

COUNCIL



13 JULY 2017 - 4.00PM

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

APOLOGIES: Councillors G G R Booth, J F Clark, D W Connor, S Garratt, M J Humphrey and M Tanfield

C11/17 PREVIOUS MINUTES

The minutes of the meeting of 11 May 2017 were confirmed and signed.

C12/17 CIVIC ENGAGEMENTS UPDATE - FOR INFORMATION ONLY

Councillor Mrs Mayor drew members attention to the civic activities undertaken by herself and the Vice-Chairman since the last meeting.

C13/17 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Mrs Mayor formally welcomed the Vice-Chairman, Councillor Hodgson, to his role as he was not present at the last meeting when he was appointed. Councillor Hodgson stated that he was pleased to be present as he was in China at the last meeting. He recognised the achievements of the new Chairman, including the Chairman's Reception last Friday, which was superb and also gave thanks to the past Chairman, Councillor Mrs Cox. He thanked everyone for agreeing to him being Vice-Chairman.

Councillor Mrs Mayor thanked everyone who attended her Chairman's Reception on Friday, 7 July 2017. The event was held at the Sir Harry Smith Community College, Whittlesey and was a great success being attended by over 150 guests.

Councillor Mrs Mayor advised that the Council would be welcoming visitors from Sunshine Coast, Australia as part of our twinning partnership. The visit will be taking place between 1-6 September and during the visit we will be re-signing the twinning agreement to reflect our 20th twinning anniversary and celebrating the relaunch of the book to recognise the bravery of Jim Hocking, the Australian World War II pilot who lost his life in order to save his plane from crashing into March. Invitations to these events will be sent out shortly.

Councillor Mrs Mayor advised members that the annual charity Coffee Morning will take place on 28 September 2017, all proceeds from the event to be made to the Chairman's charity MacMillan Cancer Relief. All members are welcome to attend and donations of raffle prizes would be gratefully received.

C14/17 **TO RECEIVE QUESTIONS FROM, AND PROVIDE ANSWERS TO, COUNCILLORS IN RELATION TO MATTERS WHICH, IN THE OPINION OF THE CHAIRMAN, ACCORD WITH THE PROVISIONS OF PROCEDURE RULES 8.4 AND 8.6.**

Councillor Mrs Mayor stated that no questions had been submitted under Procedure Rule 8.6 and asked if Councillor Mrs Bucknor, as leader of the main opposition group, had any questions under Procedure Rule 8.4.

Councillor Mrs Bucknor asked Councillor Sutton, in the absence of Councillor Clark, if he had been passed her advance question regarding Guyhirn roundabout. Councillor Sutton indicated that he had not. Councillor Mrs Bucknor stated that they were expecting work to start on Guyhirn roundabout in 2014, it was part of Steve Barclay's election address at that time, but when he was asked about it he said it was down to Highways and was not part of his election address in June. She asked if the works are still happening, as whilst she appreciates it is highways and County, it will have an impact on the area. Councillor Sutton stated that he is as sure as he can be that this work is still on the agenda, he does not know the timescale, but will provide Councillor Mrs Bucknor with a written answer. Councillor Mrs Buckner asked Councillor Sutton how he can be sure it is still happening. Councillor Sutton stated that he has not heard that it is not, but Councillor King may be able to provide more information in the Portfolio Holder updates.

C15/17 **TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.**

Councillor Mrs Mayor stated that to allow full discussion of this item she is proposing to suspend Standing Orders to enable members to make comments as well as ask questions. This was agreed.

Councillor Mrs French stated that she welcomes the new Tidy Fenland initiative, but it has been brought to her attention that the Council has not got powers to do anything about spitting. Councillor Murphy stated that the Council can control spitting and other issues using fixed penalty powers for littering and anti-social behaviour, but further research would be required to agree the most appropriate provision for Fenland. Kingdom officers could enforce this on behalf of the Council as could Street Scene and he advised that a Members' Seminar would be taking place in the Autumn covering the Kingdom trial progress and the next stages would be agreed.

Councillor Mrs French stated that she understands that Guyhirn roundabout is still going ahead, but further consultation is to be undertaken. Councillor King advised that Highways England will be consulting on specific proposals in the Autumn, with statutory consultation in the Winter and planning permission to be sought thereafter with works to start in 2020. He made the point that it is definitely going ahead but it is a lengthy process laid down by law that has to be followed.

Councillor Tierney referred to the litter agents that are employed around the area, and whilst he supports this policy and the majority of residents he has spoken to also support, he is concerned over their militancy and over-zealous actions citing one such example. He asked for clarification on their remit making the point that they do not always wear body cameras. Councillor Murphy stated that he is not aware of the example given, the Council is in contact with the officers all the time and will be meeting with them in October to review the service provision. He asked for any information to take forward to that meeting but that members need to ensure that the information is accurate. He stated that the operatives do wear body-cameras on lanyards around their necks, with the small camera looking much like a brooch.

Councillor Mrs Bligh agreed with Councillor Tierney as she has received complaints about these new officers, they have got a bad reputation and she is glad there will be a review, whilst she supports the policy completely. Councillor Murphy advised that the company also works with Peterborough and another 23 authorities.

Councillor Mrs Newell gave thanks for the lovely bouquet of flowers that she had received.

C16/17 OVERVIEW AND SCRUTINY ANNUAL REPORT

Councillor Yeulett presented the annual report of the Overview and Scrutiny Panel, which provides a focus on the work undertaken during the past twelve months as well as providing a forward look to 2017/18. He stated that all members of the panel remain committed to ensuring it adds value whilst holding the Executive to account.

Councillor Yeulett drew members' attention to a few key successes:

- engagement with a number of external partner agencies to highlight and challenge performance, including scrutinising the Greater Cambridge Greater Peterborough Local Enterprise Partnership, the Crime and Disorder and Reduction Partnership in addition to the Police
- a review of the paperless project identified the project successfully saves the organisation approximately £12,000 per annum
- a review of the call-in process which resulted in no changes to the existing procedure.

Councillor Yeulett thanked all members and officers who have contributed to the success of the panel.

Councillor Owen referred to the paperless project and where there is the specific reference to agreement to consultation to paperless planning applications to Town and Parish Councils. He asked when this was discussed by the Overview and Scrutiny Panel, when the consultation took place, what form of consultation was it and when was it agreed? Councillor Sutton stated that the original letter was sent out to town and parish councils some months ago and it was decided that the letter was quite right and decision was taken to re-write the letters explaining exactly how and why we wanted to do this which was sent out more recently. One response was received from March Town Council, which was responded to last Friday. Councillor Owen again asked when the consultation took place, what form of consultation was it and is it fact that March Town Council was the only one to raise objection because he understands another council has raised objections. Councillor Mrs Newell made the point that Chatteris Town Council has raised objection. Councillor Sutton stated that he has no knowledge that anyone apart from March Town Council has raised objection and this has been responded to in full. It was agreed at the Group meeting that the original letter was not sufficient and did not explain exactly why, and that another letter was sent out to all Towns and Parishes explaining why and how. The issue was put to Overview and Scrutiny Panel on 26 March and there was no representation from the Panel to change. Councillor Mrs Mayor made the point that this was not the time to raise this issue as it is the Overview and Scrutiny Annual Report that is being considered.

Proposed by Councillor Sutton, seconded by Councillor Seaton and AGREED to adopt the report.

C17/17 CORPORATE GOVERNANCE COMMITTEE ANNUAL REPORT

Councillor Buckton presented the Corporate Governance Committee Annual Report. 2016/2017 which sets out the work carried out by committee in the preceding year. The committee is tasked with two key functions:

- providing independent assurance of the adequacy of the risk management framework and the control environment
- independently scrutinising the authority's financial and non-financial performance, and overseeing the financial reporting process.

Councillor Buckton referred to the conduct of the business of the committee itself and that when he took over as Chairman he was keen that it was demonstrably able to add value to the organisation by not only participating with the overseeing of its allotted area of business but contributing to improving how business was done in the future. He stated that this philosophy was brought into by the whole committee and observations and recommendations were made on how the Council conducts and presents its internal audit inspections and how risk is managed and reported.

Councillor Buckton stated that it is a credit to officers that these observations were taken on board resulting not only in changes to documents presented to committee but also to some working practices. He believes this outcome allows the committee to better exercise its function and also enables officers to more effectively exercise theirs.

Councillor Buckton paid tribute to the whole committee for their enthusiasm and participation, and in particular, Councillors Boden and Booth for their experience and insight, with Councillor Boden being an extremely valuable Vice-Chairman. He also thanked officers who have been involved in the committee in the past year recognising that it has been a learning curve, thanking them on behalf of the whole committee for their willingness to listen to the committee's views and turn up to the next meeting with exactly what had been asked for only for members to ask for a little bit more. Councillor Buckton believes the excellent relationship between officers and the committee is demonstrably adding value to the organisation.

Proposed by Councillor Boden, seconded by Councillor Mrs Laws and AGREED that the Corporate Governance Committee Annual Report 2016/17 be adopted.

C18/17 TREASURY MANAGEMENT ANNUAL REPORT 2016/17

Councillor Seaton presented the Treasury Management Annual Report 2016/17, which considers the overall financial and operational performance of the Council's treasury management activity for 2016/17. Councillor Seaton stated that the report had been agreed by both Cabinet and Corporate Governance Committee.

Councillor Sutton thanked, on behalf of the Leader and himself, Members for the three reports that had been received today; this one together with the Overview and Scrutiny Annual Report and Corporate Governance Committee Annual Report. It shows how well they are all working, which is thanks to the work that all members have put into them and is good news for the Council.

Proposed by Councillor Mrs Hay, seconded by Councillor Mrs Davis and AGREED that the report be noted.

C19/17 MEMBERS' ALLOWANCES REVIEW PROPOSAL

Members considered whether to conduct a review of the current scheme of Members Allowances presented by Councillor Sutton. He advised that members had two options to consider and, in his view, the current scheme is working well and he recommends Option A, which is to defer the Members' Allowances Review until November 2019.

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

- Councillor Mrs French agreed that a review should be left until 2019 at which point there would be a new administration.

- Councillor Mrs Bucknor stated that she is horrified to learn that the County have increased their allowances, at which point other members indicated that they had not. She stated she would support Option A.
- Councillor Owen made the point that it is his understanding that other district councillors in Cambridgeshire are receiving more in allowances and he feels that younger members or those without private income would not be attracted to stand at this Council's allowances rate. Councillor Sutton made the point that he cannot see how the Council can be reducing services and increasing Council Tax and then members taking more allowances, he reiterates view that members should go with Option A.
- Councillor Tierney stated that he understands the point Councillor Owen is making, but it is not about the worth of members' work or how much other authorities are paying. He made the point that the Council is still trying nationally to get to grip with its finances, staff are subject to pay restrictions and this is about leadership and showing that we understand this and are not going to do something different ourselves.
- Councillor Mrs Laws agreed with Councillor Tierney, although she understands about looking at the younger generation, would the right people be attracted for the right reasons?
- Councillor Tibbs stated that he considers himself still quite young, working class and he feels the allowances are perfectly adequate as they are.
- Councillor Mrs Davis made the point that Fenland is a deprived area and it does not sit well to review the allowances.
- Councillor Sutton made the point that the allowances would be increased in line with staff increases, but that members do not have to accept that increase.
- Councillor Mrs Cox stated that it would be interesting to see the break down of allowances across the country, with the different political affiliations that exist in these councils. Councillor Mrs Mayor made the point that the same regulations exist for all councils whatever their political affiliation.
- Councillor Boden referred to East Cambridgeshire District Council who are intending to increase allowances by a net 15% but at the same time have had a reduction in councillors so their base line in allowances has gone down. He feels that comparisons do need to be made with other authorities to ensure that this Council's allowances are not too high or too low, but would be concerned if people want to be a councillor due to the level of allowances they would receive.

Proposed by Councillor Mrs French, seconded by Councillor Cornwell and AGREED that the Members' Allowances Review be deferred until November 2019.

C20/17 RATE RELIEF POLICY AMENDMENT

Members considered an amendment to the Council's Rate Relief Policy to take account of initiatives introduced by the Government to further ease the burden on business ratepayers presented by Councillor Seaton, which has been considered by Cabinet this afternoon.

Councillor Mrs Bucknor stated that she is pleased to read that a decision on future years will be deferred. She feels that a lot of small businesses are struggling and putting a platform of £200,000 is tough for many businesses in Fenland. She asked if there could be a review of rateable values of all properties within the next year as those businesses would have a revised rateable value and could possibly receive a discount next year? Councillor Seaton stated that the rate has been set as it is due to the amount received from the Government and the Council has to work within the means that it has been given and spend it wisely. He stated that revaluation would be the responsibility of the Valuation Office.

Proposed by Councillor Sutton, seconded by Councillor Buckton and AGREED to

- **approve the revision of the Rate Relief Policy to include the provisions in the guidance and adopt the new policy, backdated to take effect from 1 April 2017**

- **give delegated authority to the Corporate Director and Chief Finance Officer, in consultation with the Leader and Portfolio Holder for Finance, to determine the amount of the specific relief for each relevant financial year after 2017-18.**

(Councillor Skoulding declared a pecuniary interest in this item, by virtue of being a business owner and directly affected by the proposals, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Tierney declared a pecuniary interest in this item, by virtue of receiving rate relief on a property, and retired from the meeting at the point he became aware which was after the discussion but before the voting had taken place)

C21/17 NOTIFICATION OF APPOINTMENT OF DEPUTY MONITORING OFFICER

Members considered the appointment of Stephen Gerrard, Interim Director of Law and Governance at Peterborough City Council as the Council's Deputy Monitoring Officer and entering into a Section 113 Agreement presented by Councillor Sutton.

Councillor Sutton notified members of an update in relation to the second recommendation in the report, which was agreement to enter into a Section 113 Agreement with Peterborough City Council in respect of the provision of the services of the Deputy Monitoring Officer. He advised that on this occasion a Section 113 Agreement is not applicable, however, the Local Authorities Goods and Services Act 1970 permits Peterborough City Council to provide the Council with administrative, technical and/or professional services. It is, therefore, this Act which is applicable on this occasion.

Councillor Mrs Bucknor asked when this Council is merging with Peterborough City Council? Councillor Sutton stated that this is only a continuation of arrangements that the Council already has in place, the current Deputy Monitoring Officer from Peterborough has moved on to the Combined Authority.

Proposed by Councillor Seaton, seconded by Councillor Mrs Hay and AGREED to

- **note the appointment of Stephen Gerrard, Interim Director of Law and Governance - Peterborough City Council, as the Council's Deputy Monitoring Officer**
- **approve that Fenland District Council enters into an agreement under the Local Authorities Goods and Services Act 1980 for the new Deputy Monitoring Officer to be able to carry out their duties.**

(Stephen Gerrard who was present at the meeting had left the room for the duration of the discussion and voting thereon)

4.55pm

Chairman