

Public Document Pack

COUNCIL

A meeting of Council will be held at Hudson Leisure Centre, Harecroft Road, Wisbech, Cambs PE13 1RL on WEDNESDAY, 19 MAY 2021 at 4.00 PM and I request you to attend accordingly for transaction of the following business:

Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our YouTube channel due to the current Covid-19 restrictions

- 1 To receive apologies for absence.
- 2 To elect a Chairman for the period to the next Annual Meeting and to resolve that an allowance of £4,116 plus travelling expenses be paid to the person elected.
- 3 To elect a Vice-Chairman for the period to the next Annual Meeting and to resolve that an allowance of £1,000 plus travelling expenses be paid to the person elected.
- 4 Previous Minutes (Pages 5 - 24)

To confirm and sign the minutes of 23 February 2021.

- 5 To receive any announcements from the Chairman of the Council and/or the Head of Paid Service.
- 6 Meetings of the Council 2021/22

To determine that:

1. The Annual Meeting of the Council in 2022 be held on:

Thursday 12 May 2022

2. The ordinary meetings of the Council in 2020/21 to be held as follows:

Thursday 16 September 2021

Wednesday 8 December 2021

Thursday 24 February 2021

- 7 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 8 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.
- 9 To receive reports from and ask questions of Cabinet members with portfolio holder responsibilities, in accordance with Procedure Rules 8.1 and 8.2.
- 10 Motion submitted by Councillor Tierney (Pages 25 - 28)

Motion submitted by Councillor Tierney regarding the Fens Biosphere.
- 11 Committee Balance, Political Balance and Allocation of Seats. (Pages 29 - 68)

To agree the committee structure and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to them (where known)
- 12 Combined Authority Membership and Other Appointments (Pages 69 - 76)

To request the Council to make appointments to the Cambridgeshire and Peterborough Combined Authority for the municipal year 2021/2022.
- 13 Review of Members Allowances Scheme (Pages 77 - 90)

To present to Council the conclusions and recommendations of the Independent Remuneration Panel (IRP) in respect of its review of the current Members' Allowances Scheme.
- 14 Electoral Review for Fenland District Council (Pages 91 - 98)

For Members to consider and agree to approach the Local Government Boundary Commission (LGBCE) for England to request an Electoral Review of Fenland District Ward Boundaries in time for this review to inform the 2023 Fenland District Council elections.
- 15 Resolution to Approve Reasons for Absence Under s.85 of the Local Government Act 1972 (Pages 99 - 102)

This report requests that Council pass a resolution under s.85 of the

Local Government Act 1972 (“the 1972 Act”) in respect of all members and until the day after the date of the 2022 Annual General Meeting unless otherwise agreed.

Fenland Hall
March



Chief Executive

Tuesday, 11 May 2021

NOTE The Council may, by resolution, as exemplified below, exclude the public from a meeting during the consideration of any item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that, if members of the public were present, there would be disclosure to them of exempt information as defined in Section 100 I of the Local Government Act, 1972

"Resolved that under Section 100(A)(4) of the Local Government Act, 1972 the public be excluded from the meeting for Item No./Minute No. on the grounds that the item involves the disclosure of exempt information as defined in Paragraph of Part I of Schedule 12A of the Act"

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COUNCIL



TUESDAY, 23 FEBRUARY 2021 - 4.00 PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor R Skoulding (Vice-Chairman) (*left at 6.45pm*), Councillor I Benney, Councillor Mrs S Bligh (*left at 8.37pm*), Councillor C Boden, Councillor G Booth, Councillor J Clark (*left 7.37pm*), Councillor S Clark, Councillor D Connor, Councillor M Cornwell, Councillor S Count, Councillor Mrs M Davis, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor M Humphrey, Councillor Mrs D Laws, Councillor A Lynn, Councillor C Marks, Councillor D Mason, Councillor A Maul, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick (*left at 6.25pm*), Councillor M Purser, Councillor W Rackley (*left at 8.30pm*), Councillor C Seaton, Councillor W Sutton, Councillor S Tierney, Councillor S Wallwork, Councillor R Wicks, Councillor S Wilkes (*left at 7.58pm*) and Councillor F Yeulett

APOLOGIES: Councillor D Divine, Councillor Mrs K Mayor and Councillor D Topgood

Councillor Miscandlon opened the meeting with the following statement: "Members will be aware of the fantastic achievements of Captain Sir Tom Moore who sadly passed away on 2nd February this year. I would therefore like to take this opportunity to ask for you to join me in a minute's silence to remember this incredible and inspirational gentleman who many of you will know was also connected to this area personally and professionally".

A minute's silence was held for Captain Sir Tom Moore.

Councillor Sutton said he fully supported the minute's silence for Captain Sir Tom Moore, not only was he resident of Fenland but he had been a resident of his ward and a near neighbour, but he requested of the Chairman that a minute's silence also be held for all residents of Fenland who have sadly lost their lives to the current pandemic and as a message of support to their loved ones.

Councillor Miscandlon agreed and a further minutes' silence was held.

C38/20 PREVIOUS MINUTES

The minutes of the meeting of 14 December 2020 were confirmed subject to the following comment:

Councillor Sutton referred to minute item C30/20 regarding the motion on the incinerator and said the minutes make no mention of the disagreement between himself and Councillor Hoy. This was a clear omission as Councillor Hoy had said he supported the incinerator, which was an untrue statement, and whilst he appreciates it was an unpleasant exchange and that minutes are not verbatim, this should have been noted.

C39/20 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Miscandlon made the following announcement:

“As the local, global and national efforts to overcome COVID-19 continue, we have all found ourselves making further sacrifices to contain and reduce the spread. At the same time significantly increasing number of Fenland residents including myself and my wife have had their first vaccination. As we know this is the biggest vaccination programme in the history of the NHS and all the staff involved are working tirelessly to support its delivery. I would therefore like to take this opportunity to thank all the people involved in making this a possibility including the volunteers who are turning out in all weathers to provide support and guidance at the various sites. I must therefore encourage everyone to take their place when it is offered. It is so important that we do our bit to protect family members, friends, neighbours, colleagues and everyone around us to increase our future prospects of returning to a more normal way of living”.

C40/20 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 Miscandlon stated that no questions had been submitted under Procedure Rules 8.6 and asked if there were any questions under Procedure Rule 8.4 from Councillor Cornwell as Leader of the Opposition Group.

Councillor Booth requested to speak and asked the Chairman if, in respect of the order of items on the agenda, item 13 regarding the council tax support scheme could be moved before item 9 or 10 as a decision on that item would have an implication on both the budget and council tax resolution. Carol Pilson advised it is at the Chairman’s discretion to alter the order of the agenda. The Chairman therefore agreed to forward item 13 for discussion between agenda items 9 and 10.

Councillor Miscandlon then invited Councillor Cornwell to submit his questions.

Councillor Cornwell addressed the Leader and said residents have raised concerns after reading local newspaper articles detailing what appeared to be county council failures in certain supposedly commercial activities. He asked if the Leader could give an assurance that FDC is not exposing this council to commercial risk and if he would publish the result of this question in a simple public statement to that effect so that the public will understand what is happening. Councillor Boden firstly congratulated Councillor Cornwell on becoming Leader of the Opposition, saying Councillor Cornwell has Fenland’s interests at heart and he looks forward to a constructive working relationship together. In respect of the question, Councillor Boden stated that he cannot answer for what the county council does, but he would like to be in their position in respect of some of their investments. Some of the press reports are wrong or mischief making, and some are matters of commercial confidentiality that are not yet in the public arena. A fundamental point about commercial and investment work by councils is that what we are doing will expose us to commercial risk, but it is a matter of management of that risk and whether the risk is suitably balanced by the reward. Therefore, he will not say that we will not expose ourselves to commercial risk; we want to achieve good returns and to do so means having some risk but evaluating carefully against the reward. Councillor Cornwell said he realised this but some people do not understand and that is why he had suggested taking the opportunity to explain that the risks taken by our council are not to the degree as reported, hence his suggestion of providing a simple statement.

Councillor Cornwell congratulated Councillor Lynn on his elevation as portfolio holder and thanked Councillor Wallwork for her contribution as the previous portfolio holder. However he was surprised, given our financial situation, that the Leader did not take the opportunity to reduce the costs of Cabinet by reducing its size, given that in 2016 he had advised the previous Leader to reduce his Cabinet size and costs when they were lower than currently. He would like to know why the Leader has changed his view and ignored his own advice. Councillor Boden said he had given

this consideration but he made no change because of the sheer volume of work being undertaken within the council, which is at unprecedented levels and some of which is not yet public knowledge yet demands a lot of work. Therefore, the situation has changed considerably since 2016. However he is still keen to keep costs as low as possible and he is looking at possibilities that may be reported back to Council within the next twelve months but he will not do this at the expense of the work that needs to be done. Councillor Cornwell said he looked forward to seeing these proposals.

Councillor Cornwell asked the Leader what steps have been taken to FDC's procurement policies and strategies now we are free of the restrictions of the EU since Brexit to give us more opportunity to trade with local businesses or buy British. Councillor Boden said our exit from the EU has not meant all the regulations that we suffered have suddenly disappeared. Generally, procurement practice remains the same, however we still have a lot of procurement regulation handover from the EU which central government has not yet been able to change. When it does, he looks forward to doing what Councillor Cornwell says whilst continuing to achieve value for money, ensuring we give business to local businesses and local services.

Councillor Cornwell addressed the Leader and said members were aware that the Opposition Group had disquiet concerning governance matters concerning the new Audit and Risk Management Committee and its Sub-Committee and decided to boycott its first meeting until further investigations were held. He said that our external auditor had raised concerns over two governance issues in a letter shortly after the last full council when the arrangements for the new committee were made. He does not think these concerns were taken any further and would ask that the Leader re-examine the original proposals, taking those into account those concerns. He added that there will be representatives at the next meeting as he noted there were no challenges to the items presented at the first meeting. Councillor Boden responded that he will re-examine the arrangements as requested but firstly, as was quite clear in December, the situation was confused because a first draft was published for the proposals which was amended in time for the full council meeting but unfortunately did cause some issues. However, officers are confident that the arrangements now in place are lawful and they would not have approved them going forward to full council otherwise. He added that he will write to Councillor Cornwell once he has done that and let him know the result. Furthermore, he is happy to have a or public discussion with the external auditor concerning this.

Councillor Cornwell said the Government has confirmed that the sale of new petrol and diesel cars will end in 2030. Given our rural nature, and to support our new cultural and creativity strategy, which he hopes will be approved later in this meeting, he asked the Leader what plans are we making to examine funding streams for electric charge points? Councillor Boden said we have already started looking at some possibilities concerning the use of our car parks for charging points. In respect of on-street parking, the problems are massive. It is not merely the substantial cost, but the fact that the electricity network is not up to being able to provide kerb-based charging because the system was not designed for that. Councillor Boden added that it is likely that the commercial market, such as service stations, will get involved in providing charging points.

C41/20 TO RECEIVE REPORTS FROM AND ASK QUESTIONS OF CABINET MEMBERS WITH PORTFOLIO HOLDER RESPONSIBILITIES, IN ACCORDANCE WITH PROCEDURE RULES 8.1 AND 8.2.

Members asked questions of Portfolio Holders in accordance with Procedure Rules 8.1 and 8.2 as follows:

1. Councillor Meekins addressed Councillor Boden and said considering the announcement about Bartletts closing its Chatteris operation in June 2021 with a loss of up to 500 jobs, was FDC aware that this announcement was to be made? If so, what action did FDC take to try and prevent the closure and, assuming that it happens as reported, what will FDC be doing to help find alternative employment for those who lose their jobs and to find an alternative use for the

premises? Councillor Boden responded that he is not sure that we were aware of the time the announcement was going to be made, but we were aware it was going to happen back in 2019. In November 2019 we contacted the company and FDC officers met them in the December. Contact was maintained throughout 2020 and both he and Councillor Benney, as the portfolio holder, were always aware of this. Unfortunately, such discussions take place on a confidential basis and the company has not yet made a formal announcement about why it is closing that site. He can say however it is an internal matter to do with the company and there is nothing FDC could have done to redress the issue or prevent the closure. FDC has informed the company of the support available to employees facing redundancy. Bartletts intend to market the site and FDC has some potential inward investment enquiries that will be engaged once further details are released to see the site brought back into use. Councillor Meekins thanked Councillor Boden for his comprehensive response.

2. Councillor Hay said she is very pleased that from 1st March the Combined Authority are trialling a daily bus service from March, Wimblington, Doddington and Chatteris linking through to Addenbrookes and Cambridge city centre and hopes it will eventually join up with the CAM Metro. She asked Councillor Boden if he knows when the route map will come out for that. Councillor Boden agreed the new service is very welcome and said that Councillor Count in particular had a lot of input into putting the timetable together so that the timing of the buses was extended to make it easier for patients to attend their hospital appointments at Addenbrookes. An announcement regarding the proposed CAM Metro routes and a route map will be made in March.
3. Councillor Booth addressed Councillor Sam Clark to follow up a question he raised at the last meeting regarding empty homes managed by registered housing providers. He appreciated the response that had been provided but finds it shocking that 44 properties have been left empty for over six months. He asked if Councillor Clark could make every effort to ensure that the number of empty properties empty for this length of time is reduced substantially. Councillor Clark referred the question to Councillor Hoy as she is now the portfolio holder, who responded that Councillor Booth had made a fair point, particularly when so many people are looking for homes. The pandemic has not helped, but it is something that we need to keep a close eye on and there is still work that can be done. She did point out however that this figure did not relate only to Clarion but to other providers as well. Councillor Booth thanked Councillor Hoy.
4. Councillor Patrick addressed Councillor Hoy regarding SWEP (Severe Weather Emergency Protocol). Recently SWEP was abandoned for one evening, people were turned out of a property and left homeless for one night, and then it was reintroduced. He could not understand this and asked for an explanation. Councillor Hoy said SWEP was never cancelled; there is a difference between provisions under SWEP and provisions under Everyone In, which is a Government initiative. The Government were saying that under COVID-19 we must try and house people in respect of lockdown. SWEP is mandatory and applies when the temperature is 1 degree or lower. The difference is that SWEP is about preservation of life, regardless of behavioural issues etc. Under Everyone In, there is a difference and we do not necessarily have to house someone as we would do under SWEP. On the evening in question, SWEP was not in place but the people referred to were removed from a property due to a number of issues in adherence to Everyone In, and it was resolved within a few nights when a different property was sourced. For both initiatives we do rely heavily on government funding as we do not have a core budget for these.
5. Councillor Sutton addressed Councillor Mrs Laws saying he notes planning validation times are reducing and asked where we are with staffing issues. Councillor Mrs Laws said that we are looking to address validation, in 2019 we offered a workshop to the Developers Forum of over 60 members as only 4% of applications were right first time. We then offered a second workshop as this figure only increased to 16%. We need to be flexible with applications and encourage them but at the same time there is a balance of developers and agents using our staff skills and professionalism as an extension of their own office. She said she is preparing two possibilities levelled at agents to encourage them to proof-read their applications and ensure they have the correct reports. There is a tick list on our website which only four developers are currently using but means 98% of their applications are right first time. Staff

shortages were because of health problems and staff needing to use up their annual leave. She has surveyed five other councils and their average is 60-70% right first-time applications, so she will be investigating the reasons behind this and implementing some changes shortly so agents and developers will be using their own staff more. Councillor Sutton thanked Councillor Mrs Laws.

6. Councillor Sutton paid tribute to Councillor Wallwork for her work as previous portfolio holder for Communities and the positivity and passion she had displayed in her role. He addressed Councillor Sam Clark, stating he knows also how passionate she is particularly in respect of Golden Age, and asked how soon do we hope to get back to holding these events once the pandemic is over? Councillor Clark said she has already been attending meetings this week regarding Golden Age as it is something people are going to need once the pandemic is over.
7. Councillor Sutton addressed Councillor Mrs French regarding WVI. On 3rd May 2019 she stated that we are looking at WVI and removing the brown bin charge so he is surprised that the bin charge has increased. He asked for a definitive explanation of what WVI means and when can we expect the removal of the charge as stated. Councillor Mrs French responded that this is something that was looked at back then; it was a government initiative that brown bin charges be removed and we were hoping to have this money reimbursed from government. Unfortunately, we were hit by COVID-19 so it is not currently a government priority, but it is something we will pick back up. Councillor Sutton thanked Councillor Mrs French but said he would still like an explanation of WVI and Councillor Mrs French said that she will provide a full update at the next meeting of full council.
8. Councillor Sutton addressed Councillor Boden. Two meetings ago he asked about the small business grants to political party offices across the country and in particular the NECCA office. Councillor Boden was unable to give an answer at the time because of GDPR but he came back in writing and it was appended to the minutes of the last meeting. NECCA did receive a grant payment which was legal although Councillor Sutton questioned the morality of it but he asked, given that the government have now given out more money, can Councillor Boden confirm whether or not the local office has received further monies. Councillor Boden emphasised that the small business grant fund, which was set up during the first lockdown, had business grants that were given out which were not discretionary, specific rules were set down by Government about whom we may pay and any breach of those rules then we would have been penalised. Every legal application that came in was paid. Regarding the current regime, it is similar with the LRSG winter lockdown payment. There have been 12 payment regimes put into place by central Government, and under that only businesses that are in retail, hospitality and leisure industries are going to qualify so he does not know if NECCA have made any application, and if they had then it would be refused. Councillor Sutton stressed that he understood Councillor Boden was not responsible for choosing who got paid but he still questioned the rules. Various political offices across the country have either refused to claim or given the money back and his understanding is that he believes the MP also thought it wrong to claim. Councillor Boden said he is at this meeting as Leader of FDC to provide answers to questions regarding FDC and Councillor Sutton needs to write to the organisation concerned regarding this question.
9. Councillor Patrick asked Councillor Murphy what can be done to improve the process of speeding up the approval of memorial applications as delay can cause distress to bereaved families, particularly as some applications are six months old. Councillor Murphy explained that the weather has been so bad that this has caused the water table to rise which then causes a delay in the drying and settling of the soil. This is unfortunate but not something that can be controlled.
10. Councillor Hoy wanted to place on record that she is employed by the Conservative Association referenced by Councillor Sutton earlier so she would like this recorded in the minutes.
11. Councillor Mrs Laws referred to Councillor Patrick's query and said from personal experience she found cemeteries staff to be very efficient. She added that stonemasons source their materials from quarries, many of which have not been working in lockdown. Also, FDC advise that no headstone be placed for at least 12-18 months because of the type of soil we have; if the soil has not settled properly then there is a danger of the headstone toppling. She said

contractors are working as well as they can in very muddy and challenging conditions and having to pump water out of many graves before a funeral can take place. Councillor Patrick said he was not criticising staff but had been approached by people who had been waiting 8 months for their applications to be approved on graves that had settled.

C42/20 MOTION SUBMITTED BY COUNCILLOR BODEN

Councillor Boden said it was both a pleasure and a privilege to present this motion regarding the naming of the Kings Dyke Crossing.

He stated: "Members will be aware of the welcome progress that is being made in relation to Kings Dyke Crossing and the scheme has reached a stage where an official name is required. As the scheme falls within the boundary of Fenland District Council, we have an important role to play in that. In ordinary circumstances it would fall for example to the relevant developer to propose a name in consultation with officers. In this instance however, and having regard to the profile of this particular scheme, I am seeking your support in requesting that officers give due consideration, under the delegated authority of the Chief Finance Officer, to a suggestion that King's Dyke Crossing is officially named 'Ralph Butcher Causeway'.

Whilst it is acknowledged that streets named after prominent persons are not normally considered to be suitable in Fenland, it is considered that a departure from that guiding principle would be reasonable and appropriate having regard to the significant and instrumental role that former Councillor Butcher played in securing the delivery of the scheme. Many of you will recall that he had been a tireless proponent of a King's Dyke crossing for decades.

I am therefore proposing that King's Dyke Crossing as it is now known should instead be named Ralph Butcher Causeway".

Councillor Miscandlon seconded the motion and opened the motion for debate.

1. Councillor Sutton said he fully supports this motion; he worked very closely with Councillor Butcher and had the utmost respect for him. However, he feels we are bending the rules as nobody living can have anything named after them and he had made a similar request which was rebutted. He would like to see a relaxation of rules going forward as there are people who do things in their lifetime to improve their communities with little or no recognition. He does not know if it is national regulation or our own rules that prevent that and asked if the Leader could look into this.
2. Councillor John Clark said he fully supported this motion and would be pleased to second the motion.
3. Councillor Mrs French said that she fully supports this motion; Councillor Butcher was always a hardworking councillor and she was sad when he retired. Addressing Councillor Sutton's comments, she said she was not sure that there is a hard and fast policy on naming streets after dead or living people. She referred to several streets in March that were named after mayors many years ago and would be happy to look into this.
4. Councillor Patrick agreed that we do not just name streets after councillors but to recognise people within the community.
5. Councillor Miscandlon said he served with Councillor Butcher for eight years. He was a great mentor and is a family man who is well thought of in Coates and the local area. To name the crossing the Ralph Butcher Causeway is a worthy name for the Kings Dyke Crossing and will be a fitting legacy.

The Motion was approved.

C43/20 MOTION SUBMITTED BY COUNCILLOR BODEN

Councillor Boden presented a motion on the Saxon Pit Brickworks in Whittlesey.

Councillor Boden stated that: "The former Saxon Pit brickworks in Whittlesey is a site licensed by the Environment Agency for the acceptance and disposal of waste materials. Since the original planning permission was granted by Cambridgeshire County Council in January 2003, only inert materials are meant to have been disposed of there. In late 2007, many local residents in Whittlesey reported an unusual and strong bad smell emanating from Saxon Pit. Despite efforts from both local residents and local Councillors, the Environment Agency has been extremely slow in revealing precisely what has been deposited and Saxon Pit. Our Member of Parliament, Steve Barclay MP, has written several times over the last three years to the Environment Agency concerning what is happening at, and what is planned for, Saxon Pit. Local residents and Councillors are very grateful to our MP for the pressure that he has brought to bear upon the Environment Agency. In November 2020, as a direct result of the pressure exerted by Steve Barclay MP, the Environment Agency revealed the following:

a. 122,858 tonnes of non-conforming waste was accepted and disposed of by the current operator and this non-conforming waste was unlawfully buried within the void in the pit between October 2017 and February 2018.

b. Further waste, in addition to that 122,858 tonnes, had been unlawfully accepted and buried at the site by one or more previous operators pre-October 2017.

c. Formal samples have been taken across the void to varying depths, following investigatory work by the Environment Agency. Borehole drilling, conducted in September 2019, identified significant visual contamination of non-conforming waste down to depths of between 6 and 15 metres. According to the Environment Agency, of the 50 samples submitted for analysis, 43 contained sufficient chemical contaminants to render them hazardous.

d. Without any consultation with local residents, the local Town Council or Fenland District Council, the Environment Agency took a decision in June 2020, unilaterally so far as we are aware, to permit all non-conforming waste to remain buried within the excavation void.

No details have been provided to local residents or the local councils of any investigations or analyses to support the Environment Agency's decision not to insist upon the removal of the unlawfully buried waste, nor has any information been provided to give confidence to local residents that the "hazardous chemical contaminants" do not now and may not in the future pose a hazard to the environment in general and to human health in particular. It is only in the last two weeks that a specialist environmental journalist has revealed that copper, zinc and petroleum hydrocarbons exceed hazardous levels at the site because of the unlawful dumping of "Automotive Shredder Residue". No quantities of these, or any other, hazardous chemicals on site have yet been revealed.

Following recent heavy rain, the onsite storage lagoon (which is meant to contain the majority of the runoff originating within the Saxon Pit area) quickly reached its storage capacity. The landowner temporarily pumped water from the lagoon up a nearby embankment and into the King's Dyke water-course. The Environment Agency have said that they have "formerly sampled outlets into the lagoon" but the detailed results of any analysis of those samples have not been released.

A proposal has now been made to build a recycling plant at Saxon Pit which would accept and process in excess of 50 tonnes per day of Incinerator Bottom Ash and inert waste.

Fenland District Council therefore resolves:

- That the Environment Agency be requested to provide Fenland District Council, on an open basis, with the full analytic results from the 50 boreholes drilled on the site, with full details of the types and quantities of hazardous chemical contaminants that were found by the

Environment Agency.

- That the Environment Agency be requested to provide Fenland District Council, on an open basis, with full technical specifications of any proposed capping of that waste, together with the calculations supporting their conclusions as to the likely effectiveness of such capping over the short, medium and long terms.
- That the Environment Agency be requested to provide Fenland District Council, on an open basis, with the full analytic results of the samples they have recently tested from the lagoon, together with their full assessment of the quantity of water and likely level of contaminants which have been released into the local watercourses in the last two months.
- That Fenland District Council, unless entirely satisfied that the answers to the preceding three points show no danger to the environment or to public health from the hazardous chemical contaminants in Saxon Pit, should (a) make the strongest possible representations to Cambridgeshire County Council's Planning Committee on environmental grounds against any planning permission which is sought to construct a recycling plant at Saxon Pit (b) request Cambridgeshire County Council to take action in respect of the deposition of non-inert waste at the pit, contrary to the County council's planning permission conditions and (c) object to non-inert waste, in the form of Incinerator Bottom Ash, being deposited in future at Saxon Pit.
- That the Environment Agency be requested to provide Fenland District Council, on an open basis, with full details of how the Environment Agency has handled the complaints made, and unlawful dumping that has occurred, at Saxon Pit since October 2017, with a full explanation as to why, in accordance with the Environment Agency's own Enforcement and Sanctions Policy, effective action in respect of the hazardous waste and in respect of those responsible for its unlawful dumping has not taken place.
- That this motion, once passed, be forwarded to Steve Barclay MP, Cambridgeshire County Council's Planning Department and the Secretary of State for Environment, Food and Rural Affairs.
- That any failure by the Environment Agency to explain its actions and/or inactions in respect of Saxon Pit be referred by Fenland District Council to Steve Barclay MP, to the Secretary of State for Environment, Food and Rural Affairs, and to the Secretary of State for Business, Energy and Industrial Strategy with respect to his Department's overview of the Regulator's Code.

Councillor Mrs Laws seconded the proposal and Councillor Miscandlon opened the motion for debate:

1. Councillor Wicks said he fully supports this motion; it has been a travesty that this has been allowed to occur in Whittlesey. Furthermore, the number of untruths told regarding the waste disposed of there is totally unacceptable. It is also unacceptable that we have a national agency responsible for our environment washing their hands of the situation.
2. Councillor Wilkes said he also supports the motion; we need to be able to trust the national agency responsible for our environment and it is a mockery particularly at this time of enlightened awareness of the need to protect our environment.
3. Councillor Hay said she supports this motion and would urge all members to. She is astonished that a national agency such as the Environment Agency (EA) has the powers to ensure that this is put right, and her concern is that other areas could find potentially find themselves in the same position.
4. Councillor Sutton said he supports this motion as should all members regardless of whether or not it affects their area.
5. Councillor Mrs Laws said it is appalling that the EA have not implemented their powers on this site and agreed with Councillor Hay that unless we do something, then this could happen at other sites. We have a responsibility to the residents of Whittlesey as well as the

entire district.

The Motion was approved.

Councillor Connor declared an interest by virtue of the fact he is the Chairman of Cambridgeshire County Council Planning Committee and took no part in the debate or vote on this item.

Councillor Count declared a non-pecuniary interest by virtue of the fact he leads the County Council.

Councillor Mrs French declared a non-pecuniary interest by virtue of the fact she is a sub on the County Council Planning Committee and took no part in the debate.

C44/20 MOTION - SUBMITTED BY COUNCILLOR MRS LAWS

Councillor Mrs Laws presented a motion regarding built environment conservation in Fenland.

Councillor Mrs Laws stated: "Full Council notes that members of local councils have responsibility for setting policy, within legal limits, concerning all areas of Council activity, including Conservation. Members, in determining Conservation policy, need to determine an appropriate local balance between preserving what is good from the past as against providing necessary flexibility to address current and future economic and residential needs. A majority of members, in seeking to determine that balance, would like to commission an external partner to provide guidance and recommendations on how the Council can amend current Conservation policy and practice in Fenland to achieve this aspiration within the following scope:

1. To provide recommendations as to how we may review the geographical extent of every conservation area in Fenland, including whether each conservation area should continue to be so designated. In respect of each conservation area no such review should be commenced without the prior agreement of the relevant town or parish council. In respect of each review, no change should be implemented without the agreement of the relevant town or parish council. Involvement and consultation with the relevant town or parish council must be integral to this whole process.
2. To provide recommendations as to how each town and parish council could initiate an external professional appraisal of any conservation area within their area, subject to no such appraisal having taken place within the previous five years, and subject further to the parish or town council sharing the cost of any such appraisal equally with Fenland District Council.
3. To review and provide recommendations as to how the current approach to the local validation list requirements and materials requirements for listed buildings, conservation areas (and buildings that have a relationship with the setting of these) and non-designated heritage assets may most appropriately be changed given the pro-growth agenda of the Council in the context of challenging property values and the changing dynamic of town centres.
4. With respect to materials requirement in conservation areas and for non-designated heritage assets, Members seek guidance and recommendations as to how the Council can be more flexible than at present in requiring specific building materials for the construction and repair of buildings, specifically, but not exclusively, including recommendations as to how the Council may facilitate, in new build, renovations, improvements and repairs, the use of high quality compatibly designed UPVC windows, and a less onerous specificity in the selection of building materials such as bricks and mortar.
5. To provide recommendations as to how the Council can be more flexible than at present in requiring specific building materials for the repair, renovation or improvement of Grade II listed buildings, specifically but not exclusively including the use of high quality compatibly designed

UPVC windows, and the selection of building materials such as bricks and mortar.

6. To provide recommendations as to how the Council could legally cease planning-related conservation assessments outside conservation areas, except for Grade I, Grade II* and Grade II listed buildings, and except where any planning application relates to a location immediately adjacent to a listed building or a conservation area.

7. To review the draft conservation policies in the emerging local plan and provide recommendations as to how these policies might be drafted to best serve the Council's pro-growth agenda whilst appropriately conserving heritage assets in the District as envisaged in the recently published Planning White Paper.

8. To provide recommendations as to how the Council can provide enhanced protection for and preservation of Whittlesey's iconic mud walls.

Full Council resolves that an appropriately qualified external person be engaged to consult with members and others as to how the aspirations listed above may be practically, legally and expeditiously implemented.

Councillor Connor seconded the motion and Councillor Miscandlon opened the Motion for debate.

1. Councillor Booth said he would probably support this motion but had several questions. Firstly, why do we need a motion as surely this falls within Councillor Mrs Laws' remit as portfolio holder to look into this type of work to get conservation areas reviewed and then taken to full council for approval. Secondly, what is the situation if the town and parish councils do not have the funds to pay towards a review, particularly if they have already set their budgets. Thirdly, why do we not have a financial figure as to how much this review will cost?
2. Councillor Mrs Laws said Councillor Booth is right; conservation falls under her portfolio but members, including some town and parish councillors, have come forward with various ideas regarding conservation. They are not entirely in agreement with the current designated conservation areas so she thought it would be correct to come to full council with this motion to fully involve everyone. She accepted his comment regarding budget setting but to achieve the Coates conservation policy, we did award £600 to bring an up to date conservation policy through as Whittlesey had already achieved an updated proposal. Coates was lagging behind but to bring forward the neighbourhood plan, the council did award this as a contribution. Moving forward we must consider the cost to FDC and the staffing we have, there is current only one dedicated staff member and this would support additional staff that would be needed. The costs are currently being explored with officers and it is unfortunate she cannot give a cost today, but she will bring the cost back to full council. She said we are not asking parish and town councils to pay the full amount but to provide a contribution. If financially it is not possible for them then that is something that will have to be discussed. Councillor Booth thanked Councillor Mrs Laws.
3. Councillor Sutton said Councillor Mrs Laws is very passionate about heritage, but he is surprised by parts of the motion and hopes that she has not been led down a road by others that do not share her passion. This could lead us to riding roughshod over the professional advice of officers; he does not feel he can support the motion without knowing the cost. He cannot see why this motion is required but he would like to make a proposal for an amendment to the motion and that is that if we pass the motion, we are saying that the parish and towns have got to pay whether they budget or not. He wants to know how much it will cost but would like to see where they will pay the cost equally, that could be a huge amount of money. If FDC wants to do this then they should not impose the cost on others. He would like the motion to be withdrawn and brought back to the next meeting knowing what the costs will be or to amend the motion and take out the part about the parish and town councils.
4. Councillor Mrs French said this has been an ongoing issue for years and we have had many

discussions and presentations on the matter. She supports Councillor Mrs Laws plans but has her concerns regarding charging town and parish councils on this. They should not have to pay; it is a matter for the district council, and neither is it a political issue. She can give many examples of old properties in conservation areas that need new windows, some of which have received planning permission but the stipulations, such as only being allowed to use wood and not UPVC, means that replacements will not last as long or will deteriorate far more quickly and will need repainting sooner rather than later. Conservation officers should be taking heed of the Buildings at Risk Register and saving our buildings instead of concentrating on double glazed windows. We should not expect town and parish councils to contribute as she does not believe it is their duty to do so.

5. Councillor Mrs Davis fully supports the motion but would like to see it deferred and brought back to the next meeting because it is difficult to vote when we do not know the costs. Also, this is an FDC policy and if we are going to set policies, then it is not right that parishes and towns must contribute.
6. Councillor Sutton referred to Councillor Mrs French's point about plastic windows. He said that technology has moved on and the quality now is such that you cannot tell the difference between plastic and wood. He added that he is pleased to hear members raising concerns about shared costs. He cannot support this motion as it stands as we would be committing town and parish councils to have to pay; he would request this motion be withdrawn and brought back with costings. If not, he would like to see reference to the contribution to be taken out of it.
7. Councillor Lynn said his understanding is that towns and parishes will only be asked to contribute if they require an appraisal, so he does not see why this part of the motion is an issue. He has been approached many times by shopkeepers in and around Wisbech marketplace who are struggling; they are in buildings in desperate need of repair and this needs to be revised. He will therefore be supporting this motion.
8. Councillor Hoy agreed with Councillor Lynn; she understands the motion to read that if the town and parish council want an appraisal they are being asked to share the cost, if they do not want one, then there will be no cost.
9. Councillor Boden said Councillor Sutton had said there was not the capacity within the FDC Planning Department when he was in charge of Planning for things to proceed as far as reviews of conservation areas were concerned. Passing this motion will assist in the workload of the conservation officer in that a lot of the work she does now will no longer need to be done. It does not change the fact that we do not currently have the capacity to enable us to conduct these long overdue policy reviews. This motion will prioritise those parish or town councils which believe that their need for a review is so great that they will find the money to contribute towards the review happening. It will not be happening in-house but we will need someone from outside to do it for us.
10. Councillor Connor thanked Councillor Laws for putting forward a well thought out and balanced motion and agreed with Councillor Boden. He urged members to support this motion.
11. Councillor Mrs Laws said there is a staffing level to consider, our policies are out of date. There is no question that town or parish councils would be forced to have an appraisal but if they wished to then a contribution would be required. She took on board Councillor Mrs French's comment about the at-risk register, but we have one conservation officer; this will free up some of her time to look at the register and conservation policies. We have modern materials that are such high quality you cannot tell the difference between that and wood and this will give some flexibility. She stated she would not be withdrawing the motion.
12. Councillor Mrs French thanked Councillor Mrs Laws and stated again that she fully supports the motion but is still concerned about the charge to town and parish councils; there should be more consultation. FDC does have a statutory duty to look at this but we have some beautiful buildings in Fenland, and we do need to start preserving these. She also asked that the appointed consultant, if this is approved, speaks in depth to members of the March Society, a local group who are passionate about conservation and listed buildings for buildings when it comes to reviewing buildings in that particular area, and any other local group.
13. Councillor Mrs Laws said without question every society within the district that has heritage or

conservation interests will be included as every town and parish council. Councillor Mrs French thanked Councillor Mrs Laws.

14. Councillor Sutton proposed a motion to remove the part of the motion where town and parish councils would be asked to contribute. Councillor Mrs French said she would not second that proposal but felt that there should be something in the motion to say that town and parish councils would not have to contribute.
15. Councillor Miscandlon recommended that this motion is deferred so that the modified version of Section 2 be brought back to the next meeting of full Council or at a future date. It is important to go through but not in its current form.
16. Councillor Mrs Laws stated she wants the motion to stand as it is.
17. Councillor Connor stated that he still wants to second the original motion.

Carol Pilson stated that as Councillor Sutton has recommended an amendment to the motion, it needs to have a seconder and then the amendment could be taken to the vote.

Councillor Sutton proposed an amendment to the motion and clarified that he would like removed the section that says, "and subject further to parish and town council sharing the costs equally with FDC". Councillor Booth seconded the proposed amendment.

Members were given an opportunity to debate the amended motion.

1. Councillor Hoy said that she felt Councillor Sutton had misunderstood and that it meant that if, for example, Whittlesey Town Council wants its conservation area appraised then it would merely mean they would share the cost of the appraisal with FDC. She said she believed he thought it meant that all town and parish councils would contribute to this. She sympathised with the point that town and parish councils have already set their budgets, however she does not see any other practical way to do this. She would not be supporting the amendment.
2. Councillor Boden asked that members oppose this amendment as it is designed to move us forward and will allow us, even without the officer capacity, to start commissioning external sources to provide us with conservation reviews without us having to make cuts elsewhere.
3. Councillor Booth said his problem with the motion as it stands is that effectively it allows parishes with large reserves to "jump the queue", even if they have had a more recent conservation appraisal.
4. Councillor Hoy said that it appears that some parishes that have not been asking for a review will now want FDC to undertake a lot of work at great cost that will benefit their area but without paying and this does not seem right, particularly when they have not previously been wanting a review.
5. Councillor Cornwell said he has no problem with asking for any of the town or parishes for a contribution, which can be adjusted accordingly to affordability and the size of the job. However, his issue is with the word "equally" and an expectation to meet the costs equally; some parishes may not have the 50% to pay but it is perfectly fair to expect a contribution.
6. Councillor Booth responded to Councillor Hoy's comment and said that Parson Drove has been asking for a review since he joined the Council. This has never been delivered, despite having been told it they were next on the list; he understands about officer capacity but the issue remains around cost to the smaller parishes; he has no doubt they would be willing to make a contribution but if a consultant is going to cost up to £15,000, then he agreed with Councillor Cornwell and this is going to penalise the smaller parishes.
7. Councillor Sutton referred to Councillor Hoy's first comment and stated he had not misunderstood the point. He understands that the expectation was for an individual town or parish council to share the cost with FDC and not to split it amongst them all. Also, he could recall when Councillor Booth asked for a review for Parson Drove and disputed that town and parish councils would be wanting reviews undertaken when they had not previously been asking for them. He agreed that reviews could cost thousands of pounds but paying half the cost could easily be more than a town or parish council precept. He is still of the

opinion that it is wrong to expect the costs to be shared equally with FDC but that it would be better to provide a contribution.

8. Councillor Count said it is not appropriate for the county council to decide conservation policy for FDC and it is not appropriate for FDC to dictate to towns and parishes what should happen in their towns and villages. It is up to those areas to stand up for themselves. If their precepts are insufficient or not large enough, it is up to them to decide what is important for their residents. If they feel this is an important matter for their residents, and FDC is meeting them halfway then that is good enough; FDC should not have to cover the entire cost. Therefore, he cannot support this amendment.
9. Councillor Mrs French said that ultimately this motion is about Councillor Mrs Laws requesting agreement to be able to engage someone to look at the issue of conservation. They would then come back with a report and an idea of costing and at this stage we would go back to the towns and parishes and say if they want something done, this is how much it is going to cost.
10. Councillor Cornwell agreed with Councillor Mrs French; we are not committing to anything at this stage, only to employing someone to make recommendations to us.
11. Councillor Hay said it is long overdue to have someone look at conservation within Fenland. A review of the conservation area in somewhere like Parson Drove is going to cost far less than somewhere like Wisbech so the argument that the smaller parishes are going to share an unfair burden does not stand. They will decide whether they want to have a review in their area, and they will be given some idea of the cost to help them with their decision. The original motion is perfectly reasonable.

Councillor Mrs Laws was given the opportunity to sum up. She said that both Councillors Mrs French and Cornwell had already concluded correctly that her motion is a recommendation and will come back to Council, and she will not be altering it.

A vote was taken on the amendment to the motion proposed by Councillor Sutton and seconded by Councillor Booth. The amended motion failed.

A vote was then taken on the substantive motion proposed by Councillor Mrs Laws and seconded by Councillor Connor. The motion was approved.

(Councillors Wicks declared an interest and took no part in the debate or vote on this item).

(Councillor J Clark declared an interest by virtue of the fact he lives in a listed property in a conservation area, he also took part in Councillor Law's working group and took no part in the debate or vote on this item).

(Councillor Skoulding declared an interest by virtue of the fact he owns some properties in March town centre, which is in the conservation area and took no part in the debate or vote on this item).

(Councillor Benney declared an interest by virtue of owning properties in Chatteris conservation area and took no part in the debate or vote on this item).

(Councillor S Clark declared an interest by virtue of the fact she has a family member in a listed building property and took no part in the debate or vote on this item).

(Councillor Purser declared an interest by virtue of the fact he owns some property in March town centre that may be in the conservation area).

(Councillor Maul declared an interest by virtue of the fact he has a property in the Wisbech conservation area).

C45/20 COUNCIL TAX SUPPORT SCHEME

Members considered the Council Tax Support Scheme 2021/22 report presented by Councillor Boden.

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

- Councillor Booth is concerned that when this came to Overview & Scrutiny it was said this was not the right year to change. It hits those on the lowest incomes, and this can also be seen in the responses. It is hitting the poorest in society working within the constraints of COVID-19. He believes this has been rushed through and we do not seem to have taken the consultation comments on board. He would propose that we amend the recommendation so that it says it remains at 14% for this year.
- Councillor Yeulett said he would not support this recommendation; the public consultation was against it and the O&S Panel recommended no increase. It is an additional burden on those already suffering the most from COVID-19 and lockdown.
- Councillor Cornwell said he cannot support this. The O&S Panel were given a clear explanation of what is going on and this is not the right year to make any changes on the basis that everybody is going through a difficult time. Read the consultation results; it is quite clear that people are struggling, and we must do our bit to help them.
- Councillor Bligh said she agreed with the previous speakers; this is a year nobody expected, and we should leave it alone.
- Councillor Rackley said as ward councillor for Waterlees, the most neglected ward in Cambridgeshire, he cannot support the recommendation.
- Councillor Sutton said he supports all previous speakers. It seems so harsh in this particular year when there are scores of people already struggling. When furlough finishes there may be more people facing redundancies and he could not face people in that position if he supported this.
- Councillor Mrs French said that Cambridge County Council have been doing fantastic work over the last year and have helped support some 32,000 people across the county. She will be supporting this motion.
- Councillor Hoy said that nobody will be voting for this with any joy, but she has to support this as the money needs to come from somewhere. If not, what cuts do we make to cover this? If we put up council tax, everyone else will be paying and just because people do not receive council tax support, it does not mean that they are not struggling too.
- Councillor Wallwork agreed with Councillor Hoy, this is a difficult subject, and nobody wants to pay more money. When people receive benefits, there is a support network available but there are other people who have been massively affected financially but get no support. Therefore, everyone must share the burden at this time, particularly if we want public services and are not willing to cut them.
- Councillor Bligh said although she agreed with Councillors Hoy and Wallwork, she does not feel that this year is the year to be increasing the contribution.

Councillor Booth proposed an amendment to keep the contribution rate at 14%.

Councillor Boden was given the right to respond. He said that we do have to look at how we got to 14% initially. When we moved from having council tax benefit to council tax support, we were able to subsidise the amount which was expected to be paid by anyone in receipt of council tax support. Those conditions have now finished but we do have the problem of disparity between those who qualify for council tax support and those who do not, and it is a matter of getting the balance right. The amount proposed is the correct balance and he would recommend members support it.

It was proposed by Councillor Booth, seconded by Councillor Bligh that the council tax support contribution rate remain at 14%.

A recorded vote was taken on the proposed amendment.

In favour of the amendment: Councillors Bligh, Booth, Cornwell, Marks, Maul, Meekins, Sutton, Wicks, Wilkes and Yeulett

Against the amendment: Councillors Benney, Boden, S Clark, J Clark, Connor, Count, Mrs Davis, Mrs French, Miss French, Hoy, Humphrey, Mrs Laws, Lynn, Mason, Miscandlon, Murphy, Purser, Rackley, Seaton, Tierney and Wallwork

Abstained: Councillor Hay

The amendment failed.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED that:

- (i) The contribution rate for working age claimants be increased from 14% to 20% with effect from 1 April 2021;
- (ii) the Council Tax Support Scheme to take effect from 1 April 2021 as set out in the following link be approved:
<https://www.fenland.gov.uk/ctss2021>

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25 February 2014) to record all votes on decisions on budget and council tax, with this in mind Members voted on this item as follows:

In favour of the proposal: Councillors Benney, Boden, S Clark, J Clark, Connor, Count, Mrs Davis, Mrs French, Miss French, Hoy, Humphrey, Mrs Laws, Lynn, Mason, Miscandlon, Murphy, Purser, Seaton, Tierney, Wallwork

Against the proposal: Councillors Bligh, Booth, Cornwell, Marks, Maul, Meekins, Rackley, Sutton, Wicks, Wilkes, Yeulett

Abstained: Councillor Hay

Councillor Count declared a non-pecuniary interest by virtue of the fact he leads the County Council.

Councillor Wilkes said he is in receipt of disability benefits but was not sure if he also gets council tax support within this and therefore declared an interest to remove the avoidance of doubt.

C46/20 BUSINESS PLAN

Members considered the Final Business Plan 2021-22 report presented by Councillor Boden.

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

- Councillor Booth reiterated what he had said at Overview & Scrutiny that much of the investment is concentrated on the towns; again, the villages and rural areas are the poor relations. Also, we still do not have the proper metrics to measure how we will deliver because there is no way of measuring many of the items in the project plan.
- Councillor Tierney said officers have worked very hard on this report, but they are experts and

he has more work to do in terms of simplifying and making the information easier to digest.

- Councillor Mrs French said she fully supports this plan, although there is a long way to go. There are many exciting projects taking place across all of Fenland and, in her experience, we have never had such amazing opportunities. She thanked the officers at FDC for doing a fantastic job with Growing Fenland. Fenland has been put on the map as a result of the amount of money coming into the area due to the Combined Authority. She also thanked Councillors Tierney, Boden, Seaton and Count in particular for all they have done and said we have never had the opportunity in the last fifty years to get the funding that we now have.
- Councillor Mrs Laws agreed with Councillor Mrs French; there are people too numerous to mention but without the support of senior members of Fenland and the fantastic work done by a wealth of officers, this would not have been possible and they cannot be praised enough. The Mayor of the Combined Authority promised to bring economy and growth to the north of the county, and he has done that for which praise is due.
- Councillor Sutton said Councillor Mrs French rightly thanked many people, but one person must not be forgotten and that is the Leader at the time, Councillor John Clark. Without his extraordinary effort in deciding to go down the route of a combined authority, we would not be in the position we are now having had millions of pounds invested. Councillor Mrs French agreed and thanked Councillor Sutton for raising this.
- Councillor Yeulett said he will be supporting this plan, but we need to address more of the issue of deprivation in areas of the district that affect education and health.
- Councillor Count said he thoroughly endorses the work that has gone into this plan and he would like to support it.

Proposed by Councillor Boden and seconded by Councillor Tierney and AGREED to approve the Final Business Plan 2021-22.

C47/20 CORPORATE BUDGET 2021/22 & MTFS

Members considered the Corporate Budget and Medium-Term Financial Strategy report presented by Councillor Boden.

- Councillor Booth said looking at the medium-term financial forecast, it increases by over £1million and looking at the savings we need, if we need to save over a £1million he takes on board Councillor Boden's comments about being more like a commercial organisation. We still have some way to go with culture, but he will be supporting this.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED that:

- (i) the General Fund revenue budget for 2021/22 as set out in Section 8 and Appendix A of the report be approved;**
- (ii) the Medium-Term Financial Strategy as outlined in the report and Appendix B be adopted;**
- (iii) the Capital Programme and funding statement as set out in Appendix D of the report be approved;**
- (iv) the adoption of any additional Business Rates Relief measures announced in the budget on 3rd March 2021 as detailed in paragraphs 5.7 – 5.9 of the report be approved;**
- (v) the expenses detailed in Section 11 of the report be approved to be treated as general expenses for 2021/22;**
- (vi) the Port Health levy for 2021/22 be set as shown in Section 12 of the report;**
- (vii) the amendment to the Long-Term Empty Property Premium policy detailed in Section**

13 of the report be approved;

- (viii) the Treasury Management Strategy Statement, Minimum Revenue Provision, Treasury Investment Strategy, Prudential and Treasury Indicators for 2021/22 and Capital Strategy 2021/22 as set out in Section 15 and Appendix E of the report be approved;
- (ix) the Band D Council Tax level for Fenland District Council Services for 2021/22 be set at £260.46, no increase on the current year.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25 February 2014) to record all votes on decisions on budget and council tax, with this in mind Members voted on this item as follows:

In favour of the proposal: Councillors Benney, Bligh, Boden, Booth, S Clark, Connor, Cornwell, Count, Mrs Davis, Mrs French, Miss French, Hay, Hoy, Humphrey, Mrs Laws, Lynn, Mason, Meekins, Miscandlon, Murphy, Purser, Rackley, Seaton, Sutton, Tierney, Wallwork, Wicks and Yeulett

Against the proposal: None

Abstentions: None

(Councillor Marks declared an interest in this item by virtue of the fact he has two addresses at his property, one being the main house and the other an annex where a family member resides. They are currently trying to resolve the rating value for the annex and meanwhile there is one council tax payment in dispute, therefore he chose to take no part in this item).

(Councillor Maul declared an interest by virtue of the fact S106 may apply so he took no part in this item).

C48/20 COUNCIL TAX RESOLUTION

Members considered the Council Tax Resolution 2021/22 Report presented by Councillor Boden.

Councillor Cornwell pointed out that the town of March in Section 3(h) of the report was incorrectly named April.

Proposed by Councillor Boden, seconded by Councillor Cornwell and AGREED to pass the resolution set out in the report.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 impose an obligation on Local Authorities (after 25 February 2014) to record all votes on decisions on budget and council tax, with this in mind Members voted on this item as follows:

In favour of the Proposal: Councillors Benney, Bligh, Boden, Booth, S Clark, Connor, Cornwell, Count, Mrs French, Miss French, Hay, Hoy, Humphrey, Mrs Laws, Lynn, Marks, Mason, Maul, Meekins, Miscandlon, Murphy, Purser, Rackley, Seaton, Sutton, Tierney, Wallwork, Wicks and Yeulett.

Against the Proposal: None

Abstentions: None

(Councillor Mrs Davis was temporarily indisposed during voting on this item)

C49/20 CULTURE AND CREATIVITY STRATEGY

Members considered the Cultural Strategy report presented by Councillor Seaton.

- Councillor Booth requested that on page 13 of the report (*page 214 of the agenda pack*) a change be made so that it reads 'parish and town councils' as it currently only mentions town councils. Councillor Sutton said he would ensure the change was made.
- Councillor Yeulett said he welcomed this report and would be supporting it. He is pleased that FDC is facilitating it and that residents will benefit.
- Councillor Sutton said this has been a long time coming; it is an overarching policy over many other areas of work we do, and he too welcomed it.

Council AGREED to adopt the Culture and Creativity Strategy.

C50/20 HACKNEY CARRIAGE & PRIVATE HIRE POLICY

Members considered the Hackney Carriage & Private Hire Policy report presented by Councillor Humphrey.

- Councillor Connor praised the concise and excellent report that had been written by Michelle Bishop, FDC's Licensing Manager, and he wanted his thanks placed on record.

Proposed by Councillor Humphrey, seconded by Councillor Meekins and AGREED to adopt the Hackney Carriage & Private Hire Licensing Policy 2021 - 2026.

Councillors Patrick declared a pecuniary interest and said he would take no part in this item but he left the meeting at 6.25pm before the item was presented.

Councillor Rackley declared a pecuniary interest and left the meeting for this item.

C51/20 COMMUNICATION REGARDING UNCONTESTED ELECTIONS

Members considered the Communication regarding Uncontested Elections report presented by Councillor Boden.

- Councillor Hay said she thinks introducing flyers advising of uncontested elections are a good idea but it needs to be on the proviso that the person standing uncontested delivers them prior to election day to save their residents turning out to vote when they do not have to.
- Councillor Booth said we should not restrict this to the candidate as there could be volunteers willing to deliver flyers, or they could be inserted into village newspapers for delivery.

Proposed by Councillor Boden, seconded by Councillor Hay and AGREED that in addition to the actions previously taken in 2019 to mitigate the risk of local residents attempting to cast their vote at elections that have been uncontested that the following further measures are also introduced:-

- production of flyers advising of the uncontested election that could be delivered by the duly elected candidates should they chose to request such flyers
- publication in the parish magazine and local media if there is sufficient time to do so.

C52/20 SENIOR MANAGER PAY POLICY

Members considered the Senior Manager Pay Policy report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Connor and AGREED to adopt the Senior Manager Pay Policy Statement for 2021/22 at Appendix 1 as required by the Localism Act 2011.

8.40 pm

Chairman

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Motion submitted by Councillor Steve Tierney regarding The Fen Biosphere

1. The biosphere is the world in which we live and which we share with other living things - the zone of life on Earth - the soil we grow things in, the air we breathe and the sea where we swim and fish. More technically, the biosphere is composed of the biota (all living things) and the abiotic (non-living) factors from which the biota derives energy and nutrients.
2. UNESCO (The United Nations Educational Scientific and Cultural Organisation), through its "Man and the Biosphere" (MAB) Programme, "aims to establish a scientific basis for enhancing the relationship between people and their environments. It combines the natural and social sciences with a view to improving human livelihoods and safeguarding natural and managed ecosystems, thus promoting innovative approaches to economic development that are socially and culturally appropriate and environmentally sustainable." - according to the UNESCO website.
3. There are more than 700 Biosphere Reserves around the world in over 120 countries which are recognised by UNESCO through its World Network of Biosphere Reserves.
4. Biosphere Reserve status is granted by the MAB International Co-ordinating Council based on recommendations made by individual countries' National MAB Committees.
5. In the United Kingdom there are currently seven recognised Biosphere Reserves: Brighton & Lewes Downs, North Devon, the Isle of Wight, Biosffer Dyfi in Wales, Galloway & Southern Ayrshire, Wester Ross and the Isle of Man.
6. Proposals have been drawn up for a Fens Biosphere. The only principal local authority area which would fall entirely within the boundary of the proposed Fens Biosphere is Fenland District Council, although parts of each of the following principal local authority areas would also be included: Cambridgeshire, Suffolk, Norfolk, Lincolnshire, Peterborough, East Cambridgeshire, Huntingdonshire, Cambridge City, South Cambridgeshire, King's Lynn & West Norfolk, West Suffolk and South Holland.
7. We understand that unanimous support from relevant local authorities is required to proceed with seeking Biosphere Reserve status from UNESCO.
8. In April a Fenland District Council Members' Seminar was held, addressed by David Thomas (Chair of the Fens Biosphere Steering Group), Roger Mitchell (Vice-Chair of the Fens Biosphere Steering Group) and Mark Nokkert (Project Development manager) on behalf of the Fens Biosphere Project, seeking FDC's support for UNESCO Biosphere Reserve status for the Fens Biosphere Project.
9. The Fens generally, and Fenland in particular, have remarkably few natural landscape areas, unlike the existing UK Biosphere Reserve areas. The Fens' natural landscape was fundamentally changed through drainage to form the highly professionally controlled (but nevertheless precarious) managed landscape that we have today.
10. Unlike other UK Biosphere areas, fundamental management of our uniquely controlled artificial landscape lies in the hands of public bodies, primarily Drainage Commissioners and Internal Drainage Boards.
11. Any suggestion of reversion to the natural landscape of the Fens, in whole or in part, fundamentally fails to take into account the immense economic and social risks of altering the existing land management balance effected by our public drainage bodies.

**Motion submitted by Councillor Steve Tierney regarding
The Fen Biosphere**

12. Any suggestion that the current landscape balance effected by our local drainage schemes should be altered needs to be rigorously scrutinised and assessed prior to implementation.
13. Maintaining and reviewing, more generally, the balance between the so-called "natural" environment (much of which, in Fenland, is artificial rather than natural) and our built environment is one of the fundamental responsibilities of local authorities in producing their Local Plans. The first draft of Fenland's proposed revised Local Plan is due to be published in the next few months.
14. Members attending the Seminar last month were, on the basis of their questions and comments at the Seminar, wholly unconvinced that the Fens Biosphere Project had any clear vision as to:
 - a. how, and to what extent, our existing landscape balance should be changed.
 - b. what effect any changes to policy relating to the proposed Biosphere status would or could have on the general economic and social well-being of local residents, and on the economic growth agenda of Fenland District Council.
 - c. whether Biosphere Reserve status would have any practical effect whatsoever, and if so, what that effect would be.
15. Questioning and, where necessary or advisable, amending the balance of our existing highly managed artificial local ecosystem is an appropriate activity for us as a local authority, and for the community as a whole.
16. However, the existing Fens Biosphere proposal is so vague and so poorly articulated and defined that it is impossible to determine whether it is meaningless or meaningful, and if it is meaningful, what the effects of the Biosphere designation would be or what they could be in the future.
17. As a responsible local authority in an area with a precariously, but highly professionally, artificially managed landscape, it would be irresponsible for us to sign up to a proposal the meaning of which is so poorly defined, but which could potentially have a massively negative impact upon our District, its economy and its residents.
18. To use a colloquial expression, the Fens Biosphere project as currently constituted is a "pig in a poke" - it does not have local community support and is therefore rejected by Fenland District Council.
19. As the only local authority which is wholly contained within the proposed Fens Biosphere area, Fenland District Council officially OPPOSES putting the Fens Biosphere project forward for consideration as a UNESCO-recognised Biosphere Reserve.
20. Fenland District Council resolves to forward this resolution to:
 - a. the Chair and Vice Chair of the Fens Biosphere Steering Group, the Programme Development Manager and the Community Development Manager of the Fens Biosphere project, together with Dame Fiona Reynolds, the Fens Biosphere Ambassador
 - b. the Wildlife Trust for Bedfordshire, Cambridgeshire and Northamptonshire
 - c. Cambridgeshire ACRE
 - d. Middle Level, North Level and the Internal Drainage Boards wholly or partially within Fenland.
 - e. Fenland's Town and Parish Councils
 - f. the local authorities listed in point 6 above.
 - g. Professor Matthew Cragoe (Chairholder of the UK MAN National Committee) and Professor Martin Price (Vice-Chair of the UK MAN National


**Motion submitted by Councillor Steve Tierney regarding
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Committee) or their successors in Office.

h. Steve Barclay MP

i. BEIS, DEFRA and the MHCLG.

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	Agenda Item:11	
Committee:	Council	
Date:	19 May 2021	
Report Title:	Committee Structure, Political Balance and Allocation of Seats	

1. PURPOSE/SUMMARY

- 1.1. The purpose of this Report is to agree the committee structure and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to them (where known).

2. KEY ISSUES

- 2.1. The Constitution provides under Rule 1, paragraph 1.2 that at the Annual Meeting, Council will:
- (a) determine which committees and panels should be established for the ensuing municipal year;
 - (b) agree the terms of reference for those committees/panels as outlined in the [constitution](#)
 - (c) allocate the seats and position of the Chairman and Vice Chairman to Political Groups in accordance with political proportionality rules where appropriate in respect of committees, panels and outside bodies;
 - (d) receive notification and to appoint Councillors to the allocated seats on each committee and panel and to serve as Chairman and Vice-Chairman.
- 2.2. Political Groups are allocated seats proportionate to their size.
- 2.3. In order to ensure that political proportionality is successfully achieved at an individual committee level in addition to achieving political proportionality across the total number of committee seats available, it is necessary to increase the total number of available committee seats. It is proposed that the number of seats on the Audit and Risk Management Committee increases from 11 (the current number of seats allocated) to 12.

3. RECOMMENDATIONS

It is recommended that Council:

- 3.1. Increase the number of committee seats on the Audit and Risk Management Committee from 11 to 12.
- 3.2. Maintains the Committees and Panels set out at Appendix A for the 2021/2022 municipal year;
- 3.3. Agrees that the terms of reference set out at Part 3 of the Council's [constitution](#) in relation to the committees and panels referred to at paragraph 3.1 above should continue as currently drafted;
- 3.4. Agrees the allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements (Appendix A);
- 3.5. Agrees the appointments to seats allocated in accordance with paragraphs 3.3 above (Appendix B) to include co-opted or non-members.
- 3.6. Agrees the list of Outside Bodies and allocation of seats in accordance with political

balance arrangements as set out at Appendix C for 2021/22. Appointments will be made by Cabinet.

Wards Affected	All
Portfolio Holder(s)	N/A
Report Originator(s)	Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360 Peter Catchpole – Corporate Director and Section 151 Officer petercatchpole@fenland.gov.uk 01354 622201 Anna Goodall - Head of Governance and Legal Services agoodall@fenland.gov.uk 01354 622357
Contact Officer(s)	Paul Medd- Chief Executive Carol Pilson - Corporate Director and Monitoring Officer Peter Catchpole – Corporate Director and Section 151 Officer Anna Goodall - Head of Transformation, Customer Services and Democracy
Background papers	Constitution

4. BACKGROUND/INTRODUCTION

4.1. For each municipal year, Council has to set out the Committees and Panels which are to be established. On establishing the Committees and Panels, in accordance with the rules relating to Political Proportionality the seats on each committee and panel together with the position of Chairman and Vice Chairman are then allocated to Political Parties. Council also receives notification of the appointments to these Committees. Council is also required to confirm allocations to Outside Bodies based again on political proportionality.

5. COMMITTEE STRUCTURE

5.1. As per paragraph 2.1, the Constitution provides that the Council considers the establishment and terms of reference of committees at its Annual Meeting. This must be determined before seats can be allocated to committees in accordance with the political proportionality rules.

5.2. The Committees and Panels of Fenland District Council are as identified in Appendix A and their terms or reference are as set out at Part 3 of the Constitution. No changes have been proposed to either for the forthcoming municipal year.

6. ALLOCATION OF SEATS

6.1. Political Proportionality

- 6.1.1. As per paragraph 2.1 the Constitution provides that the Council allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements.
- 6.1.2. The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 6.1.3. For the purposes of the regulations a political group must consist of two or more members who have signed a declaration to that effect.
- 6.1.4. Where one or more groups exists the relative proportions of the groups should be used in allocating seats on committees/outside bodies. Therefore any elected members who are not part of a group are not automatically allocated seats on committees. If however there are any seats which remain unallocated after political groups have been given their proportionate allocation, those unallocated seats will be given to ungrouped members.
- 6.1.5. The distribution of the 39 current members of the Council within the group structures is as follows. It is :

Group	Number	Percentage
Conservatives	26	67%
Fenland Independents Alliance (Including 2 Liberal Democrats)	13	33%

- 6.1.6. The proposed allocation of seats and position of Chairman and Vice Chairman on the committees referred to at paragraph 5 and subject to political balance arrangements are as set out at Appendix A.

6.2. Outside Bodies

- 6.2.1. Also in accordance with political proportionality requirements Fenland District Council allocates seats on outside bodies where there are 2 or more appointments to be made. The list of Outside Bodies and the allocation of seats is as set out at Appendix C.
- 6.2.2. Confirmation of membership to the Outside Bodies will be undertaken by a subsequent meeting of Cabinet which will allow sufficient time for Group Leaders to appoint to their allocation of seats.

7. COMMITTEE APPOINTMENTS

- 7.1. As per paragraph 2.1, the Constitution provides that Council agrees the appointments to the seats allocated at paragraph 6 above.
- 7.2. The terms of reference of the Conduct Committee also provide for the appointment of up to 2 co-opted members and Independent Persons.
- 7.3. The proposed allocations for the forthcoming municipal year are as set out at Appendix B.

Appendix A - Allocation of Seats on Committees & Panels

Committee	Membership	Political Apportionment
<p>Overview and Scrutiny</p>	<p>Up to 12 members of the Council (none of which may be part of the Cabinet)</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Planning Committee</p>	<p>Up to 12 members of the Council. No more than three of which can be members of the Cabinet.</p> <p>Each political group can appoint up to 4 substitute members (8 substitute members)</p> <p>Appointment: Chairman Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>4 substitute members from each political group</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Licensing Committee (Licensing Act 2003)</p>	<p>Up to 12 members of the Council.</p> <p>The same Members are to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.</p> <p>6 substitute members</p>	<p>8 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The</p>

	<p>Appointment: Chairman Vice Chairman</p>	<p>Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Audit and Risk Management Committee</p>	<p>Up to 12 members of the Council to be formed from: Up to 3 members of Cabinet not including the portfolio holder responsible for finance Up to 3 members drawn from the Overview and Scrutiny panel 6 Backbench members</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p> <p>The Chairman may not be a member of Cabinet</p> <p>The Audit and Risk Management Determination Sub Committee is no more than 6 members drawn from the Audit and Risk Management Committee</p>	<p>8 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Conduct Committee</p>	<p>Up to 5 Members of the Council</p> <p>3 substitute members</p>	<p>3 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p>

	<p>Appointment: Chairman Vice Chairman</p> <p>The Committee may also appoint itself up to two members of Town or Parish Councils to assist its work.</p> <p>Independent Person: Deputy Independent Person:</p>	<p>To the Conservative Group To the Conservative Group</p> <p>Currently: Councillor Andrew Donnelly Vacancy</p> <p>Stuart Webster Claire Hawden-Beal</p>
<p>Appointments Panel</p>	<p>Up to 7 members and not less than 3 nominated by the Leader to reflect political proportionality</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>5 to the Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>

Appendix B- Appointments to Committees and Panels

Cabinet (9)	
Cllr Ian Benney	Cllr Mrs Dee Laws
Cllr Chris Boden (Chairman)	Cllr Andrew Lynn
Cllr Sam Clark	Cllr Peter Murphy
Cllr Mrs Jan French (Vice Chairman)	Cllr Chris Seaton
Cllr Miss Sam Hoy	Cllr Steve Tierney
Overview and Scrutiny Panel (12)	
Substitutes:	
Planning Committee (12)	
Substitutes:	
Licensing Committee (12) - same Members for Licensing Act 2003 Committee and Non - Licensing Act 2003 Committee	

Substitutes	

Audit and Risk Management Committee (12)	
Substitutes	
Conduct Committee (5)	
Substitutes:	
Independent People Independent Person: Stuart Webster Deputy Independent Person: Claire Hawden-Beal	Town/Parish Reps Cllr Andrew Donnelly Vacancy
Appointments Panel (7)	
Substitutes:	

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Appendix C - Allocation of seats on Outside Bodies

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
1	Anglia Revenue Partnership	1 + 2 substitutes		Conservative Party representation
2	Benwick Internal Drainage Board (IDB)	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
3	Cambridgeshire Horizons Board	1		Conservative Party representation
4	Cambridgeshire Military Community Covenant Board	1		Conservative Party Representation
5	Cambridgeshire Police and Crime Panel	1 + 1 substitute		Conservative Party Representation
6	Cambridgeshire Health and Wellbeing Board + District Lead Members Group	1		Conservative Party Representation
7	Chatteris Community Centre Association	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
8	College of West Anglia Governing Body	1		Conservative Party Representation
9	Community Learning and Skills Partnership	1		Conservative Party Representation
10	Curf and Wimblington Combined IDB	1		Conservative Party Representation
11	Feldale IDB	7		5 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
12	Fenland Association of Community Transport	1		Conservative Party Representation
13	Fenland Diverse Communities Forum	1		Conservative Party Representation
14	Fenland Health and Care Forum	Open meeting		Open meeting available for elected members and members of the public wishing to attend
15	Fenland Tension Monitoring Group	1		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
16	Fenland Transport and Access Partnership	1		Conservative Party Representation
17	Fenland Transport Strategy	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
18	Fenland Twinning Association	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
19	Hanson, Fletton Brickworks Industry	1		Conservative Party Representation
20	Health Committee	1 + 1 substitute		Conservative Party Representation
21	Hundred of Wisbech IDB	15		10 Conservatives 5 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				Party)
22	Kings Lynn IDB	1		Conservative Party Representation
23	LGA/ LGA Rural Commission/ LGA Urban Commission	1 + 1 Substitute		Conservative Party Representation
24	Manea and Welney Drainage Commissioners	3		2 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
25	March Area Transport Study	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
26	March West and White Fen Internal Drainage Board (Previously known as March and Whittlesey IDB)	6		4 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
27	March East IDB	11		7 Conservatives 4 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
28	March Education Foundation	1		Conservative Party Representation
29	March Fifth District Drainage Commissioners	8		5 Conservatives 3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
30	March Sixth District Drainage Commissioners	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
31	March Third IDB	5		3 Conservatives 2 Fenland Independents Alliance

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				(including 2 Liberal Democrats and 1 Member of The Green Party)
32	Middle Level Commissioners	3		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
33	Needham and Laddus IDB	1		Conservative Party Representation
34	Nightlayer IDB	10		7 Conservatives 3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
35	North Level District IDB	7		5 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)


Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
36	Wisbech Community Development Trust (Oasis Village Centre)	1		Conservative Party Representation
37	Ransonmoor District Drainage Commissioners	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
38	RECAP	1		Conservative Party Representation
39	Rural Cambs CAB	3		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
40	Safer Fenland Partnership	1		Conservative Party Representation
41	The Wash and North Norfolk Marine Partnership	1		Conservative Party Representation
42	The Combined Authority	1 + 1 Substitute		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
43	The Combined Authority Overview and Scrutiny Committee	2 + 2 Substitutes		Conservative Party Representation
44	The Combined Authority Audit and Governance Committee	1 + 1 Substitute		Conservative Party Representation
45	The Combined Authority Employment Committee	1 + 1 Substitute		Conservative Party Representation
46	The Combined Authority Housing and Communities Committee	1 + 1 Substitute		Conservative Party Representation
47	The Combined Authority Transport and Infrastructure Committee	1 + 1 Substitute		Conservative Party Representation
48	The Combined Authority Skills Committee	1 + 1 Substitute		Conservative Party Representation
49	Upwell IDB	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
50	Waldersey IDB	2		1 Conservative 1 Fenland Independents

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
51	Warboys, Somersham and Pidley IDB	1		Conservative Party Representation
52	Whittlesey & District IDB	5		3 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
53	Wisbech Access Strategy Member Steering Group	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
54	Young People March	1		Conservative Party Representation

*Confirmation of membership to the Outside Bodies will be undertaken by a subsequent meeting of Cabinet, which will allow sufficient time for Group Leaders to appoint to their allocation of seats.

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	Agenda Item:11	
Committee:	Council	
Date:	19 May 2021	
Report Title:	ALTERATION - Committee Structure, Political Balance and Allocation of Seats	

1. PURPOSE/SUMMARY

- 1.1. The purpose of this Report is to agree the committee structure and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to them (where known).

2. KEY ISSUES

- 2.1. The Constitution provides under Rule 1, paragraph 1.2 that at the Annual Meeting, Council will:
- 2.2. Determine which committees and panels should be established for the ensuing municipal year;
- 2.3. Agree the terms of reference for those committees/panels as outlined in the constitution
- 2.4. Allocate the seats and position of the Chairman and Vice Chairman to Political Groups in accordance with political proportionality rules where appropriate in respect of committees, panels and outside bodies;
- 2.5. Receive notification and to appoint Councillors to the allocated seats on each committee and panel and to serve as Chairman and Vice-Chairman.
- 2.6. Political Groups are allocated seats proportionate to their size.
- 2.7. In order to ensure that political proportionality is successfully achieved at an individual committee level in addition to achieving political proportionality globally across the total number of committee seats available, it is necessary to increase the total number of available committee seats from 59 to 65. It is proposed that the number of seats on the following committees are amended as follows
- 2.7.1. The Overview and Scrutiny Panel to increase from 12 seats to 13
- 2.7.2. The Planning Committee to increase from 12 seats to 13
- 2.7.3. The Licensing Committee to increase from 12 seats to 13
- 2.7.4. The Audit and Risk Management Committee to increase from 11 seats to 13
- 2.7.5. The Conduct Committee to increase from 5 seats to 6.
- 2.8. The proposed increase to the Committee seats outlined above will result in an increase of £514 pa to the total scheme of payable Members allowances. This increase results from the fact that every ordinary member of the Planning Committee is entitled to an annual allowance of £514 in accordance with the existing Members Allowances Scheme.

3. RECOMMENDATIONS

It is recommended that Council:

- 3.1. Agrees to increase the number of committee seats on the following Committees to achieve political proportionality at an individual committee level in addition to globally across all committees
- 3.1.1. Overview and Scrutiny Panel
- 3.1.2. Planning Committee

- 3.1.3. Licensing Committee
- 3.1.4. Audit and Risk Management Committee
- 3.1.5. Conduct Committee
- 3.2. Maintains the Committees and Panels set out at Appendix A for the 2021/2022 municipal year;
- 3.3. Agrees that the terms of reference set out at Part 3 of the Council's [constitution](#) in relation to the committees and panels referred to at paragraph 3.1 above should continue as currently drafted;
- 3.4. Agrees the allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements (Appendix A);
- 3.5. Agrees the appointments to seats allocated in accordance with paragraphs 3.3 above (Appendix B) to include co-opted or non-members.
- 3.6. Agrees the list of Outside Bodies and allocation of seats in accordance with political balance arrangements as set out at Appendix C for 2021/22. Appointments will made at a subsequent Cabinet meeting.
- 3.7. For Council to delegate to the Monitoring Officer to make the appropriate changes to the constitution in support of the report.

Wards Affected	All
Portfolio Holder(s)	N/A
Report Originator(s)	<p>Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360</p> <p>Peter Catchpole – Corporate Director and Section 151 Officer petercatchpole@fenland.gov.uk 01354 622201</p> <p>Anna Goodall - Head of Transformation, Customer Services and Democracy agoodall@fenland.gov.uk 01354 622357</p>
Contact Officer(s)	<p>Paul Medd- Chief Executive</p> <p>Carol Pilson - Corporate Director and Monitoring Officer</p> <p>Peter Catchpole – Corporate Director and Section 151 Officer</p> <p>Anna Goodall - Head of Transformation, Customer Services and Democracy</p>
Background papers	Constitution

4. BACKGROUND/INTRODUCTION

- 4.1. For each municipal year, Council must set out the Committees and Panels which are to be established. On establishing the Committees and Panels, in accordance with the rules relating to Political Proportionality the seats on each committee and panel together with the position of Chairman and Vice Chairman are then allocated to Political Parties. Council also receives notification of the appointments to these Committees. Council is also required to confirm allocations to Outside Bodies based again on political proportionality.

5. COMMITTEE STRUCTURE

- 5.1. As per paragraph 2.1, the Constitution provides that the Council considers the establishment and terms of reference of committees at its Annual Meeting. This must be determined before seats can be allocated to committees in accordance with the political proportionality rules.
- 5.2. The Committees and Panels of Fenland District Council are as identified in Appendix A and their terms of reference are as set out at Part 3 of the Constitution. No changes have been proposed to either for the forthcoming municipal year.

6. ALLOCATION OF SEATS

6.1. Political Proportionality

- 6.1.1. As per paragraph 2.1 the Constitution provides that the Council allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements.
- 6.1.2. The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 6.1.3. For the purposes of the regulations a political group must consist of two or more members who have signed a declaration to that effect.
- 6.1.4. Where one or more groups exists the relative proportions of the groups should be used in allocating seats on committees/outside bodies. Therefore any elected members who are not part of a group are not automatically allocated seats on committees. If however there are any seats which remain unallocated after political groups have been given their proportionate allocation, those unallocated seats will be given to ungrouped members.
- 6.1.5. The distribution of the 39 current members of the Council within the group structures is as follows. It is :

Group	Number	Percentage
Conservatives	27	69%
Fenland Independents Alliance (Including 2 Liberal Democrats and 1 Member of The Green Party)	12	31%

- 6.1.6. The proposed allocation of seats and position of Chairman and Vice Chairman on the committees referred to at paragraph 5 and subject to political balance arrangements are as set out at Appendix A.

6.2. Outside Bodies

- 6.2.1. Also in accordance with political proportionality requirements Fenland District Council allocates seats on outside bodies where there are 2 or more appointments to be made. The list of Outside Bodies and the allocation of seats

is as set out at Appendix C.

- 6.2.2. Confirmation of membership to the Outside Bodies will be undertaken by a subsequent meeting of Cabinet, which will allow sufficient time for Group Leaders to appoint to their allocation of seats.

7. COMMITTEE APPOINTMENTS

- 7.1. As per paragraph 2.1, the Constitution provides that Council agrees the appointments to the seats allocated at paragraph 6 above.
- 7.2. The terms of reference of the Conduct Committee also provide for the appointment of up to 2 co-opted members and Independent Persons.
- 7.3. The proposed allocations for the forthcoming municipal year are as set out at Appendix B.
-

Appendix A - Allocation of Seats on Committees & Panels

Committee	Membership	Political Apportionment
<p>Overview and Scrutiny</p>	<p>Up to 13 members of the Council (none of which may be part of the Cabinet)</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>9 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Planning Committee</p>	<p>Up to 13 members of the Council. No more than three of which can be members of the Cabinet.</p> <p>Each political group can appoint up to 4 substitute members (8 substitute members)</p> <p>Appointment: Chairman Vice Chairman</p>	<p>9 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>4 substitute members from each political group</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Licensing Committee (Licensing Act 2003)</p>	<p>Up to 13 members of the Council.</p> <p>The same Members are to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.</p> <p>6 substitute members</p>	<p>9 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The</p>

	<p>Appointment: Chairman Vice Chairman</p>	<p>Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Audit and Risk Management Committee</p>	<p>Up to 13 members of the Council to be formed from: Up to 3 members of Cabinet not including the portfolio holder responsible for finance Up to 3 members drawn from the Overview and Scrutiny panel 7 Backbench members</p> <p>6 substitute members</p> <p>Appointment: Chairman Vice Chairman</p> <p>The Chairman may not be a member of Cabinet</p> <p>The Audit and Risk Management Determination Sub Committee is no more than 6 members drawn from the Audit and Risk Management Committee</p>	<p>9 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Conduct Committee</p>	<p>Up to 6 Members of the Council</p> <p>3 substitute members</p>	<p>4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p>

	<p>Appointment: Chairman Vice Chairman</p> <p>The Committee may also appoint itself up to two members of Town or Parish Councils to assist its work.</p> <p>Independent Person: Deputy Independent Person:</p>	<p>To the Conservative Group To the Conservative Group</p> <p>Currently: Councillor Andrew Donnelly Vacancy</p> <p>Stuart Webster Claire Hawden-Beal</p>
<p>Appointments Panel</p>	<p>Up to 7 members and not less than 3 nominated by the Leader to reflect political proportionality</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>5 to the Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>

Appendix B- Appointments to Committees and Panels

Cabinet (9)	
Cllr Ian Benney	Cllr Mrs Dee Laws
Cllr Chris Boden (Chairman)	Cllr Andrew Lynn
Cllr Sam Clark	Cllr Peter Murphy
Cllr Mrs Jan French (Vice Chairman)	Cllr Chris Seaton
Cllr Miss Sam Hoy	Cllr Steve Tierney
Overview and Scrutiny Panel (13)	
Substitutes:	
Planning Committee (13)	
Substitutes:	
Licensing Committee (13) - same Members for Licensing Act 2003 Committee and Non - Licensing Act 2003 Committee	

Substitutes	

Audit and Risk Management Committee (13)	
Substitutes	
Conduct Committee (6)	
Substitutes:	
Independent People Independent Person: Stuart Webster Deputy Independent Person: Claire Hawden-Beal	Town/Parish Reps Cllr Andrew Donnelly Vacancy
Appointments Panel (7)	
Substitutes:	

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Appendix C - Allocation of seats on Outside Bodies

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
1	Anglia Revenue Partnership	1 + 2 substitutes		Conservative Party representation
2	Benwick Internal Drainage Board (IDB)	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
3	Cambridgeshire Horizons Board	1		Conservative Party representation
4	Cambridgeshire Military Community Covenant Board	1		Conservative Party Representation
5	Cambridgeshire Police and Crime Panel	1 + 1 substitute		Conservative Party Representation
6	Cambridgeshire Health and Wellbeing Board + District Lead Members Group	1		Conservative Party Representation
7	Chatteris Community Centre Association	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
8	College of West Anglia Governing Body	1		Conservative Party Representation
9	Community Learning and Skills Partnership	1		Conservative Party Representation
10	Curf and Wimblington Combined IDB	1		Conservative Party Representation
11	Feldale IDB	7		5 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
12	Fenland Association of Community Transport	1		Conservative Party Representation
13	Fenland Diverse Communities Forum	1		Conservative Party Representation
14	Fenland Health and Care Forum	Open meeting		Open meeting available for elected members and members of the public wishing to attend
15	Fenland Tension Monitoring Group	1		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
16	Fenland Transport and Access Partnership	1		Conservative Party Representation
17	Fenland Transport Strategy	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
18	Fenland Twinning Association	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
19	Hanson, Fletton Brickworks Industry	1		Conservative Party Representation
20	Health Committee	1 + 1 substitute		Conservative Party Representation
21	Hundred of Wisbech IDB	15		10 Conservatives 5 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				Party)
22	Kings Lynn IDB	1		Conservative Party Representation
23	LGA/ LGA Rural Commission/ LGA Urban Commission	1 + 1 Substitute		Conservative Party Representation
24	Manea and Welney Drainage Commissioners	3		2 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
25	March Area Transport Study	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
26	March West and White Fen Internal Drainage Board (Previously known as March and Whittlesey IDB)	6		4 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
27	March East IDB	11		8 Conservatives 3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
28	March Education Foundation	1		Conservative Party Representation
29	March Fifth District Drainage Commissioners	8		6 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
30	March Sixth District Drainage Commissioners	4		3 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
31	March Third IDB	5		3 Conservatives 2 Fenland Independents Alliance

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				(including 2 Liberal Democrats and 1 Member of The Green Party)
32	Middle Level Commissioners	3		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
33	Needham and Laddus IDB	1		Conservative Party Representation
34	Nightlayer IDB	10		7 Conservatives 3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
35	North Level District IDB	7		5 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)


Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
36	Wisbech Community Development Trust (Oasis Village Centre)	1		Conservative Party Representation
37	Ransonmoor District Drainage Commissioners	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
38	RECAP	1		Conservative Party Representation
39	Rural Cambs CAB	3		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
40	Safer Fenland Partnership	1		Conservative Party Representation
41	The Wash and North Norfolk Marine Partnership	1		Conservative Party Representation
42	The Combined Authority	1 + 1 Substitute		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
43	The Combined Authority Overview and Scrutiny Committee	2 + 2 Substitutes		Conservative Party Representation
44	The Combined Authority Audit and Governance Committee	1 + 1 Substitute		Conservative Party Representation
45	The Combined Authority Employment Committee	1 + 1 Substitute		Conservative Party Representation
46	The Combined Authority Housing and Communities Committee	1 + 1 Substitute		Conservative Party Representation
47	The Combined Authority Transport and Infrastructure Committee	1 + 1 Substitute		Conservative Party Representation
48	The Combined Authority Skills Committee	1 + 1 Substitute		Conservative Party Representation
49	Upwell IDB	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
50	Waldersey IDB	2		1 Conservative 1 Fenland Independents

Ref No	Outside Body	Number of representatives required 2021/22	To Be Nominated Representatives 2021/22*	Proportionality
				Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
51	Warboys, Somersham and Pidley IDB	1		Conservative Party Representation
52	Whittlesey & District IDB	5		3 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
53	Wisbech Access Strategy Member Steering Group	2		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
54	Young People March	1		Conservative Party Representation

*Confirmation of membership to the Outside Bodies will be undertaken by a subsequent meeting of Cabinet, which will allow sufficient time for Group Leaders to appoint to their allocation of seats.

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	Agenda Item: 12	
Committee:	Council	
Date:	19th May 2021	
Report Title:	Combined Authority Membership and Other Appointments	

1. PURPOSE/SUMMARY

- 1.1 This report requests the Council to make appointments to the Cambridgeshire and Peterborough Combined Authority for the municipal year 2021/2022.

2. KEY ISSUES

- 2.1. In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, each Constituent Council must appoint one of its elected members and a substitute member to the Combined Authority Board. This is usually the Leader of the Council.
- 2.2. The Council is also asked to make appointments to the Combined Authority Overview and Scrutiny Committee, Audit and Governance Committee, Employment Committee, Housing and Communities Committee, Skills Committee and Transport and Infrastructure Committee.

3. RECOMMENDATION

Members are requested to make the following appointments to the Cambridgeshire and Peterborough Combined Authority for the municipal year 2021/2022:

- 3.1. To appoint the Leader of Council to act as the Council's appointee to the Combined Authority Board and one substitute member - Deputy Leader, Cllr Mrs Jan French;
- 3.2. To appoint two members from the Conservative Party to the Overview and Scrutiny Committee - Cllrs Anne Hay and Alex Miscandlon, and two substitute members from the same political party as those appointed being Cllr Steve Tierney and one vacancy;
- 3.3. To appoint one member from the Conservative Party to the Audit and Governance Committee – Cllr Ian Benney and one substitute member from the same political party - Cllr Sam Hoy.
- 3.4. To appoint one member from the Conservative Party to the Employment Committee – Cllr Kim French and one substitute member from the same political party – Cllr Maureen Davis.
- 3.5. To appoint one member from the Conservative Party to the Housing and Communities Committee – Cllr Chris Boden and one substitute member from the same political party – Cllr Dee Laws.

- 3.6. To appoint one member from the Conservative Party to the Skills Committee – Cllr Chris Seaton and one substitute member from the same political party – Cllr David Mason.
- 3.7. To appoint one member from the Conservative Party to the Transport and Infrastructure Committee – Cllr Chris Seaton and one substitute member from the same political party – Cllr Chris Boden.
- 3.8. To authorise the Chief Executive to make any amendments to the appointments to the Combined Authority Board, all existing Committees and any new Committees which may be created in consultation with the relevant Group Leader at any time throughout the municipal year.

Wards Affected	All
Forward Pan Reference	N/A
Portfolio Holder(s)	Councillor Chris Boden, Leader of the Council and Portfolio Holder for Governance
Report Originator(s)	Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360 Anna Goodall - Head of Transformation, Customer Services & Democracy agoodall@fenland.gov.uk 01354 622357 Amy Brown – Head of Legal and Governance amybrown@fenland.gov.uk
Contact Officer(s)	Paul Medd- Chief Executive Carol Pilson - Corporate Director and Monitoring Officer Anna Goodall - Head of Transformation, Customer Services & Democracy Amy Brown – Head of Legal and Governance
Background papers	Cambridgeshire and Peterborough Combined Authority Order 2017

4. BACKGROUND/INTRODUCTION

- 4.1. In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, each Constituent Council must appoint one of its elected members and a substitute member to the Combined Authority. This is normally the Leader. Each Council made these appointments at its respective Council meeting in May 2017 for the 2017/18 municipal year and is requested to do so for each subsequent municipal year.

-
- 4.2. Members are asked to agree the proposed appointments recommended in this Report for the municipal year 2021/22.

5. NON EXECUTIVE COMMITTEES

- 5.1. The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires the Combined Authority to establish an Overview and Scrutiny Committee and an Audit and Governance Committee. The Order sets out the rules for membership. The membership of the Overview and Scrutiny and the Audit and Governance Committees as a whole should reflect so far as reasonably practicable the balance of political parties of the constituent councils when taken together. The balance is based on membership of political parties, not political groups, on constituent councils across Cambridgeshire and Peterborough.

- 5.2. On 6 May 2021, there were local elections for the County Council, Cambridge City Council and Peterborough City Council and several by elections took place. The Combined Authority has reviewed the political balance on constituent councils and has requested constituent councils to make the following appointments to these committees.

5.3. Overview & Scrutiny Committee

- 5.3.1.1. The Combined Authority agreed that to ensure an equitable representation across each constituent authority, two members from each council should be appointed to the Overview and Scrutiny Committee representing a total membership of fourteen members.
- 5.3.1.2. The implications of applying political proportionality to a fourteen-member Overview and Scrutiny Committee are detailed in Appendix 1 and require the appointment of 2 Fenland District Councillors and 2 substitutes from the Conservative Party for the municipal year 2021/22.
- 5.3.1.3. Members are asked to agree the nominations recommended in this Report.

5.3.2. Audit & Governance Committee

- 5.3.2.1. The Combined Authority agreed to establish an Audit and Governance Committee consisting of seven constituent members: one member from each constituent council.
- 5.3.2.2. The implications of applying political proportionality to a seven-member Audit and Governance Committee are detailed in Appendix 2 and require the appointment of one Fenland District Councillor and one substitute from the Conservative Party for the municipal year 2021/22.
- 5.3.2.3. Members are asked to agree the nomination recommended in this Report.

5.3.3. Substitutes

- 5.3.3.1. The Combined Authority has agreed that substitute members should be appointed for each position on the Audit and Governance Committee and the Overview and Scrutiny Committee. Any substitute members should come from the same party as the Member they are substituting for to maintain political balance.
- 5.3.3.2. For the Overview and Scrutiny Committee, as Fenland District Council is proposing the appointment of two Councillors from the same political party, it has the option to only appoint one substitute rather than two. However, the quorum set down in legislation is two thirds of the total membership and it is therefore preferable, as recommended, to appoint two members in case both members are absent from a meeting and need to substitute.

5.4. CONCLUSION

- 5.4.1. All appointments and nominations made by constituent councils will be reported to the Combined Authority's annual meeting on 2nd June 2021.
- 5.4.2. The political balance calculations in the Appendices are based on up to date statistics given by constituent councils and take account of the outcome of the local elections which took place on 6th May 2021. However, there may be last minute changes in the lead up to constituent councils' annual meetings and Combined Authority's annual meeting on 2nd June 2021.
- 5.4.3. If there are consequential changes to the overall political balance, the Combined Authority may need to review the membership and the allocation of seats to political parties on the above committees. The CPCA Monitoring Officer will advise constituent councils if any subsequent changes have been necessary, and whether any changes need to be made to their nominations.
- 5.4.4. Further and in order to ensure that there is adequate provision for any in-year changes that may need to take place, members are requested to delegate powers to the Chief Executive to approve any consequential changes to the recommended appointments in consultation with the relevant Group Leader.

Appendix 1

Overview and Scrutiny Committee of 14

POLITICAL BALANCE ACROSS THE COUNTY as at 7th May 2021

	Total Seats	Vacancy	Conservative	Labour	St Neots Independent Group	Independent	Werrington First	Liberal Democrats	Green	Total	Entitlement 2021
CAMBRIDGESHIRE	2	0	28	9	2	2	0	20	0	61	1 Liberal Democrat, 1 Conservative
PETERBOROUGH	2	0	29	17	0	0	3	8	3	60	1 Labour, 1 Conservative
HUNTINGDONSHIRE	2	1	30	3	0	11	0	7	0	51	2 Conservatives
EAST CAMBS	2	0	15	0	0	2	0	11	0	28	1 Liberal Democrat, 1 Conservative
SOUTH CAMBS	2	0	11	2	0	1	0	31	0	45	2 Liberal Democrats
CAMBRIDGE CITY	2	0	0	27	0	1	0	12	2	42	2 Labour
FENLAND	2	0	26	0	0	10	0	2	1	39	2 Conservatives
TOTAL		1	139	58	2	27	3	91	6	326	
POLITICAL BALANCE %			46.49	19.40	0.67	0.00	1.00	30.43	2.01	100.00	
Committee seat allocation	14		6.51	2.72	0.09	0.00	0.14	4.26	0.28	14.00	
Seat allocation May 2021			7	3				4		14	

"Independent" Groups = 27

Subtract Independents from total (326) to get new total of 299

Green, St Neots and Werrington First included as registered with Electoral Commission

299

Appendix 2

Audit and Governance Committee of 7
POLITICAL BALANCE ACROSS THE COUNTY as at 7 May 2021

	Total	Vacancy	Conservative	Labour	St Neots Independent Group	Independent	Werrington First	Liberal Democrats	Green	Total	Entitlement 2021/22
CAMBRIDGESHIRE	1	0	28	9	2	2	0	20	0	61	1 Lib Dem
PETERBOROUGH	1	0	29	17	0	0	3	8	3	60	1 Labour
HUNTINGDONSHIRE	1	1	30	3		11	0	7	0	51	1 Cons
EAST CAMBS	1	0	15	0	0	2	0	11	0	28	1 Cons
SOUTH CAMBS	1	0	11	2	0	1	0	31	0	45	1 Lib Dem
CAMBRIDGE CITY	1	0	0	27	0	1	0	12	2	42	1 Labour
FENLAND	1	0	26	0	0	10	0	2	1	39	1 Cons
TOTAL		1	139	58	2	0	3	91	6	326	
POLITICAL BALANCE %			46.49	19.40	0.67	0.00	0.92	30.43	2.01	99.92	
Committee seat allocation	7		3.25	1.36	0.05	0.00	0.06	2.13	0.14	6.99	
Seat allocation May 2021			3	2				2		7	


299

"Independent" Groups = 27

Subtract Independents from total (326) to get new total of 299

Green, St Neots and Werrington First included as registered with Electoral Commission

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Agenda Item No:	13	
Committee:	COUNCIL	
Date:	19 May 2021	
Report Title:	REVIEW OF MEMBERS' ALLOWANCES SCHEME	

1 Purpose / Summary

To present to Council the conclusions and recommendations of the Independent Remuneration Panel (IRP) in respect of its review of the current Members' Allowances Scheme.

2 Key issues

- The Council is statutorily required to review its Members' Allowances Scheme at least every 4 years.
- The current scheme was last reviewed in November 2019.
- The previous IRP recommended that the Members' Allowances Scheme be subject to review 18 months after its last review in 2019, this was to ensure that the Members Allowances Scheme adequately reflected the changing Cambridgeshire and Peterborough Combined Authority (CPCA) requirements and commitments as well as reflecting any impact from the implementation of the Commercial Investment Strategy (CIS).
- During the December 2020 Council meeting Members agreed to undertake the interim (non statutory) review of members allowances and agreed the Terms of Reference for the interim review.
- Whilst the scope of the interim review was focussed predominantly on considerations in relation to Special Responsibility Allowances, (SRA's) the IRP have also considered the basic allowance during this interim review as it is considered best practice to set the basic allowance and then ensure the SRA level's are set proportionately to the basic allowance. The basic allowance is therefore the building block of all other allowance considerations.
- As set out within The Local Authorities (Members' Allowances) (England) Regulations 2003, all Members' Allowances Schemes must include a Basic Allowance that is paid equally to all Members of the Council and may make provision for the payment of Special Responsibility Allowances to members who hold positions of significant additional responsibilities over and above the generally accepted duties of a Councillor.

- The Local Government Act 1972 stipulates the provision of the payment of travel and subsistence allowances. Expenses for the Chairman and Vice-Chairman of the Council also fall under this Act.
- Before the Council can make or amend its Members' Allowances Scheme, it must have regard to the recommendations of the IRP.
- When revoking a Members' Allowances Scheme, the new scheme may only come into effect from the following financial year e.g. 1st April 2022 unless the IRP recommends that allowances are backdated.
- The IRP has undertaken a review of the current scheme and has made recommendations which are contained within the report.
- The proposed Members' Allowances Scheme is contained at Appendix 1.

3 Recommendations

- That the Council has regard for the recommendations of the IRP in formulating a Members' Allowances Scheme, to come into effect from 1st April 2021 and authorises the Monitoring Officer to make such typographical amendments as are necessary to produce clean text copies of the Constitution.

The recommendations include:

- (1) Members acknowledge receipt on behalf of the Authority of the Independent Remuneration Panel's report.

Basic Allowance:

(2)The Basic Allowance to increase to £4,957 pa. The recommended basic allowance is calculated using the following robust formula, namely that on average elected district Councillors spend 15 hours a week fulfilling their district council role, the average wage in Fenland is currently £12.71 per hour however it is also recognised that a proportion of the work elected Councillors perform should not attract a payment as it is for the benefit of the local community and therefore a public service discount is applied. In this instance the proposed public service discount used is 50%. The formula is therefore as follows hours per week to fulfil the role (15) x weeks in the year (52) x average earnings (£12.71) x public service discount (50%)

Special Responsibility Allowances (SRA):

(3)All SRA's to be based proportionately on the proposed basic allowance as outlined in further detail below

(4)The Leader of the Council to receive an SRA that is 3.5X the basic allowance, £17,350

(5) Cabinet Members to receive an SRA that is 1.75X the basic allowance £8,675

(6)The Chairman of the Overview and Scrutiny Panel to receive an SRA that is 1.4X the basic allowance, £6,940.

(7)The Chairman of the Planning Committee to receive an SRA that is 1.4X the basic allowance, £6,940.

(8)The SRA for Members of the Planning Committee and Substitute members of the planning committee to remain unchanged at £514 and £103 respectively

(9)The Chairman of the Council to receive an SRA that is 0.84 X the basic allowance, £4,164.

(10)The Chairman of the Licensing Committee to receive an SRA that is 0.65 X the basic allowance, £3,222.

(11)The Chairman of the Conduct Committee to receive an SRA that is 0.35 X the basic allowance, £1,735

(12)The Chairman of the Audit and Risk Management Committee to receive an SRA that is 0.35 X the basic allowance, £1,735.

(13)The Vice Chairman of the Audit and Risk Management Committee (who is responsible for the Chairmanship of the Audit and Risk Management sub-committee) to receive an SRA that is 0.35 X the basic allowance £1,735.

(14)The Leader of the Main Opposition Group to receive an SRA that is 1.2 X the basic allowance £5,948.

(15)The Leader of Other Opposition Groups to receive an SRA that is 0.4 X the basic allowance, £1,983. In order to qualify for this allowance, other opposition groups must consist of a minimum of three Members.

(16) SRA payments to be limited to 1 per Member with the exception of the new allowance to Planning Committee members.

(17) No New SRA is to be introduced in respect of the Cambridgeshire and Peterborough Combined Authority, however the SRA for the Leader is proportionately higher to reflect the additional commitment associated with the CPCA.

No further changes are proposed and therefore the following allowances will all remain the same as the current published scheme

Co-optees' Allowance:

(18) Remain the same as the current scheme

Travelling and Subsistence:

(19)Travelling and Subsistence rates to remain the same as the current scheme. The Panel does however recommend that Fenland District Council considers the introduction of electric charging points across Council owned sites to encourage the use of electric vehicles for both staff and elected Councillors

Dependents' Carers' Allowance:

(20) Rates to remain the same as the current scheme.

(21) The General Conditions to remain the same in accordance with the existing scheme.

Backdating Allowances:

(22) The Council's new Members' Allowances Scheme to be effective from 1st April 2021.

Annual Adjustment of Allowances:

(23) The indexation of Members' Allowances to employee pay awards both in relation to the Basic Allowance and Special Responsibility Allowances to remain the same as the existing scheme.

Independent Person and Deputy Independent Person:

(24) The Independent Person for the Conduct Committee to receive an SRA that is 0.20 X the basic allowance, £992.

(25) The Deputy Independent Person for the Conduct Committee to receive an SRA that is 0.10 X the basic allowance, £496.

Pensions:

(26) Councillors are not eligible to enter the Local Government Pension Scheme.

Equipment and Associated Consumables:

(27) To remain the same as the current scheme

Future Reviews:

(28) The next review of Members' Allowances will be a statutory review and therefore the timescales for which must be no later than May 2023 following the 'all out' local elections.

Wards Affected	All
Forward Plan Reference	This report was included on the Forward Plan
Report Originator(s)	<p>Amanda Orchard, Marketing Consultant, Magistrate - Chairman of the IRP Panel</p> <p>Gerard Dempsey, Business Consultant, Magistrate and former CEO of national business chains</p> <p>Nicky Blanning, Senior Manager for Cambridge University with previous experience IRP's</p>
Contact Officer(s)	<p>Paul Medd, Chief Executive, 01354 622202, paulmedd@fenland.gov.uk</p> <p>Peter Catchpole Corporate Director and S151 Officer, 01354 622201, petercatchpole@fenland.gov.uk</p> <p>Carol Pilson, Corporate Director and Monitoring Officer, 01354 622360, cpilson@fenland.gov.uk</p> <p>Anna Goodall, Head of Transformation, Customer Service and Democracy, 01354 622357, agoodall@fenland.gov.uk</p>
Background Paper(s)	<p>The Local Authorities (Member Allowances) (England) Regulations 2003</p> <p>Fenland District Council's Members' Allowances Scheme</p> <p>Scope of Members' Allowances Review Council Report, December 2020</p>

Report of the Independent Remuneration Panel on Members' Allowances May 2021

1 Introduction

- 1.1 The Independent Remuneration Panel (IRP) comprised of three members:
Amanda Orchard – Marketing Consultant, Magistrate - Chairman of the IRP Panel.
Gerard Dempsey - Business Consultant, Magistrate and former CEO of national business chains
Nicky Blanning – Senior Manager, Cambridge University with extensive previous experience of IRP's.
- 1.2 In undertaking the review, the panel had regard for the Terms of Reference agreed by Council in December 2020, the scope for which was focussed predominately on Special responsibility allowances. The scope of the review was influenced by the fact that this is an interim review and has been conducted to ensure allowances are reflective of the responsibilities and commitments associated with the Cambridgeshire and Peterborough Combined Authority (CPCA) and the Commercial Investment Strategy. In addition the panel also had regard for the "Guidance on Member Allowances' for Local Authorities in England."
- 1.3 The panel received a copy of the current allowances scheme, approved by Council in November 2019 and the panel was requested to undertake a review with reference to the scope.

2 Methodology

- 2.1 The panel undertook a training session on Members' Allowances Reviews including Legal requirements for schemes, different methodologies, benchmarking, the basic allowance, special responsibility allowances, travel and subsistence, dependents' carers' allowances, pensions, co-optees allowance, considerations regarding the Combined Authority and requirements for publicity.
- 2.2 The panel members:
- Received a copy of previous report from 2015 and 2019;
 - Studied a summary of members' allowances data obtained from other Cambridgeshire District Councils, Cambridge City Council plus other CIPFA nearest neighbours for the purposes of benchmarking;
 - Received the results of the survey of Members' views in relation to the current Members' Allowances Scheme;
 - Received a schedule of the current Special Responsibility Allowances;
 - Received a document detailing the remit and frequency of each of the Council's Committees and list of outside bodies including meeting of the Cambridgeshire and Peterborough Combined Authority

- Undertook interviews and questionnaires with a total of 15 Members from a cross-section of the Council's membership as well as the provision of an open invitation to all Members. Interviews spanned:
 - Group Leaders
 - Cabinet Members
 - Committee Chairmen
 - Committee Members
 - Members of CPCA Committees and the CPCA Board
 - Opposition Members
 - All Members

3 Terms of Reference

- 3.1 The panel has regard for the terms of reference approved by Council in December 2020 which included:
- 3.2 To make recommendations about the roles and responsibilities for which a Special Responsibility Allowance should be payable and the amount of each such allowance including roles associated with the Cambridgeshire and Peterborough Combined Authority, Investment Board and in relation to any changes to Committee responsibilities.
- 3.3 To determine any other issue covered by the 2003 Regulations including whether annual adjustments should be made to allowance levels by means of an index and, if so, for how long such a measure should last, up to a maximum period of 4 years;
- 3.4 To report any recommendations to Council as soon as is reasonably practicable following member engagement and completion of the review, no later than July 2021;
- 3.5 To compare and contrast schemes in existence at other Councils.
- 3.6 During the training session to inform the approach, consideration and legislation underpinning a member allowances review, it became clear to the IRP that any considerations and resulting recommendations associated with SRA's should also firstly consider the basic allowance. The rationale for including the basic allowance within the scope of the Members allowance review is because best practice suggests that SRA's and their associated value should be linked proportionately to the basic allowance to ensure transparency and consistency.

4 Basic Allowance

- 4.1 The 2003 Regulations state that an authority must pay a Basic Allowance to all of its members and that the amount must be the same for each member.
- 4.2 Having studied the results of the Members' survey and listened to the views of those members who attended for interview, in addition to comparing the current basic allowance with neighbouring and CIPFA nearest neighbour

authorities, the panel is of the opinion that the Basic Allowance is lower than comparative Councils'. Furthermore, the Panel identified that the method for calculating the rate of Basic Allowance payable is not currently reflective of standard best practice formulas utilised commonly for this purpose. The IRP recognise that there may be a reluctance to consider changes to the Basic Allowance presently, particularly given the financial impacts of the COVID pandemic, however the panel are concerned that ultimately a basic allowance that is significantly lower than neighbouring authorities may become a financial barrier to attracting a wide and diverse group of people to come forward as potential future District Councillors. Feedback during the interviews with elected members also suggested that attracting new future candidates from diverse backgrounds may be challenging and therefore the IRP suggest that the District Council consider running future candidate engagement sessions to encourage local residents from all sections of the local community to consider standing to be a local district councillor in relation to future electoral contests.

- 4.3 The results of the interviews with elected members and survey responses evaluated, suggest that on average District Councillors spend 15 hours a week fulfilling their district council role, the average wage in Fenland is currently £12.71 per hour (the Fenland average wage were provided by NOMIS Official Labour Market Statistics), however it is also recognised that a proportion of the work elected Councillors perform should not attract a payment as it is for the benefit of the local community and therefore a public service discount should be applied. In most cases the amount of public service discount is between 30 – 50%, with the average being 35% discount (figures provided by South East Employers). In this instance the IRP proposed that a public service discount of 50% be used. The formula is therefore as follows hours per week to fulfil the role (15) x weeks in the year (52) x average earnings (£12.71) x public service discount (50%). **As a result the panel are proposing that the basic allowance should be calculated utilising the following, best practice methodology: The average number of hours per week spent fulfilling the role of District Councillor X the number of weeks of the year X the average local hourly earnings X the public service discount. 15 X 52 X £12.71 X 50% (50% is the highest recommended level of Public Service Discount applicable). This equates to a Basic Allowance of £4,957 pa which is a £7 pa increase on the current scheme or 0.14%.**

5 Special Responsibility Allowances

- 5.1 The panel considered all positions currently in receipt of Special Responsibility Allowances. The panel recommends that all SRA's are linked proportionately to the Basic Allowance as this will ensure transparency and the consistent application of a robust approach.
- 5.2 **The Leader of the Council to receive an SRA that is 3.5X the basic allowance. This equates to a Leader's allowance of £17,350 pa, an increase from the current scheme of £387 pa or 2.28%.**

- 5.3 **Cabinet Members to receive an SRA that is 1.75X the basic allowance. This equates to a Cabinet SRA of £8,675 pa, a slight reduction of £59 pa or 0.68%**
- 5.4 The Panel considered the role of the Chairman of Overview and Scrutiny Panel. It was clear following interviews with Members that this position is of considerable importance. This role is also now required to observe Investment Board meetings in addition to those of the Local Authority Trading Company, Fenland Future Ltd (which have resulted from the recent Commercial Investment Strategy) in order to be able to feedback to the wider Overview and Scrutiny Panel, which justified the larger allowances this position attracted. **The Chairman of the Overview and Scrutiny Panel to receive an SRA that is 1.4X the basic allowance. This equates to an Overview and Scrutiny Panel Chairman's allowance of £6,940 pa, a reduction of £253 pa or 3.52%**
- 5.5 The Panel considered the role of Planning Committee members, without exception feedback from all members confirmed that the Planning Committee meet more frequently compared to any other committees and the requirement to attend site visits, attend mandatory training, as stipulated in the constitution, in addition to reading significant volumes of reports in order to make informed decisions which directly impact on local residents, place additional responsibilities on committee members which are not comparable with other committees. Members also reflected that the time commitment associated with being a member of the planning committee could potentially be a barrier for some elected members. **The Chairman of the Planning Committee to receive an SRA that is 1.4X the basic allowance. This equates to a Planning Committee Chairman's allowance of £6,940 pa, a reduction of £253 pa or 3.52%**
- 5.6 **The SRA for Members of the Planning Committee and Substitute members of the planning committee to remain unchanged at £514 and £103 respectively**
- 5.7 **The Chairman of the Licensing Committee to receive an SRA that is 0.65 X the basic allowance. This equates to a Licensing Committees Chairman's allowance of £3,221 pa, a reduction of £142 pa or 4.22%.**
- 5.8 **The Chairman of the Conduct Committee to receive an SRA that is 0.35 X the basic allowance. This equates to a Conduct Committee Chairman's allowance of £1,735 pa, an increase of £53 pa or 3.15%.**
- 5.9 **The Chairman of the Audit and Risk Management Committee to receive an SRA that is 0.35 X the basic allowance. This equates to an Audit and Risk Management Committee Chairman's allowance of £1,735 pa, an increase of £53 pa or 3.15%. The Audit and Risk Management Committee recently replaced the former Corporate Governance Committee.**
- 5.10 **The Vice Chairman of the Audit and Risk Management Committee (who is responsible for the Chairmanship of the Audit and Risk Management sub-committee, which recently replaced the former Staff Committee) to receive an SRA that is 0.35 X the basic allowance. This equates to an Audit and Risk Management Sub-Committee Chairman's allowance of £1,735 pa, an increase of £53 pa or 3.15%. This allowance replaces the**

SRA of the former Staff Committee Chairman. No other Vice Chairman roles should attract an associated SRA.

- 5.11 **The Chairman of the Council to receive an SRA that is 0.84 X Basic Allowance. This equates to a Chairman of the Council allowance of £4,164 pa, a slight reduction of £65 pa or 1.54%**
- 5.12 **The Leader of the Main Opposition Group to receive an SRA that is 1.2 X the basic allowance. This equates to a Main Opposition Group Leader allowance of £5,948 pa, an increase of £85 pa or 1.46%**
- 5.13 **The Leader of Other Opposition Groups to receive an SRA that is 0.4 X the basic allowance. This equates to a Other Opposition Group Leader's allowance of £1,983 pa a reduction of £72 pa or 3.51%. In order to qualify for this allowance, other opposition groups must consist of a minimum of three Members.**
- 5.14 **SRA payments to be limited to 1 per Member with the exception of the allowance to Planning Committee members.**
- 5.15 The panel considered the roles that members undertake on the Cambridgeshire and Peterborough Combined Authority (CPCA) both in respect of constituted committees in addition to the requirements associated with CPCA Board membership. Other constituent Councils of the CPCA have either already agreed to make SRA payments to members fulfilling roles on the CPCA or have been asked to consider making payments as part of their respective Independent Remuneration Panel deliberations. From the extensive feedback and evidence received in relation to this matter the panel recognises the significant responsibilities, extent of decision making and associated time commitment these roles carry above that expected of a District Councillor, which would suggest that an additional SRA was justifiable. The panel also acknowledge the importance and associated potential benefits of having Fenland representatives contributing to the role of the CPCA. The IRP asked all elected members about the potential for a further SRA in respect of the commitments and responsibilities associated with the CPCA. All members who were either interviewed or took part in the survey felt that an additional SRA could not be justified, particularly at this time due to the financial impact globally resulting from the COVID pandemic. **As a result the IRP recommend that No New SRA is to be introduced in respect of the Cambridgeshire and Peterborough Combined Authority, however the SRA for the Leader of the Council is proportionately higher in comparison to the basic allowance to reflect the additional commitment associated with the CPCA Board role.**
- 5.15 The Panel also considered the impact of the Commercial Investment Strategy and the associated commitments and requirements of the three Cabinet Member's, including the District Council Leader, who make up the Investment Board (a sub-committee of the Cabinet). All Senior Members of the Investment Board (IB) recognise that the IB is a relatively new Committee and that whilst the IB is responsible for overseeing the investment opportunities for both the District Council and the recently created Local Authority Trading Company, (LATCo) Fenland Future Ltd, all Members who took part in the

interviews with the IRP or the associated survey stated that a further SRA in respect of the role of the Investment Board was not justifiable. This is primarily because Members of Cabinet are already in receipt of an SRA. **Therefore, the panel recommends that no further SRA should be introduced in respect of the Commercial Investment Strategy including the Investment Board.**

5.16 List of Special Responsibility Allowances:

Special Responsibility Allowance	Current Allowance	New Allowance	Proportion of basic allowance	% Change
Leader of the Council	£16,963	£17,350	3.5 x Basic Allowance	↑2.28%
Cabinet	£8,734	£8,675	1.75 x Basic Allowance	↓0.68%
Chairman of Overview & Scrutiny	£7,193	£6,940	1.4 x Basic Allowance	↓3.52%
Chairman of Planning Committee	£7,193	£6,940	1.4 x Basic Allowance	↓3.52%
Members of Planning Committee	£514	£514	NA	No Change
Substitute Members of Planning Committee	£103	£103	NA	No Change
Chairman of Licensing Committee	£3,364	£3,222	0.65 x Basic Allowance	↓4.22%
Chairman of Conduct Committee	£1,682	£1,735	0.35 x Basic Allowance	↑3.15%
Chairman of Audit and Risk Management Committee	£1,682	£1,735	0.35 x Basic Allowance	↑3.15%
Vice Chairman of Audit and Risk	£1,682	£1,735	0.35 x Basic Allowance	↑3.15%

Management Committee				
Chairman of Council	£4,229	£4,164	0.84 x Basic Allowance	↓1.54%
Leader of Main Opposition Group	£5,863	£5,948	1.2 x Basic Allowance	↑1.46%
Leader of other Opposition Groups	£2,055	£1,983	0.4 x Basic Allowance	↓3.51%

6. Co-optee's Allowance

- 6.1 **No changes are recommended in respect of the Co-optees allowance as this did not form part of the scope of the IRP terms of reference.**

7 Travelling and Subsistence

- 7.1 **No changes are recommended in respect of travelling and subsistence as this did not form part of the scope of the IRP terms of reference. The IRP do however recommend that FDC considers the introduction of electric charging points at each of its sites to encourage the use of electric vehicles.**

8. Dependents' Carers' Allowance

- 8.1 **No changes are recommended in respect of the Dependents' Carers Allowance as this did not form part of the scope of the IRP terms of reference.**

9 Backdating Allowances

- 9.1 **The Allowances Regulations allow local authorities to apply amendments to allowances payments to be backdated to the beginning of the financial year. It is the view of the panel that the Council's new Members' Allowances Scheme should be effective from 1st April 2021.**

10 Annual Adjustment of Allowances

- 10.1 **The panel acknowledged that it is important that member allowances do not fall behind that of comparator councils and therefore the panel recommends the continuation of the indexation of Members' Allowances to employee pay awards both in relation to the Basic Allowance and Special Responsibility Allowances from 01 April 2021 onwards.**

11 Independent Person and Deputy Independent Person

- 11.1 The panel considered the fact that the allowances in respect of the Independent Person and Deputy Independent Person should also be linked proportionately to the Basic Allowance for consistency and transparency. **As such the IRP recommend that the Independent Person for the Conduct Committee to receive an SRA that is 0.20 X the basic allowance. This equates to an Independent Person allowance of £992 pa, a slight decrease of £40 pa or 3.88%.**

The Deputy Independent Person for the Conduct Committee to receive an SRA that is 0.10 X the basic allowance. This equates to a Deputy Independent allowance of £496 pa a slight decrease of £20 pa or 3.93%.

12 Pensions

- 12.1 Councillors are not eligible to enter the Local Government Pension Scheme.

13. Members' ICT/Equipment & Consumables

- 13.1 **No changes are recommended in respect of Members' ICT/ Equipment and Consumables as this did not form part of the scope of the IRP terms of reference.**


14. Future reviews of the Scheme

- 14.1 The next review of Members' allowances will be a statutory review and therefore the timescales for which are prescribed and required to take place no later than May 2023.

15. Financial Implications

- 15.1 The provision of Members' Allowances (Basic Allowance and Special Responsibility Allowances) currently costs the Council **£330,327** per annum. The recommendations within this report, if adopted, will result in Members' Allowances costs showing **a slight reduction of an additional £403 from 2021/22 onwards or a 0.12% reduction pa.**

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Agenda Item No:	14	
Committee:	Council	
Date:	19 May 2021	
Report Title:	Electoral Review for Fenland District Council	

1 Purpose / Summary

- For Members to consider and agree to approach the Local Government Boundary Commission (LGBCE) for England to request an Electoral Review of Fenland District Ward Boundaries in time for this review to inform the 2023 Fenland District Council elections.

2 Key issues

- The LGBCE are responsible for conducting reviews of local authority electoral arrangements through an electoral review. Electoral reviews are usually an 18 month process which take a series of defined steps, as set out within the report, to establish new electoral arrangements. The Council is a key consultee through this process as are many other stakeholders.
- Through an electoral review the LGBCE would agree:
 - the total number of Councillors elected to the local authority;
 - the number and boundaries of wards for the purposes of the elections of Councillors;
 - the number of Councillors for any ward of a local authority; and
 - the name of any ward.
- The LGBCE conducts an electoral review of a Council for two reasons:
 1. At the request of the local authority; or
 2. If the local authority meets the Commission's intervention criteria:
 - a) If one ward has an electorate of +/- 30% from the average electorate for the authority.
 - b) If 30% of all wards have an electorate of +/-10% from the average electorate for the authority.
- Reviewing current and future projections in relation to elector numbers illustrates that Fenland District Council will exceed the intervention criteria by 2023 therefore reviewing ward boundaries to correct these inequalities ahead of the 2023 elections will ensure that Councillors represent closer to the average number of electors overall through an Electoral Review process.
- Fenland District Council had its electoral arrangements reviewed by the LGBCE in 2014 which led to a reduction in the number of Councillors from 40 to 39 and the redefinition of ward boundaries to improve electoral equality from the 2015 all out elections.

3 Recommendations

- For Members to consider and agree to approach the Local Government Boundary Commission for England to request an Electoral Review of Fenland District Ward Boundaries in time for this review to inform the 2023 Fenland District Council elections.

Wards Affected	All	
Forward Plan Reference	N/A	
Portfolio Holder(s)	Cllr Chris Boden - Leader of the Council and Portfolio Holder for Finance and Governance	
Report Originator(s)	Paul Medd - Chief Executive Carol Pilson - Corporate Director Anna Goodall - Head of Transformation, Customer Services and Governance Amy Brown - Chief Solicitor	
Contact Officer(s)	Paul Medd - Chief Executive Carol Pilson - Corporate Director Anna Goodall - Head of Transformation, Customer Services and Governance Amy Brown - Chief Solicitor	
Background Paper(s)	N/A	

4 Electoral Reviews

- 4.1 An Electoral Review is an examination of a Council's electoral arrangements. For a District Council, this means a review of:
- the total number of councillors elected to the local authority;
 - the number and boundaries of wards for the purposes of the election of councillors;
 - the number of councillors for any ward of a local authority; and
 - the name of any ward or division.
- 4.2 The LGBCE conducts an electoral review of a Council for two reasons:
1. At the request of the local authority; or
 2. If the local authority meets the Commission's intervention criteria:
 - a) If one ward has an electorate of +/- 30% from the average electorate for the authority.
 - b) If 30% of all wards have an electorate of +/-10% from the average electorate for the authority.

5 Electoral Review Process

- 5.1 Electoral reviews must follow a six stage process as follows:

5.2 1.Preliminary Stage

The LGBCE gathers initial information from the local authority being reviewed, including electoral forecasts and other electoral data.

They meet with all Councillors, officers, group leaders and where applicable, Parish and Town Councils.

5.3 2.Councillor Numbers

They will then decide how many Councillors should be elected to the local authority in the future. They will base this decision on the evidence received from the local authority itself and any other respondents who have made a representation. They will take a view on the council size for a local authority by considering four factors:

- a) The governance arrangements of the Council;
- b) The council's scrutiny functions;
- c) The representational role of councillors;
- d) Future trends and plans for the Council.

5.4 3.Warding Arrangements

By this stage of the review, the LGBCE will have not proposed boundaries. At this point the LGBCE will ask the public for their views on:

- a) The number of wards;
- b) The names of wards;
- c) Where the boundaries between wards should lie;

- d) The number of councillors for each ward.

The public's comments will shape the LGBC's draft recommendations for new electoral arrangements which they will publish.

5.5 4.Draft Recommendations

Based on the information received from the consultation, draft recommendations are then produced on future electoral arrangements.

A new stage of consultation is then opened to see what members of the public think of the plans for the area. They will consider all submissions on their draft recommendations when producing their final recommendations for the local authority.

5.6 5.Final Recommendations

Final recommendations are produced which are put before Parliament to be made law.

5.7 6.Parliamentary scrutiny

The final recommendations are then put before Parliament in the form of a draft order. The draft order, if made, gives effect to the final recommendations and is laid before Parliament for a period of 40 sitting days. Parliament can either accept or reject the LGBC's recommendations.

6 Fenland District Council Electors Figures and Future Projections

- 6.1 In April 2021, a review was conducted of current electorate figures, and projected electorate figures in 2026 for wards within Fenland, taking into account County Council population forecasts, extant planning permissions and empty properties. The review gave the following current and projected 2026 electorate figures for each ward:

Table 1 - Estimated Elector Forecast Figures (includes CCC population forecast, extant planning permissions and empty properties)

Ward	Current elector figures 1 April 2021	Estimated Elector Figures				
		2022	2023	2024	2025	2026
AA Birch	2307	2311	2314	2318	2322	2326
AB Slade Lode	2058	2126	2194	2261	2329	2397
AC The Mills	2265	2295	2325	2355	2385	2415
AD Wenneye Figures have been adjusted by an average of the other wards in Chatteris due to the high forecasted population for this ward, which sees electors nearly double, which seems unusual therefore the figures in brackets are used.	1753	2192 (1787)	2631 (1821)	3070 (1855)	3509 (1889)	3948 (1923)

Ward	Current elector figures 1 April 2021	Estimated Elector Figures				
		2022	2023	2024	2025	2026
BA1 March East	1661	1685	1708	1732	1756	1780
BA2 March East	1702	1709	1716	1724	1731	1738
BA3 March East	663	676	688	701	714	727
BA4 March East	428	426	424	422	420	417
BA5 March East	1340	1387	1435	1482	1530	1577
March East Total	5794	5883	5971	6061	6151	6239
BB1 March North	1703	1732	1760	1789	1817	1846
BB2 March North	1751	1820	1889	1958	2027	2096
BB3 March North	1875	1968	2060	2153	2245	2338
BB4 March North	211	223	235	247	258	270
March North Total	5540	5743	5944	6147	6347	6550
BC1 March West	1495	1745	1995	2245	2496	2746
BC2 March West	2123	2455	2787	3119	3451	3783
BC3 March West	1914	2182	2451	2719	2988	3256
BC4 March West	254	287	320	352	385	418
March West Total	5786	6669	7553	8435	9320	10203
Benwick CA	850	854	858	862	866	870
Coates DE	1119	1158	1196	1235	1274	1312
Eastrea DF	755	777	799	822	844	866
Pondersbridge DG	298	287	277	266	256	245
Turves DH	460	451	441	432	422	413
Kings Dyke DI	107	111	115	119	123	127
Benwick, Coates & Eastrea Total	3589	3638	3686	3736	3785	3833
DA1 Bassenhally	940	997	1054	1111	1167	1224
DA2 Bassenhally	849	888	926	965	1003	1042
DA3 Bassenhally	1442	1541	1641	1740	1840	1939
DA4 Bassenhally	1054	1280	1506	1732	1958	2184

Ward	Current elector figures 1 April 2021	Estimated Elector Figures				
		2022	2023	2024	2025	2026
Bassenhally Total	4285	4706	5127	5543	5968	6389
DB Lattersey	2154	2241	2328	2415	2502	2589
DC1 St Andrews & St Marys North	1576	1579	1582	1585	1588	1591
DC2 St Marys South	470	482	495	507	520	532
St Andrews Total	2046	2061	2077	2092	2108	2123
DD Stonald	2290	2342	2394	2446	2498	2550
EA Clarkson	1753	2050	2347	2644	2940	3237
EB1 Octavia Hill	1935	1993	2052	2110	2169	2227
EB2 Octavia Hill	2054	2144	2233	2323	2413	2502
Octavia Hill Total	3989	4137	4285	4433	4582	4729
EC Kirkgate	1911	1975	2039	2103	2167	2231
ED Medworth	1976	2090	2204	2318	2432	2545
EE Peckover	1795	2007	2219	2432	2644	2856
EF Staithe	1924	2169	2415	2660	2905	3151
EG1 Waterlees Village	1637	1672	1706	1741	1776	1810
EG2 Waterlees Village	1144	1154	1165	1175	1185	1196
EG3 Waterlees Village	1102	1113	1124	1134	1145	1156
Waterlees V Total	3883	3939	3995	4050	4106	4162
FA Doddington	1941	1995	2049	2104	2158	2212
KA Wimblington	1700	1819	1938	2057	2175	2294
KB Wimblington	121	125	128	132	135	139
Doddington and Wimblington Total	3762	3939	4115	4293	4468	4645

Ward	Current elector figures 1 April 2021	Estimated Elector Figures				
		2022	2023	2024	2025	2026
GA Fridaybridge	1057	1075	1092	1110	1127	1145
GB Elm	1738	1758	1779	1799	1820	1840
GC Coldham	181	188	195	203	210	217
GD Rings End	127	128	129	130	131	132
GE Christchurch	714	734	754	774	793	813
Elm & C/Church Total	3817	3883	3949	4016	4081	4147
HA Manea	2095	2133	2170	2208	2246	2283
PA Parson Drove	1149	1180	1212	1243	1275	1306
PB Wisbech St Mary	1367	1401	1435	1469	1503	1537
PC Murrow	840	847	853	860	866	873
PD Guyhirn	737	757	776	796	815	835
PE Thorney Toll	82	86	90	95	99	103
PD & WSM Total	4175	4271	4366	4463	4558	4654
RA Gorefield	1022	1042	1062	1081	1101	1121
RB1 Leverington	1337	1364	1391	1418	1445	1472
RB2 Leverington	1462	1506	1550	1594	1638	1682
RC Newton	602	615	628	641	654	667
RD Tydd St Giles	999	1012	1026	1039	1053	1066
Roman Bank Total	5422	5539	5657	5773	5891	6008
Fenland District Total	76,369	79,934	84,305	87,057	90,624	94,185
Av electors per Cllr	1958	2049	2162	2232	2324	2415

- 6.2 Whilst the current average electorate figures for the Council do not quite meet the LGBCE's intervention criteria, if the above projections are realised they will do before the next FDC elections are due to take place in 2023.
- 6.3 If FDC's electoral arrangements are not reviewed in time for the 2023 elections, the electoral inequality between wards within Fenland may increase by 2026 to levels which would not be conducive to good governance in the District.
- 6.4 An example of this is the projection that, by 2026, if no changes are made to existing ward boundaries before the next District Elections, March West ward (represented by 3

Councillors) is projected to have an electorate of 10,203, whilst Benwick, Coates and Eastrea ward (represented by 2 Councillors) is only projected to have an electorate of 3,833. This would equate to 3,401 electors per Councillor in March West ward and 1,917 electors per Councillor in Benwick, Coates and Eastrea. If a Councillor in one ward was to represent 77% more electors than a Councillor in another ward, there would be a level of inequality of representation within the District which may be undesirable.

7 Effect on Corporate Objectives


- 7.1 The Council strives to be a Quality Organisation and it is a matter of good governance as displayed by the LGBCE intervention criteria for Councillors to represent as similar number of electors as possible which can only be achieved through an Electoral Review of Fenland District Council.

8 Community Impact

- 8.1 The community would be fully consulted by the LGBCE in regard to any future electoral arrangements for Fenland District Council.

9 Conclusions

- 9.1 The process of an electoral review usually takes up to 18 months to complete, therefore in order to ensure that changes to the Council's warding arrangements may take place in time for the Council's next scheduled elections in 2023, it is recommended that Members agree that the Council makes an immediate request to the LGBCE for an electoral review for the Council.

Agenda Item:	15	
Committee:	Council	
Date:	19th May 2021	
Report Title:	Resolution to Approve Reasons for Absence Under s.85 of the Local Government Act 1972	

1. PURPOSE/SUMMARY

This report requests that Council pass a resolution under s.85 of the Local Government Act 1972 (“the 1972 Act”) in respect of all members and until the day after the date of the 2022 Annual General Meeting unless otherwise agreed.

2. KEY ISSUES

- 2.1. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“Remote Meetings Regulations”) came into force on 4th April 2020 and provided Fenland District Council with the flexibility to conduct its business remotely. However, the Remote Meetings Regulations ceased with effect from 7th May 2021 and prior to their expiry, the Divisional Court confirmed that a properly constituted meeting could not be held remotely under the former and subsisting arrangements comprised in the 1972 Act.

- 2.2. The Government’s Spring 2021 Covid-19 Response proposes a roadmap out of lockdown which, subject to a number of variables such as the success of the vaccination programme, foresees that all legal limits on social contact will be removed on 21st June 2021. However, prior to the removal of constraints on social contact and following expiry of the Remote Meetings Regulations, Fenland District Council is obliged to hold all Council, Cabinet, Committee and Sub-Committee meetings in person with effect from 8th May 2021.

- 2.3. Section 85(1) of the Local Government Act 1972 specifies that ‘if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance (“the 6 month requirement”) to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority’.

- 2.4. This Report recognises that there may be some members who, by reason of their individual personal situation, may be unable to fulfil the 6-month requirement and a Full Council resolution is therefore sought to approve absences arising in those circumstances.

3. REASONS FOR RECOMMENDATION

- 3.1 All meetings up to 7th May 2021 have taken place virtually however, from 8th May 2021 they must instead take place 'in person'.
- 3.2 The last meeting of Full Council took place virtually on 23rd February 2021. The next meeting is scheduled to take place 'in person' on 19th May 2021 and therefore prior to the Government's predicted date of 21st June 2021 when limits on social contact are likely to be removed. Following consultation with Group Leaders, the July 2021 meeting will be cancelled and the next meeting of Full Council is not therefore scheduled to take place until 16th September 2021 when it will again be in person.
- 3.3 Whilst the possibility of contracting or transmitting COVID-19 continues so too will the need for self-isolation and, dependant on the individual circumstances of each member, may otherwise create a degree of risk which can only be managed by avoiding social contact.
- 3.4 The timing of the last and future meetings of Full Council therefore create a possibility that persons who do not occupy positions on Cabinet and/or other committees and who are unable to attend the first in person meeting on 19th May 2021 may fall foul of the requirements of s.85 of the Local Government Act 1972. Further, whilst it is acknowledged that this only accounts for the half of the municipal year, elements of uncertainty still exist which can be mitigated by putting in place contingency arrangements up to and including the date of the 2022 AGM. The arrangements will however be kept under review and will be discontinued should the approved reasons become obsolete.

4. RECOMMENDATION

- 5.1 The Council is requested to approve, in relation to each and every member, as a reason for failure to attend any meeting of the Council, Cabinet, Committee or Sub-Committee ("a Relevant Meeting") between 8th May 2021 and the day after its 2022 Annual General Meeting, the circumstances set out below, as a reason for non-attendance in accordance with s.85 of the Local Government Act 1972.
- 5.2 The circumstances referred to in paragraph 3.1 above and which comprise the approved reasons for non-attendance at a Relevant Meeting are because the member:
- Has contracted or been infected by COVID-19;
 - Has tested positive for COVID-19;
 - Is suspected of having or suspects that he/she has contracted or been infected by COVID-19;
 - Has concerns that they may contract or become infected with COVID-19;
 - Is in quarantine or self-isolating in relation to COVID-19;
 - Is unable to attend the Relevant Meeting because the meeting is cancelled or postponed for a reason relating to Covid-19.

Wards Affected	All
Forward Pan Reference	N/A
Portfolio Holder(s)	N/A
Report Originator(s)	<p>Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk 01354 622360</p> <p>Anna Goodall - Head of Transformation, Customer Services & Democracy agoodall@fenland.gov.uk 01354 622357</p> <p>Amy Brown – Head of Legal and Governance amybrown@fenland.gov.uk</p>
Contact Officer(s)	<p>Paul Medd- Chief Executive</p> <p>Carol Pilson - Corporate Director and Monitoring Officer</p> <p>Anna Goodall - Head of Transformation, Customer Services & Democracy</p> <p>Amy Brown – Head of Legal and Governance</p>
Background papers	The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

