

COUNCIL



MONDAY, 30 SEPTEMBER 2024 - 4.00 PM

PRESENT: Councillor N Meekins (Chairman), Councillor I Benney, Councillor C Boden, Councillor G Booth, Councillor J Carney, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor D Cutler, Councillor Mrs M Davis, Councillor L Foice-Beard, Councillor Mrs J French, Councillor R Gerstner, Councillor G S Gill, Councillor A Gowler, Councillor P Hicks, Councillor Miss S Hoy, Councillor M Humphrey, Councillor S Imafidon, Councillor Mrs D Laws, Councillor A Miscandlon, Councillor P Murphy, Councillor D Oliver, Councillor D Patrick, Councillor M Purser, Councillor B Rackley, Councillor D Roy, Councillor C Seaton, Councillor M Summers, Councillor T Taylor, Councillor S Tierney, Councillor S Wallwork and Councillor A Woollard

APOLOGIES: Councillor B Barber (Vice-Chairman), Councillor G Christy, Councillor S Count, Councillor K French, Councillor C Marks, Councillor J Mockett, Councillor Dr H Nawaz and Councillor E Sennitt Clough

C19/24 PREVIOUS MINUTES

The minutes of the meeting of 15 July 2024 were confirmed and signed.

C20/24 CIVIC ENGAGEMENTS UPDATE

Councillor Meekins drew members attention to the civic activities undertaken by himself and the Vice-Chairman in the weeks preceding Full Council.

C21/24 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE

Councillor Meekins stated that as Councillor Barber, the Vice Chairman, was not present at today's meeting, the Standing Orders for ordinary meetings of the Council permit under Paragraph 2.1b, the election of a person to preside if the Vice-Chairman is not present.

Councillor Meekins proposed that Councillor Humphrey assume the role of Vice-Chairman for the purposes of the meeting, Councillor Boden seconded the proposal and Councillor Michael Humphrey was duly elected to fulfil the role of Vice-Chairman

Councillor Meekins paid his respects to former District Councillor Kathleen Brennan. During her time with the Council, Kathleen had served on various committees including Community, Housing and Property, Policy and Resources as well as the Leisure Services Board.

Members joined Councillor Meekins in observing a minute's silence for Kathleen Brennan.

The Chairman thanked everyone who attended his Civic Reception in September and hoped they found it to be as thoroughly enjoyable an evening as he did. He thanked Member Services for their support in organising this event. Councillor Meekins advised members that the next planned event is his charity coffee morning on 17 October, which will be held in the Council Chamber. He

explained that this year he has chosen to support the Damsons Community Group who are based in Wisbech, and their aim is to support those persons suffering from dementia along with their carers. The Chairman also advised that he will be holding his Community Carol Service on Friday 6 December in the Church of St Peter and St Paul in Wisbech and he looks forward to seeing Members at both of these events.

Paul Medd, Chief Executive, made the following announcement:

“I am delighted to announce that the Council has once again been reaccredited for Customer Service Excellence. CSE is a national standard that recognises public bodies that provide customer focused, high-quality services. Fenland is one of the few councils that have consistently achieved this rigorous standard for all its services. Following an assessment in June, the CSE assessor stated that Fenland continues to demonstrate how they put residents at the heart of service delivery, with examples of reduced Council Tax and the introduction of new services, such as the Early Help Hub. He continued, the ongoing transformation project has added further channels, and traditional channels have also been enhanced ensuring access for the elderly, vulnerable or people who do not have digital access. He added that the assessor also praised the Council and stated that the use of staff insight into delivering excellent services was already at a high level in 2023, however staff insight has increased further through empowering the 3C’s (Compliments, Comments and Complaints) Team. The assessor noted further that the number and range of partner organisations is constantly increasing to meet the needs of a diverse community, including areas of deprivation, with the Council increasing their interaction with wider communities.

Paul Medd invited Councillor Steve Tierney, Portfolio Holder for Transformation and Communications, to be presented with the CSE reaccreditation certificate from Councillor Meekins.

Councillor Tierney commented that he was proud to be the Portfolio Holder for this area of the Councils business, with the Council having a very strong team of officers who strive to work hard to deliver for the residents of Fenland and the officers should be afforded a great deal of thanks.

The Chairman congratulated Councillor Tierney.

C22/24 **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**

The Chairman stated that no written questions had been received under Procedure Rule 8.6. Councillor Booth asked the following question under Procedure Rule 8.4 as Leader of the Opposition:

- whether any response has been received with regards to the letter that was sent to the Secretary of State on behalf of all elected members concerning the Wisbech Incinerator and if no response had been received when would the letter be chased in order to receive an appropriate reply. Councillor Boden sought advice from the Monitoring Officer and confirmed that to the best of his knowledge there has been no response received to date, however, he would ask officers to send a further letter to request a response. Councillor Booth thanked Councillor Boden and stated that whilst the Secretary of State must be dealing with numerous amounts of correspondence the issue does remain a significant concern for the residents of Fenland. Councillor Boden stated that he agrees that the matter is highly important and added that Government Ministers are in place to do a job, however, just because they are busy it does not preclude them from responding to a letter from the residents of Fenland.

C23/24 **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:

- Councillor Rackley stated that he has recently heard that the taxi tariff has increased and having been a taxi driver for many years it is his understanding that the Council does not set actual fees to be charged and deals only with the maximum tariff. He asked Councillor Hoy for an explanation. Councillor Hoy stated that the Council sets the maximum amount that is allowed to be charged by hackney carriage drivers and they can charge less than that which she is aware a number of companies do. She stated that the Licensing Committee did consider the tariffs some time ago and set them following a consultation, this was discussed at the Cabinet meeting which took place earlier, however, an hour before the start of the Cabinet meeting, Councillor Patrick submitted a number of responses from taxi drivers who claim that they do not support an increase, however, she has not been able to verify those responses due to the short timescale. Councillor Hoy stated that the item will be deferred to a future Cabinet meeting and, therefore, the rise will not take place which, in her opinion, is disappointing. She added that she has read comments online which appear to state that she does not support hackney carriage drivers and that she favours private hire drivers, however, after today's decision it is the hackney carriage drivers who are suffering because they cannot raise their fares whereas private hire can. Councillor Hoy stated that she will work with officers and write to all of the hackney carriage drivers detailing all of the facts in the letter in order to receive proper responses. She expressed the opinion that some of the figures that she has seen are incorrect and it is very important for the correct factual information to be provided and she stressed that the drivers can charge up that amount, but they do not have to.
- Councillor Patrick questioned whether Councillor Rackley is still a hackney carriage driver, and whether Councillor Rackley should have declared an interest. The Chairman advised that because a decision is not being taken with regards to the taxi tariff at today's Council meeting then the position that Councillor Rackley holds is irrelevant.
- Councillor Patrick explained that Councillor Hoy has stated that the increase is not one of 50% which, in his view, is not totally correct. He made the point that whilst it may not be a 50% rise on the first mile travelled by a taxi, however, after that £2.20 and £3.30 is definitely an increase.
- Councillor Hoy stated that is incorrect as on a 2-mile journey the increase equates to a 20% rise and a three-mile journey it is a 30% rise. She added that the system used for calculation is not a simple system and, in her view, it is a complicated methodology which is used. Councillor Hoy emphasised that it is a maximum amount which can be charged, and it only applies to hackney carriage drivers. Councillor Hoy stated that the 50% element only comes into force if the journey is more than 30 miles and if the driver chooses to charge the meter price.
- Councillor Booth stated that he wished to raise the issue of the target times for processing housing benefit applications, with the figures quoted appearing to be the highest in the number of days taken to process applications that he can recall. He asked Councillor Mrs French if she can provide assurances that the time to process applications will be reduced significantly as in the past it has taken months to address a backlog? Councillor Booth asked for a regular monthly update to be provided, rather than wait for the next meeting of Full Council to receive the figures. He made the point that he does understand that the backlog has arisen due to the introduction of Universal Credit, however, he would like assurances that the delays can be overcome once the systems are put in place, as it does affect residents who have submitted claims. Councillor Mrs French stated that there have been a number of staffing changes at Anglia Revenues Partnership and steps are being taken to improve the time it takes to deal with applications. She agreed to ask officers to provide a monthly report to members going forward.

C24/24 **MOTION SUBMITTED BY COUNCILLOR TIM TAYLOR**

Councillor Taylor presented his motion concerning labelling meat to promote consumer choice.

Councillor Imafidon seconded the motion and Councillor Meekins opened the motion for debate. Members made comments as follows:

- Councillor Booth stated that he has no issue with voluntary labelling, and he added that the motion makes no reference at all to the Food Standards Agency (FSA), which is the registered body that would really need to be contacted. He questioned why the motion has actually come before Council as the influence that the Council has with regards to the subject matter is minimal and as a councillor he has never been approached with regards to this issue and whilst he appreciates the point made by Councillor Taylor the subject is an unknown issue. Councillor Booth reminded members that he has previously asked to put forward a motion with regards to Women Against State Pension Inequality (WASPI) and he was advised that it was not business to be discussed by the Council and, therefore, was voted down and rejected. He expressed the view that he does not object to the motion put forward by Councillor Taylor and members of Council should now vote on it.
- Councillor Carney stated that he will support the motion as consumer choice appears to be a very pertinent part of it and whilst it may not be a matter for this Council, what actually does matter is the fact that consumer choice affects everybody present and beyond. He stated that he is very surprised that the non-labelling has not occurred anyway as halal and kosher meat is labelled as such. Councillor Carney added that there are certain food production practices where certain production methods are used and he made reference to the red tractor labelling which is used for certain products. He made the point that discerning consumers will look to see the provenance of their food products which includes meat, and he feels that the motion is one small step towards achieving a voluntary scheme in the future. Councillor Carney made the point that he is unsure as to how long such a scheme would take to implement but like everything else in consumer society it will come down to cost due to the fact that if retailers are then supposed to label their meat products such as halal, kosher, non halal or non-kosher it maybe something that the retailer then uses as an excuse to increase the price of their products. He expressed the view that cost is not the issue for many people as it comes down to the moral element as to where the food comes from and is it from a trustworthy source.
- Councillor Tierney stated that the administration at County Council have taken motions to their council meetings which have nothing to do with the business of that council. He made the point that it is just virtue signalling if a motion is made about something that is of no relevance to the council and, therefore, he does have some sympathy with the point made by Councillor Booth. Councillor Tierney expressed the opinion that this motion is slightly different due to the fact that those businesses who deal with labelling of products, do listen to the views of local authorities and the Council will have some effect on what they decide. He explained that whilst he has not considered the accuracy of the motion as he has not studied its content, he does approve of customer choice as the consumer should know what they are buying, what they choose to purchase and that is down to the individual choice.
- Councillor Booth asked for it to be noted that he works within a retail distribution centre but has no dealings with any meat processing. He added that the point he was making with regards to the WASPI organisation was that he had been approached by a group of local residents who had been affected by the issue along with several thousand residents in Fenland and he was advised that it was not a matter for the Council to consider.

Councillor Taylor summed up saying that the FSA states that everything should be labelled directly from its origin. He added that he hopes that members will support the motion, and he will be contacting the FSA and Members of Parliament because there is a difference to be made on this subject. Councillor Taylor referred to the point made by Councillor Booth and added matters like those being addressed in the motion are being discussed in the Council's Rural and Farming Committee.

The motion was approved.

Councillor Hoy presented the motion on behalf of Councillor Christy concerning changes to the winter fuel allowance and protecting pensioners from fuel poverty.

Councillor Booth seconded the motion and Councillor Meekins opened the motion for debate. Members made comments as follows:

- Councillor Tierney stated that he does not understand the reasoning around why Central Government made the decision to remove the winter fuel allowance. He expressed the view that it is obviously such a bad decision which also seems to be the general consensus, and he added that he cannot comprehend why a decision has been made to harm some of the most vulnerable people by taking money off of them which they would use to heat their homes.
- Councillor Carney stated that he has recently attended some Golden Age Fairs in Tydd St Giles and Eastrea and on both occasions he has spoken to different agencies who are there supporting older people, with representatives from those agencies explaining to him how they are already being inundated with trying to provide assistance to those older people who fall just outside of the threshold of being able to receive the winter fuel allowance. He stated that he has come across two people as a result of undertaking home visits as part of his day job, where those persons have stated that they are literally only £20 above the threshold to receive the payment and it is a case of do they eat or do they heat. Councillor Carney made reference to Dr Nik Johnson, the Labour Mayor of the Combined Authority, and highlighted the strapline that the Mayor uses Compassion, Community and Cooperation, however, in his view, it appears that any compassion has been totally disregarded. He added why should the most vulnerable people in the community be subjected to this problem. Councillor Carney added that one of the housing providers that he has spoken to have explained that they have already started to discuss with some of their poorer tenants that the way to overcome the issue is to submit a claim for pension credit and then even if they only become eligible for £10 a week it then makes them eligible to receive the winter fuel allowance. Councillor Carney stated that he does not know who undertook the calculations within Central Government to reach the decision but there are now going to be millions of people across the country who are going to be eligible for pension credit and, therefore, will be eligible for the winter fuel payment which, in his view, could mean that the Government have made a terrible mistake. He expressed the view that there are going to be many people who are extremely worried about the situation.
- Councillor Mrs Laws stated that she has been a Whittlesey Town Councillor for nearly 40 years, and she has met recently with a couple of residents who are of the opinion that by claiming benefits they could be seen as scrounging. She added that they have explained that they have never had to claim anything before and have managed financially themselves and now feel embarrassed to ask for assistance. Councillor Mrs Laws stated that she has advised those individuals to make contact with the Citizens Advice Bureau who will guide them through the issue, but she added that she understands that the Citizens Advice Bureau are inundated and their appointment list is full. She stated that she agrees with Councillor Carney and added that there is no compassion, and she cannot understand why the Government would want to wish to attack the vulnerable and the elderly. She expressed the view that there maybe many who do not require the fuel allowance, but the greater proportion do require it and it is such an injustice and the Council need to lobby very hard against the decision. Councillor Mrs Laws stated that she does have concerns that the Council Tax single persons discount may also be withdrawn and if that happens then there will be more people requiring help and advice. She expressed the view that people will now find themselves in a predicament as to whether they choose to heat their properties or whether they eat properly, and many people are now so conscious of costs.
- Councillor Taylor questioned whether there is the possibility of identifying those pensioners who fall under the threshold as he is part a group which has been set up called Pro Farming United which covers England and Wales and they have agreed to provide a weekly delivery

of a wonky vegetable box to those persons who fall under the threshold.

- Councillor Miscandlon stated that he has been made aware by the Citizen Advice Bureau that if an individual can claim credits for as little as 50p they then qualify for the fuel allowance. He added that due to the decision made by the Government, the people of Fenland are going to suffer due to their gross negligence that they are inflicting on the elderly people of the country that have paid tax on their incomes throughout their lives. Councillor Miscandlon made the point that the winter fuel allowance has already been paid to those persons living in countries such as Spain, Italy and France and even as far as Australia and there is no sense in the Government's decision in his opinion.
- Councillor Foice–Beard expressed the view that the changes to the winter fuel allowance scheme are appalling, and she passed on her thanks for the motion being brought forwards to Full Council.
- Councillor Booth stated that he agrees with the majority of what has been said and passed on his thanks to Councillor Christy for drafting the motion. He addressed the point raised by Councillor Taylor and stated that the vegetable boxes he proposed are more needed by those individuals who fall just above the financial threshold for Universal Credit as they are the ones who are going to lose the allowance. Councillor Booth expressed the view that it is a rushed policy in order to try and receive publicity, but it has not been well received and the Government does not seem to wish to alter their decision. He added that there are some people who do not need the allowance due to their financial position, however, there are some people who desperately need it. Councillor Booth stated that it will disproportionately affect the residents of Fenland and the Government do need to be lobbied and have pressure applied to them. He made the point that the budget is looming and they may choose to reverse their decision. Councillor Booth stated that the Government really does need to listen to people and reconsider their decision as it does disproportionately affect the most vulnerable people in society.

Councillor Hoy summed up and stated that she would also like to thank Councillor Christy for bringing the motion forwards to Council. She added that the policy is absolutely disgusting and as a result of the Government's decision, in her view, people are going to die. Councillor Hoy stated that there are some very elderly people who really need the heating but are not going to be in a financial position to put their heating on and the people in Government should be ashamed of themselves by taking this decision because it is absolutely disgusting.

Councillor Hoy requested a recorded vote to be taken on this motion.

Councillor Booth questioned whether those members who declared an interest in this item should be allowed to vote. The Chairman sought advice from the Monitoring Officer who confirmed that if those members who declared an interest still believe that they have an open mind on this issue then they can vote, however, if they feel that they are already predetermined then they should abstain from the vote.

Councillor Booth stated that it is a financial matter and, therefore, it is pecuniary interest and some members have declared an interest as they are receiving a financial benefit.

The Monitoring Officer stated that the Council are not the decision maker on this issue and, therefore, members interests are not engaged directly. She added that this is a similar scenario with regards to Council Tax where members do not have to declare an interest but as long as members have an open mind, and they are not predetermined on the issue then she is content that everybody can vote.

A recorded vote was taken:

In Favour: Councillors Benney, Boden, Booth, Carney, S Clark, Connor, Cutler, Mrs Davis, Foice-Beard, Mrs French, Gill, Gowler, Hicks, Hoy, Humphrey, Imafidon, Mrs Laws, Meekins,

Miscandlon, Murphy, Oliver, Purser, Rackley, Roy, Seaton, Summers, Taylor, Tierney, Wallwork and Woollard.

Abstention: Councillors J Clark, Gerstner and Patrick.

The Motion was approved.

(Councillors J Clark, Connor, Cutler, Mrs Davis, Mrs French, Gerstner, Mrs Laws, Miscandlon, Murphy, Patrick, Seaton and Woollard declared that they had previously been in receipt of the Winter Fuel Allowance payment)

C26/24 OVERVIEW & SCRUTINY PANEL ANNUAL REPORT 2023/24

Members considered the Overview and Scrutiny Annual Report presented by Councillor Mrs Davis as Chairman of the Overview and Scrutiny Panel.

Councillor Miscandlon stated that he has been the Chairman of the Overview and Scrutiny Panel in the past, and he appreciates the amount of time, work and effort that members of the panel take in their role, and he fully supports them.

Proposed by Councillor Mrs Davis, seconded by Councillor Woollard and AGREED to acknowledge the broad scope of the work undertaken by the Overview and Scrutiny Panel during 2023/24.

C27/24 AUDIT & RISK MANAGEMENT COMMITTEE ANNUAL REPORT 2023/24

Members considered the Audit and Risk Management Committee Annual Report presented by Councillor Booth as a member of the Audit and Risk Management Committee.

Proposed by Councillor Booth, seconded by Councillor Mrs French and AGREED to acknowledge the work of the Audit and Risk Management Committee and its compliance with CIPFA's annual checklist for 2023/24.

C28/24 REVISED CODE OF PROCUREMENT

Members considered the Revised Code of Procurement Report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Booth and AGREED to the implementation of the revised Code of Procurement for adoption on the 24 February 2025.

C29/24 CONSTITUTIONAL AMENDMENTS: PLANNING SCHEME OF DELEGATION

Councillor Mrs Laws presented the report and stated that she is proposing some minor changes to the Scheme of Delegation in relation to Planning to assist with the efficiency and effective running of both planning services and the Planning Committee. She explained that the rationale for each change is detailed in the report and she outlined the proposed changes.

Proposed change 1: At the moment a planning application is called into committee if six letters of support or objection are received contrary to the officer's recommendation and includes if the objections are received from the same household. Councillor Mrs Laws stated that those letters of support and objection are also processed right to when the decision notice is to be issued. Councillor Mrs Laws explained that the proposal is that the six letters need to be from different households and received within the 21-day consultation period.

Proposed change 2: At the moment the Chairman of the Planning Committee is consulted on all

normal planning applications that are due to be refused by officers. Councillor Mrs Laws explained that the proposal is that the Chairman of Planning will no longer be consulted on those householder planning applications recommended to be refused. She made the point that the data indicates that only 1 out of 422 applications shared with the Chairman has been sent to committee which, in her opinion, illustrates the work required from both officers and the Chairman as not being commensurate to the benefit derived.

Proposed Change 3: The time provided for the Chairman of the Planning Committee to respond to planning consultations from the Head of Planning should be extended to the end of the working day rather than 48 hours at the moment which will provide the Chairman slightly more time to give considerations to the applications received.

Members made comments as follows:

- Councillor Booth stated that he does not object to the proposed changes and he understands the reasoning with regards to the first proposal concerning changing from six people to six householders. He added it was recently discussed at planning training where applications are submitted and then developers and agents take advantage of the system and encourage letters of support and objection to be submitted from various locations. Councillor Booth stated that he believes that the proposed change does not go far enough to resolve that matter and looking forward further consideration could be given to making further changes which can tighten up that point even further, with, in his view, consideration could be given with regards to a geographic location of where the letters are received in relation to the planning application. He referred to the Local Plan, which included community consultations and the geographic area which needed to be consulted with concerning development in the rural area and, in his opinion, that is something that should be considered. Councillor Booth added that consideration does need to be given to those persons who are going to be impacted by development and when determining larger developments then there should be a different type of test which could be considered and, in his view, the whole process needs to be streamlined. He added that he does not have any issue with the second and third proposed change but asked for clarification with regards to the difference between a householder application and a minor application.
- Councillor Connor stated that he agrees with the proposed changes presented by Councillor Mrs Laws and, in his opinion, the changes make perfect sense. He added that he reviews the applications but by implementing the changes it will free up more of his time to review the larger applications and the recommendations have his full approval.
- Councillor Mrs Laws referred to the comments made by Councillor Booth and stated that regardless of the target amount of letters needed, if people are determined enough then they will meet that number and submit letters of support or objection. She expressed the view that it would be helpful not to have them from the same properties because it is so easy just to go to one property and obtain six signatures. Councillor Mrs Laws added that with regards to the locality concerning the weight given to letters of support or objection, that weight is given from neighbours and people in close proximity to the site and there is a degree when the responses are actually reviewed in planning, which every letter that is submitted having to be uploaded to the Public Access system on the Council's website. She stated that the point made by Councillor Booth with regards to the current Local Plan is correct and this is due to be reviewed by the working party which is due to be set up for the emerging Local Plan. Councillor Mrs Laws expressed the view that the proposed changes are only minor at the current time but members will be included in discussions going forward with regards to the implementation of the Local Plan. She clarified that minor applications are less than five properties, brick walls and sheds and the proposed changes, in her view, bring with it cost effectiveness for officers time and the Planning Committee's time and whilst it is pleasing to see the number of applications being received there needs to be consideration to the type of applications being determined at committee.

Proposed by Councillor Mrs Laws, seconded by Councillor Connor and AGREED that

- the 6 or more unresolved opinions will need to from different properties and received within the consultation period. This will be for paragraph 88 (i) and (ii) of the Constitution.
- the requirement for the Head of Planning to consult the Chairman of the Planning Committee on 'Householder' planning applications when they are to be refused be removed, and
- the time provided for the Chairman of the Planning Committee to respond to consultations from the Head of Planning to be extended to the end of the working day rather than 48 hours (i.e. feedback will need to be sent from the Chairman of the Planning Committee at the end of the working day after the passage of 48 hours since the list is sent to them).

(Councillor Hicks declared that as he is a member of the Planning Committee he would take no part in the discussion on this item)

5.23 pm

Chairman