled this down at the interview stage asking what their involvement was with any political parties presently and in the past.

**It was AGREED that Tina Gambell be appointed as the Council's Independent Person.**

#### **25/15      UPDATE TO THE CODE OF PROCUREMENT**

Councillor Seaton presented the Update to the Code of Procurement Report.

The item was proposed by Councillor Seaton and seconded by Councillor Connor.

Councillor Boden stated it would be helpful to point out to Members that the EU threshold will change on 1 January 2016; the threshold itself will not change it will remain at 207,000 Euros but any figures stated in home currencies other than the Euro is changed. The Euro has not been very successful over the last 18 months and as a result the exchange rate is lower now than 18 months ago when 172,514 was calculated; if this calculation was done again today then it would be dramatically lower at an approximate 145,000 therefore there will be a significant drop in this threshold that Members need to be aware that more contracts could potentially fall into this than first thought.

Councillor Mrs Bucknor stated that businesses within Fenland should be able to go to one place to find any possible opportunities; would it be possible that Fenland could have one place on the Fenland website where this could be included to which Councillor Seaton stated he would look into it and get back to her.

Councillor Booth stated that when the Council go out to tender it is listed on the ESPO listed which was available to show what tenders the Council were putting forward therefore there was a central place.

**It was AGREED that the updated Code of Procurement be APPROVED.**

Councillor Sutton presented the Shared Planning Proposal Report.

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

Councillor Yeulett stated that the Overview and Scrutiny Panel had looked at this and were unanimous in supporting the proposal and agreed it would provide a more professional service. Fees and charges and the Local Plan would remain with Fenland and prior to the meeting members were given a budget presentation on the challenges going forward, particularly the savings being made by the Council and this proposal would contribute to future savings. Questions came forward from Members and Officers answered these to the satisfaction of the committee. He stated that Councillor Mrs Bucknor had been concerned about consultation with Kings Lynn and Councillor Sutton had advised they had been consulted along with other service providers prior to taking the decision forward. Cabinet had raised the concern about an exit clause and this would be addressed.

Councillor Booth stated he was impressed with the report which included risk management but asked Councillor Yeulett if Overview and Scrutiny had come up with any changes, amendments or suggestions on different ways of working to which Councillor Yeulett responded stating they had not with regard to ways of working but they had been concerned about the representation on the body going forward and there would be two councillors to represent Fenland and also concerned about looking after Fenland's interest and therefore the Overview and Scrutiny panel had asked to be involved and monitor this going forward.

Councillor Tierney stated he had not been convinced about this when he had attended the seminar and still had some misgivings however if Overview and Scrutiny were content then he would support it but did hope this would be closely monitored as he was not convinced the evidence was there.

Councillor Booth stated that the management of this new arrangement would require monitoring and would a set of SLAs have to be found to ensure that it was working effectively as this had not been mentioned within the report. Councillor Sutton stated he and a member of CMT would be part of a committee that would monitor this arrangement closely.

Councillor Owen asked how the exit clause that Councillor Yeulett had stated had been discussed at the earlier Cabinet meeting and how had this been dealt with to which Councillor Sutton stated this detail would be agreed with both Councils as Peterborough would require the same exit clause as Fenland and would form part of the contract. Councillor Clark added that Members of Cabinet had put this forward as a concern but it had been felt that an extra recommendation would not be needed as these concerns had been addressed within the agreement.

Councillor Booth asked if the Portfolio Holder at Peterborough City Council already agreed to this to which Councillor Sutton confirmed that had been the case.

**It was AGREED that:**

- **The content of the report in respect of the Shared Planning Proposal and the efficiency savings generated be NOTED;**
- **The Council join a Shared Planning Service with Peterborough City Council and deliver an estimated annual savings of £137k for Fenland District Council be APPROVED;**
- **The Council receives a further report on democratic and governance arrangements for the Shared Planning team in September be APPROVED.**

**27/15**

**CONSTITUTIONAL AMENDMENT - REINSTATEMENT OF THE POST OF DEPUTY LEADER**

Councillor Clark presented the Constitutional Amendment - Reinstatement of the Post of Deputy Leader Report.

The item was proposed by Councillor Clark and seconded by Councillor Mrs French.

Councillor Mrs Bucknor stated she welcomed that there would be no associated allowance with this position and congratulated the Deputy Leader to which Councillor Sutton thanked Councillor Mrs Bucknor.

Councillor Booth reiterated the point that there was no additional allowance and commended Councillor Sutton for taking this position on without extra payment but did point out that a Members Allowances Review would be taking place later in the year and there was the possibility that a recommendation from that may be that an allowance should be made to which Councillor Sutton responded that if he was still in the position and a recommendation was made then he would not accept it.

**It was AGREED that:**

- **The amendment to the Constitution as set out in the report be APPROVED;**
- **The Monitoring Officer be authorised to make such typographical amendments as are necessary to produce revised clean text copies of the Constitution.**

**28/15**

**CONSTITUTIONAL AMENDMENT - OFFICER EMPLOYMENT PROCEDURE RULES**

Councillor Clark presented the Constitutional Amendment - Officer Employment Procedure Rules Report.

The item was proposed by Councillor Seaton and seconded by Councillor Sutton.

Councillor Mrs Bucknor asked if two independent people were appointed now in case they were needed, how would this work as they may never be needed for years to which Councillor Seaton stated that the report had stated that the Council already had two independent people that sit on the Conduct Committee and it is suggested from the Government that the Council use those independent people they already have.

Councillor Booth asked for clarification stating that if it was based on today's proportionality then it would be either a member of the opposition party or an independent person; could it be confirmed if it would be the remaining independent member or a member of the two other parties to which Councillor Seaton stated he would need to come back to him to clarify this. Councillor Bucknor asked if he could also receive this information to which Councillor Seaton stated it would be sent to all members.

**It was AGREED that:**

- **The amendments to the Constitution as set out in the report be APPROVED;**
- **The Monitoring Officer be authorised to make such typographical amendments as are necessary to produce revised clean text copies of the Constitution.**

6:11pm

Chairman