

# COUNCIL



**17 SEPTEMBER 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 S Garratt, Councillor A Hay, Councillor Miss S Hoy, Councillor S J E King, Councillor D Laws, Councillor D Mason, Councillor Councillor A Miscandlon, Councillor P Murphy, Councillor Mrs F S Newell, Councillor D C Oliver, Councillor C C Owen, Councillor C J Seaton, Councillor R Skoulding, Councillor W Sutton, Councillor M Tanfield, Councillor G Tibbs, Councillor S Tierney, Councillor F H Yeulett.

**APOLOGIES:** Councillor Mrs J French, Councillor D Hodgson, Councillor M J Humphrey, Mrs K F Mayor, Councillor P Murphy

**29/15      TO SIGN AND CONFIRM THE MINUTES OF THE MEETING OF 23 JULY 2015**

The minutes of the meeting of 23 July 2015 were agreed and signed.

**30/15      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.

**31/15      TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

**Chairman's Annual Coffee Morning** - Councillor Mrs Cox reminded Members that the Chairman's Annual Coffee Morning was taking place on Thursday 24 September at 9:30am here at Fenland Hall. The event would be held in aid of Macmillan Cancer Research and all Members were welcome to attend.

**VJ Day** - Councillor Mrs Cox thanked all those who attended the VJ Day on Friday 14 August which was an enormous success with over 200 people in attendance as well as receiving TV coverage.

**Merchant Navy Day** - Councillor Mrs Cox thanked all those who attended the flag raising ceremony for Merchant Navy Day on Thursday 3 September and in particular Councillor Yeulett for the tribute he made.

**32/15      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 their questions to the Leader of the Council as follows:

Councillor Mrs Bucknor:

- The report states that duelling the A47 offers poor value, why would this be considered as poor value when 19 years ago Highways had stated that this part of the A47 urgently needed to be dualled; if this is uneconomical then why is over £14million being spent on the Guyhirn roundabout; how has the highways agency come up with two different conclusions. Mrs Bucknor asked the Leader if he would consider having a meeting with as many MPs in Cambridgeshire as possible together with MPs from Norfolk, who strongly supported the economic development. Councillor Clark responded stating he agreed with Councillor Mrs Bucknor's comments and was very disappointed to learn that there would be no works started in Cambridgeshire until 2020; he added that the Norfolk Chamber of Commerce and Norfolk County Councillors had worked together as a team and thought Cambridgeshire could get together and do more as a team. He was aware that Steve Barclay MP was doing everything he could with regard to this issue and that following Council he would speak to both the Leader of Cambridgeshire County Council and Ian Bates to see if there was any more that could be done. He absolutely agreed with Councillor Mrs Bucknor but that the Highways Agency has said that the Cambridgeshire part is presently not a priority even though the issues have been recognised, which was extremely frustrating. Councillor Mrs Bucknor thanked Councillor Clark and stated she appreciated anything he could do.
- Councillor Mrs Bucknor congratulated all who had been involved in the new £155,000 skate park for the Chatteris young people, obviously like other skate parks in Fenland, money would need to be spent maintaining the park over the coming years and asked the Leader if he would consider providing some officer time so that they could attempt to secure funding for the repairs to the skate park in Waterlees. This park was installed ten years ago by Cambridgeshire County Council without any consultation with the residents; three years ago the local children painted the park and no other maintenance had taken place. Councillor Clark stated he would take this up with Councillor Murphy's officers and would get back to Councillor Mrs Bucknor in due course.

#### Councillor Booth:

- Had a decision been made on the possibility of parish council representatives being nominated onto outside bodies to which Councillor Clark stated that this had not been progressed but he had no objection and was happy to take this forward;
- With regard to the Military Covenant and Fenland's role with this, with Remembrance Day approaching; could the Leader provide an update on the role the Council were taking and what could be done to help Fenland's service personnel in the district to which Councillor Clark responded stating he could not give an update as he had no prior notice of the question, but would make enquiries and come back to him in writing;
- Following the recent announcement with regard to the possibility of the UK receiving Syrian refugees next week; had any approaches been made to Fenland District Council, was the Council prepared and what action was being taken in order that services are not impacted to which Councillor Clark stated that Fenland had not been notified by Central Government of any role required to play with regard to this crisis and had not officially been asked to take anyone at the moment but if this did happen then it would come back to Council to make that decision;
- Could the Leader give an update on the street lighting item that had gone to Cabinet earlier to which Councillor Clark stated that £250,000 had been put forward for category 1 lights with the residual value to go towards category 2 lights. The concurrent grants are to be part of the Comprehensive Spending Review which will be decided by Full Council in due course; five parishes had provided responses and these had been put forward by Councillor King. Councillor Booth stated that some parishes had not had time to provide a response due to the fact they had only three weeks to collate a response, with some parishes not having a meeting within those three weeks. Councillor Booth stated that following the provision of the additional information, relating to the criteria that has been provided relating to the assessments - a system called TR22 which is provided by the Institute of Light

Professionals; did the Council own a copy of this in order that a judgement could be made about the information provided from Balfour Beatty. Councillor Clark stated he had no knowledge that the Council had a copy of this but would see if it could be obtained through the County Council or through Balfour Beatty but Parishes were at liberty to have their own inspections done if they are questioning Balfour Beatty's assessment. Balfour Beatty had been a difficult body to deal with and he therefore sympathised with the parishes and assured Councillor Booth that Fenland District Council's officers had done all they could to chase this up. Councillor Booth thanked Councillor Clark but stated that they were still awaiting the detailed criteria of why each light column needed to be replaced and as a public body there was a need to be absolutely satisfied that public money was being spent for the right reasons, particularly with the rationale of public safety. The criteria that has been provided has shown that many columns marked as category 2 have been marked as "fair" and therefore surely this does not mean that it needs replacing immediately; some examples of "fair" included "untidy electrical wiring or minor signs of corrosion" and he suggested that these would not mean that the column needed immediate replacement and suggested the Council could be over-cautious and therefore needs to ensure it receives value for money. He stated that he assumed, with the maintenance arrangements established with Balfour Beatty that they have also looked at Fenland District Council's lighting stock and there will be provision to replace these columns and asked if Fenland were making the correct decision to replace these if the Council does not have the detailed information regarding individual street lights and the reason the columns need replacing. Councillor Booth stated it was down to Fenland District Council to ensure the public receives best value for money and at the moment the Council have been told very broadly that street column lights are "fair" and need replacing within three years; did the Leader agree with this sentiment. Councillor Clark responded stating that each column graded as category 2, has a replacement life of three years; it may have faults that can be corrected but does not necessarily mean that it has to be replaced within those three years and agreed that Fenland District Council has to receive good value for money. When the report was received regarding Category 1 lights; these were listed as unsafe and therefore there was a need to act immediately, which Fenland was doing; whilst also making generous provisions for the parishes. Parishes can challenge Balfour Beatty's reports themselves; Fenland have had some spot checks carried out by engineers. Councillor Booth stated that the decision being made regarding Category 1 lights, was being made "blind" on the basis of the information provided by Balfour Beatty who state the columns need immediate replacement and felt that the Council were "being held over a barrel"; Category 2 lights definitely need challenging and parishes have asked for detailed information for 18 months during which the situation has got worse, with the Parish of Wisbech St Mary now being informed there are an extra 16 Category 2 lights for which additional money will now need to be found, Parson Drove has doubled the amount of Category 2 lights therefore when these costs of £20,000 were budgeted for a year ago; there is now a need to find £40,000. Councillor Clark stated he understood the points Councillor Booth had made and that if Councillor Booth had inspected the lights and deemed them to be safe, then he could take on any potential Corporate Manslaughter charge. Fenland are being led by professional people, should Councillor Booth wish to over-rule this; it was entirely within his right. The whole situation was frustrating and there have been a lot of problems with Balfour Beatty and he agreed with many of the points Councillor Booth had made.

**33/15**      **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 for an update on the dilapidated buildings in Wisbech, in

particular, The Phoenix and Constantine House; as the deadlines have been extended. Councillor Oliver explained that the report stated the work would be done during September; there had been some difficulty in talking to the owner but assurances have since been received that builders have now been appointed and will be commencing work again. The building has improved over the last year and it is clear that it is in the process of being renovated rather than being a dilapidated building. If building work is not commenced then Fenland will proceed with the legal process, a new Section 215 Order was issued in August; nothing can be done until the owner has either not started work or is adamant that there is no intention to start. Councillor Mrs Bucknor stated that at present there were no works being carried out on the building and yet a further month's extension had been given therefore what action will be taken by Fenland District Council if no works are carried out. Councillor Oliver responded stating that it could be taken back to court under a Section 215 but a judge would state that the owner has already completed 75% of the work and therefore what was the problem. The Council need to ensure that the owner is given every opportunity to complete the work before further action is taken, work has already been done - the roof at the front has been done albeit windows need installing but at the moment the owner has invested a lot of money, he has completed 75% of the works and therefore the Council needs to ensure that every detail is adhered to and taken into consideration.

- Councillor Booth asked Councillor Seaton as to why the bottom two sections of the table regarding the processing of claims on page 21 of the report were coloured amber when Fenland are delivering over and above what was expected to which Councillor Seaton stated this had been a mistake and should have been coloured green on the table and this would be rectified.
- Councillor Booth asked Councillor Seaton with regard to the Contact Centre Service; did this mean that Fenland residents receive a poor service at the start of the financial year which gradually improves over time to which Councillor Seaton responded stating there have been no complaints at all which is an extremely good record; Councillor Seaton stated he was aware that Councillor Booth did not think that the target was high enough but in order to do this the Council would need to employ more staff, which would increase the cost; at the moment the service is being provided with no complaints being received. Councillor Booth stated the service level of 80% does occur across most of the commercial industry and with regard to complaints; Councillor Booth explained he had received a number of complaints from the public unable to get through on the phone or it has taken them a long time to get through and these complaints have been passed on were these not being recorded. Councillor Seaton stated he could only speak on the information he had been provided with and would double check the information; as far as the commercial world; Fenland is a very different type of organisation with targets that are stretching but achievable and there would be no point having a higher target that would be totally unattainable.
- Councillor Mrs Bucknor stated she was pleased that Cambridgeshire was now focusing more on tourism and that Fenland should be making the most of any business opportunities. She was delighted to see the new tourism website up and running and asked Councillor Tanfield for an update on the actions from the recent meeting that had taken place. Councillor Tanfield responded stating that the meeting was a Making Tourism Count meeting and was not scheduled until 7 October 2015; invites have been sent out to businesses and tourism groups and to anyone that deals with tourism.
- Councillor Booth asked Councillor Sutton for an update regarding the conservation area appraisals to which Councillor Sutton responded stating that these appraisals are still on the agenda and will take place second to the planning review process.
- Councillor Tierney asked Councillor Tanfield for an update on the future of the Wisbech Bowls Club to which Councillor Tanfield responded stating that Living Sport, Fenland District Council and the Bowls Group have worked together on a new plan; they have given up their lease on the Hudson Leisure Centre and are trying to re-establish themselves but the individual involved has since left the group and therefore further work with new members, Sports England, Fenland District Council, Living Sports and the Bowls Club was ongoing and moving forward after considerable change has taken place.

- Councillor Booth asked Councillor King if the TR22 Policy with regard to street lighting would be made available to Members to which Councillor King responded stating that a copy of this was forwarded to all parish councils along with the sample survey sheets and data but he was happy to resend this again and pointed out that serious attention should be paid to Balfour Beatty's information. Councillor Booth stated that it was the assessment criteria that was sent though and not the policy framework; Councillor King responded stating he would try and obtain this but he was not sure how this would help as all the relevant information had been sent through.
- Councillor Mrs Bucknor asked Councillor Oliver with regard to the recent meeting of Police and Crime Panel; did anyone raise the point that the vacancy for the Cambridgeshire Chief Constable role should be deferred until further interested applicants had been found, as there had only been one applicant to which Councillor Oliver responded stating that there had been questions as to whether or not other applicants had been put forward but unfortunately he had been taken ill and unable to attend the meeting and therefore could not answer the question.
- Councillor Booth asked Councillor Oliver as to why the New Horizons Bus was scheduled to be back at the depot by 4:45pm for the forthcoming Rural Police Crime Forum; was this not penalising working people by not being available outside working hours to which Councillor Oliver stated the bus had to be back by a certain time as the driver was employed during working hours but there was no reason why the Police could not use one of the village halls to continue their Forum meeting after the bus had left. Councillor Booth stated the Police would use the village halls for future Forums but previously the Horizon Bus was available outside of working hours; could this not be reinstated to which Councillor Oliver said he would look into it.
- Councillor Booth stated that an excellent service was provided to residents with regard to the collection of bins but was concerned with how this service would cope with the property growth and the increase in bin collections this would generate and asked Councillor Clark for clarification of how this would be dealt with. Councillor Clark stated he would take this up with Councillor Murphy on his return.
- Councillor Mrs Bucknor stated she was delighted to hear the news this afternoon that Waterlees had won Silver in the Anglia in Bloom and was there any more good news in Fenland to which Councillor Clark stated he had not heard as Cabinet had been at Fenland Hall since midday. Councillor Booth stated he had read an article on the Cambs Times stating that Wisbech had received Gold and won Best Town and the other towns have received Silver GUILTS; Fenland had done well as usual.

### **34/15            SHARED PLANNING PARTNERSHIP DEMOCRATIC AND GOVERNANCE ARRANGEMENTS**

Councillor Sutton presented the Shared Planning Partnership Democratic and Governance Arrangements Report and informed Members that there was a slight typographical amendment at Section 2.1 of the report:

- Section 19 and 20 of the Local Government Act 2000 are to be replaced with Sections 9DA and 9EB
- Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 are to be replaced with the updated 2012 Version of the same name

These amendments do not change the recommendations within the report.

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

Councillor Mrs Bucknor asked for clarification as Members had been given the indication that there could be a loss of staff at Fenland yet this does not appear within the report. Councillor Sutton

stated that the Planning Manager's role was under review as it will be shared with Peterborough; at present there is a Planning Manager each at Fenland and Peterborough and the other member of staff concerned has applied and been successful in a new role within Fenland therefore the only position still under review was the Shared Planning Manager.

Councillor Mrs Cox stated she believed a brief had been sent to all Councillors explaining the situation with regard to staffing.

Councillor Booth stated he supported the proposal but stated he had heard that Peterborough Planning department were looking at joining planning departments from other authorities and asked for clarification on the process that would be taken if this was the case. Councillor Sutton stated this was a two council arrangement and any other authorities wishing to join will have the opportunity to buy in the service. Councillor Clark stated for clarification that ARP has seven members and were not looking to expand this but would sell their services out to others.

**It was AGREED that:**

- **The contents of the report, proposed governance arrangements and partnership agreement be NOTED;**
- **Fenland District Council enter into a Section 113 (of the Local Government Act 1972) agreement to enable officers to be at the disposal of each authority to discharge their functions be APPROVED;**
- **In consultation with the Portfolio Holder for Planning, delegate to the Corporate Director responsible for Planning and Monitoring Officer to finalise the agreements be APPROVED**

### **35/15      ANGLIA REVENUES PARTNERSHIP (ARP) TRADING COMPANY RESTRUCTURE**

Councillor Seaton presented the Anglia Revenues Partnership (ARP) Trading Company Restructure.

The item was proposed and seconded.

Councillor Owen asked how many officers working for ARP were employed by Fenland District Council and would there be more to which Councillor Seaton stated that there were no officers employed by Fenland District Council working for ARP. Councillor Owen asked if any more Officers would need to travel to Thetford to which Councillor Seaton said there were not.

Councillor Mrs Bucknor asked who was Fenland's Corporate Director (Finance)'s alternate to attend meetings and why had East Cambs pulled out to which Councillor Seaton explained that East Cambs had not pulled out, confirmation was only received that they were supporting the structure after the report had been written; all seven members support the Trading Company structure and with regard to a representative for Fenland's Corporate Director (Finance), this had not yet been agreed.

Councillor Booth asked what risks were associated with the £10,000 investment to which Councillor Seaton stated that Fenland was not handing over £10,000, this was already part of the budget savings; Fenland is now part of the third largest organisation dealing with Revs and Bens and some small councils will be unable to cope with their workload and therefore ARP will be a company that can offer the service and the expertise required; there is always a risk but Fenland has a great opportunity to add to its savings along with the other six partners of ARP.

Councillor Bucknor stated that the report mentioned new activities such as enforcement and asked

what type of enforcement to which Councillor Seaton stated it would be the Bailiff Service part of the ARP which was currently in its infancy and would be an added benefit as it would allow Fenland to deal with some of the issues in a more sympathetic manner and allow an extra layer of talks with those people that are in difficult situations.

Councillor Sutton added that with the results of how well the partnership had worked had proved this to be the right decision.

**It was AGREED that:**

- **A loan of £10,000 (funded from 2014-15 savings in the partnership budgets) to ARP Trading Company Ltd as suggested by ARP Joint Committee as it 10 June 2015 meeting;**
- **Purchase of shares in ARP Trading Company Ltd at the price of £1 per share;**
- **Agreement of the revised constitution of ARP Trading Company Ltd and shareholder agreement be delegated to the ARP Operational Improvement Board;**
- **The Corporate Director (Finance) be nominated to represent the Council's interests at shareholder meetings.**

5:02pm

Chairman