

COUNCIL



MONDAY, 17 JULY 2023 - 4.00 PM

PRESENT: Councillor N Meekins (Chairman), Councillor B Barber (Vice-Chairman), Councillor I Benney, Councillor C Boden, Councillor G Booth, Councillor J Carney, Councillor G Christy, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor D Cutler, Councillor Mrs M Davis, Councillor L Foice-Beard, Councillor K French, Councillor A Hay, Councillor P Hicks, Councillor Miss S Hoy, Councillor M Humphrey, Councillor S Imafidon, Councillor Mrs D Laws, Councillor C Marks, Councillor Mrs K Mayor, Councillor A Miscandlon, Councillor J Mockett, Councillor P Murphy, Councillor Dr H Nawaz, 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 Woollard.

APOLOGIES: Councillor S Count, Councillor R Gerstner, Councillor A Gowler, Councillor D Oliver and Councillor E Sennitt Clough.

C1/23 PREVIOUS MINUTES

The minutes of the meeting of 22 May 2023 were confirmed and signed.

C2/23 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 but reported that unfortunately he had been unable to attend the Mayor of Thetford's Civic Reception on 4 June.

C3/23 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Meekins informed members that he will be holding the Chairman's Civic Reception on Friday 15 September at Gorefield Community Hall. He will also be hosting a coffee morning in aid of the East Anglian Air Ambulance at a date to be arranged and looks forward to seeing as many members as possible at 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 was highly complementary stating that Fenland's staff continue to put the customer at the heart of everything in line with corporate values and have an ethos of working smarter not harder. He continued, the Council work with an ever-increasing range of partners on numerous projects and initiatives that meet the area's needs and leave no stone unturned in our efforts to identify and reach out to any group or person needing help. In his report our assessor noted several key strands which related to the Council's corporate values which drive a focus on the customer and the Council's framework of core and management competencies which also supports service improvement. The use of staff insight into delivering excellent services is at a high level through people taking ownership and being able to implement ideas. The Council's transformation agenda is creating new access channels to services and enhancing the Council's digital offer whilst maintaining traditional channels for those residents who need them".

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 receiving the award on behalf of the staff who deliver the service, they work hard and are deserving of the credit. The assessor had said that he did not think he would find any additional work that could be undertaken this year as he had been so impressed the previous year, yet once again the boundary had been raised.

C4/23 **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 Meekins stated that no questions had been received under Procedure Rule 8.6 and asked if there were any questions under Procedure Rule 8.4 from Councillor Booth.

Councillor Booth commented that the Leader had made a commitment at the last meeting to have a discussion on affordable housing and asked when that would be scheduled? Councillor Boden agreed it is a very important and serious issue which is being looked at but it is not yet been possible to bring everything together so that the options available can be published. Therefore, he cannot give a specific date currently, but it will be before the next meeting of Cabinet or at Cabinet itself. He reiterated the importance given to this and the urgent need to deal with the lack of affordable housing. Councillor Booth thanked Councillor Boden and added that it is important to drive this through as a policy for people to be able to live in the communities they have grown up in.

Councillor Booth said in respect of the Medium-Term Financial Strategy, the equalisation appears to show that there will be no changes to it in future years. He asked whether Councillor Boden believes this to be realistic given FDC's considerable underspend in the past which would have gone into the equalisation reserve and further asked if Councillor Boden could confirm the final underspend for the last financial year? Councillor Boden agreed that the figure for the budget equalisation reserve is both wrong and unrealistic, however, this is deliberate because it is ultimately a balancing figure based at the end of each financial year on whether the Council has an overspend or underspend, comparing income with expenditure and what was agreed four years ago was that in those years where there is an underspend, more money will be transferred into the budget equalisation reserve to be used against future years where there is an overspend, or to help keep Council Tax levels down. However, he had not anticipated four years ago that every year there would be an increase in the reserve because every year there would be more income than expenditure. Councillor Boden stated that there has been systemic underbudgeting in the organisation but stressed this is not a criticism of officers as they can only budget for what they know about and the Council never knows what money Government are going to give in the forthcoming 12 months, which makes it very difficult to budget but officers are prudent as well as consistent, and they say that if there is not the promise of specific money from Government then they will not budget for it. He has asked officers to continue in this way so they are always comparing like for like and, therefore, do not get an unpleasant or unwanted surprise. In respect of Councillor Booth's question about last year's underspend, Councillor Boden added that it is still subject to audit, but currently looks like being an excess of income over expenditure of nearly £800,000, taking our budget equalisation reserve to £1.8 million and this money will provide cover to help deal with any unexpected challenges or to help keep Council Tax down. He stated his absolute confidence in the work that is being done by the finance officers and he has explicitly asked them to continue to operate the budget process in the way they have done in the past. Councillor Booth asked for a breakdown in how there is such variance in the figures between February and now and where that extra £700,000 has come from since February? Councillor Boden responded that the breakdown has been given in the agenda item 6 of today's Cabinet meeting.

Councillor Booth asked Councillor Boden for an update to the commitment regarding the moving of the March Fountain and what action has been taken since the last meeting? He further asked if any partners have been contacted regarding the concerns raised and in respect of the possibility of reviewing the current proposal and if any feedback had been received from them regarding this? He felt this information would be particularly useful as background information considering the next item on the agenda being the petition received regarding the fountain. Councillor Boden said the specific actions taken have been firstly that the current proposed location of the fountain has been outlined on the carriageway in red for anyone to view, there have also been regular weekly coffee mornings held by Octavius Infrastructure for people to ask questions, held at the former Barclays Bank Building, with Octavius being the County Council appointed contractors to oversee the work and Fenland District Council has entered into a contract with County Council, and there has also been a high level member briefing note regarding the potential changes in location. However, he stated that the difficulty is that there is no allocation in the budget for redesigned drawings so members will have to look at the risks involved and there is also the potential for delivery delay as it will need to be brought to September Cabinet, there could be increased costs incurred depending on the level of change and there is the danger that Planning Committee may not agree, however, a small change may not require planning permission. Councillor Boden further added that checks are required with Historic England being a statutory consultee and, in his opinion, as a statutory consultee the Council is obliged to listen to them but does not have to follow what they said yet he has been informed that the one time when a suggestion was made that the fountain be moved to the Market Place that Historic England vetoed it and he does not have the advice about whether or not Historic England do have the right of veto or if they are just a statutory consultee that the Council needs to take into account but he has been told that Historic England gave as its rationale for the proposed location is that this was the closest available location to the existing position. He stated that there is also the reputational damage of any failed attempts to relocate the fountain which will need to be taken into account and there are larger environmental and wider design details, with significant civil engineering redesigns which may be necessary and then there is the issue of stakeholder co-ordination with the Council's partners, including funding partners. Councillor Boden made the point that there are still a number of issues still to be resolved and a report will be produced subject to what is decided at Council today for Cabinet to consider and decide upon in September but his personal position remains as it was at the last Full Council meeting to the extent that if it is possible and reasonable to do so he would like to make sure the Council gets the best decision and the fact that a decision has already been made should not be the end of it, members should look as rationally as possible as to whether or not an alternative may be credible but he retains that open mind and willingness to listen recognising that it was possibly the wrong decision last year and something different is required.

C5/23 PETITION - THE FOUNTAIN, MARCH FUTURE HIGH STREETS SCHEME

Councillor Booth presented the petition on behalf of the people that had signed it regarding the proposal to move the fountain in March, with the petition reading

“As part of the March regeneration project Fenland District Council have approved the moving of The Fountain. The intended location is in front of Malletts, without any consultation with the proprietors or their near neighbours. It is unacceptable to place The Fountain in front of a retail unit with a shop window for display and this petition is to ask for your support with the appeal to have it at another location.”

Councillor Booth stated that the petition has been signed by thousands of people, 3087, and when it was first sent to the Council it was approximately 3,200 and it could have been a lot more with further time as people were still signing it in their hundreds per week. He made the point that there is a substantial number of people who have signed the petition from the area including March, the surrounding villages and even people outside the District and these are the very people that use the facilities of March and keep March going at the moment and these are the people that

members should want to keep using the facilities in March, with those members also needing the town to grow.

Councillor Booth stated that the people that signed the petition believe the proposed move of the fountain outside of Malletts Jewellers is unacceptable. He further added that it is important to note this in the context of the High Street regeneration project because that is about growing what there is in March and keeping it a vibrant place.

Councillor Booth referred to the report mentioning the consultation that took place, however, it is known from feedback received and from comments in the Council Chamber that the consultation process was not robust, 102 consultation comments compared to over 3,000 petition signatories, which shows the disparity between what people's thoughts are and the strength of feeling against what is being proposed. He stated that a number of councillors have also received correspondence about this issue which suggest an alternate or better location, which would be moving it to the open space near the riverbank and bridge, with the District Council having recently brought the old Barclays site and is yet to determine what is going to happen here so there is a possibility that moving it there might be a better location but that is yet to be determined and an open mind needs to be kept about it but there are possibilities that is within the remit of the District Council that can help shape something that is going to improve the situation and the environment of March High Street.

Councillor Booth stated that as a councillor it is the duty and for the majority the motivation to improve the District for its residents and to make sure the Council delivers the best it can for the people of the District. He referred to the recommendation of the report where Council can either note the petition or it can refer it to Cabinet, which he feels is the option that should be taken because it can be looked at again and see what the options are, take it forward and it will show that the Council actually listens to people.

Councillor Booth referred to the comments of Councillor Boden on the last item about the risk of reputational damage and he thinks that if Council does not listen to what people have said and a better alternate location is not found then there is going to be worse reputational damage and the Council could be seen as almost being arrogant and not listening to the people for what they want to see happen in the market town of March.

Members made comments as follows:

- Councillor Seaton thanked the Leader as he had voiced a lot of what he is was going to say in his earlier response on the previous item but he feels it is important to give an update as to where the March Future High Street project is. He stated that work on Broad Street has begun, with the successful installation of new gas and water utilities by Cadent and Anglian Water and Octavius Infrastructure are now on site delivering the first phase of the wider Broad Street scheme and have already removed much of the southbound carriageway, street furniture and kerbs. Councillor Seaton stated that as part of phase one and for the new road layout to be implemented, the historic fountain must be relocated and having reviewed several design options during the design phase relocation was the only option that achieves all the committed outputs to both the MATS and the future High Street fund and is affordable and deliverable within the timeframe. He made the point that planning for the proposed new location was approved by Planning Committee in February 2023 and was supported by Historic England, with the scheme for March only working with the implementation of a mini roundabout which replaces the existing lights at the northern end of Broad Street and it is not physically possible to create a mini roundabout at the northern end of Broad Street without the relocation of the fountain as there is not enough road space to allow for a mini roundabout properly. Councillor Seaton advised that the fountain is programmed for removal in the next few weeks following initial ecological delays caused by nesting birds which have now been overcome. He referred to the petition received and an alternative location for the fountain, with there being several implications which Cabinet will

need to be aware of before consideration of an alternative location, firstly relocating the fountain to an alternative site will lead to delays in overall programme delivery, the need for reassessment, redesign and potential modifications to a new location can significantly extend project time and these delays can also be built in to the project via the contractor for their time on site while this work is ongoing. Councillor Seaton advised the second implication is that any change to existing design will incur varying level of cost depending on level of change allocated, there will be at risk cost of work to redesign elements of the scheme before any planning approvals can be sought, there is currently no budget allocation remaining for this level of intervention and funds would need to be identified either from outside of the project budget or through potential scope reduction of the wider public realm scheme. He made the point that the existing location has all planning approvals in place but a change to the design will require the planning process to be reopened, risk exists and the revised plans may not align with the existing permissions granted or that an alternative site is not granted approval and there is also a risk associated with Historic England granting permission to an alternative site. Councillor Seaton proposed that this issue be referred to the September Cabinet for further consideration.

- Councillor Tierney stated that for people watching this and members of the public who are present they perhaps do not understand why so many councillors had to leave and he worries that they might take the wrong idea from this, each member has their own reason for leaving but the most common reason will be that it conflicts with their seat on the Planning Committee and there is legal reasons why they had to leave the room so as not to be pre-determined. He feels there is nothing worse when the Council has made a decision and afterwards it becomes clear that a large number of the public feel that it is the wrong decision, with a Council being 'pig-headed' about it and sticking to it and saying it is not changing the decision which has been seen elsewhere in the County, which is a dangerous position to take, the Council has always got to be listening and learning and if the wrong decision has been taken it should be revised. Councillor Tierney stated that he does not know whether this is the right or wrong decision but he does support having another think about it at Cabinet.
- Councillor Taylor advised that a few comments that he has received about a new location near Barclay Banks is that a lot of the military personnel are concerned about it being next door to the War Memorial, having two items so close together of historical interest and both being in use at the same time.
- Councillor Hay expressed the view that with so many people signing a petition it is only right that it should be referred back to Cabinet and Cabinet can look at the cost implications and the reasons why so many people object to it being outside Malletts as she does not understand why it is being objected to in this location but until you actually look at those reasons a valued decision cannot be made.
- Councillor Mrs Davis clarified that she was on the Planning Committee at the time the decision was taken but she is no longer on the committee so she feels that she can speak freely and make an unbiased decision. She stated that at the Planning Committee meeting there was no real material consideration that could be taken to not go the route the Planning Committee did if they were following the Local Plan and other policies and advice. Councillor Mrs Davis stated that having seen the size of the petition and realising the number of people that are against the proposal this is a second chance to go away and look at things differently but it is not known what other information can now come forward so she agrees that it should be referred to Cabinet.
- Councillor Woollard stated that as a newly elected member of the Council he has been thrown into this issue in March, he is a March man himself and there is a tremendous amount of feeling within March regarding the moving of the fountain, it is known that it must be moved but there is this opportunity now to reconsider the proposals, see if there is a viable cost-effective alternative and he fully supports it being referred to Cabinet.
- Councillor Nawaz stated that he sees the petition has attracted 3,587 valid signatures but asked why the public were not consulted and is this the normal modus operandi that the system sees fit to impose on the residents.

- Councillor Boden welcomed the tone of the debate and particularly liked the comment made by Councillor Tierney in that he is correct that it is very easy if you are in control of decisions to be 'pig-headed' and say that is the decision that has been made, which is not a positive in business. He referred to Councillor Nawaz's question and stated there was a significant amount of consultation and at the time there were comments made that people were unsatisfied with the nature of the consultation being undertaken, more than 100 comments were made which is quite exceptional for a consultation, but the Council now needs, in his opinion, to step back, listen very carefully to the advice of officers, to look at what alternatives realistically exist and hopefully be open-minded in looking at alternatives, which may result in a small, slightly larger or a much larger change. Councillor Boden stated that he will remain open-minded about these possibilities and will wait for the reports to come out and look at it in a fair and unbiased way as he has no scheme in keeping things as they are currently proposed, there is no advantage to saying that it is not going to change but there is every opportunity for the Council to look at alternatives, looking at them with an honest approach but this is not to say that they will end up recommending a change until the information is seen that will be provided by officers.
- Councillor Booth stated that he supports a lot of the comments that have been made, particularly about attitudes to change the project and notes the risks that have also been highlighted by Councillor Seaton, but he would ask that there is a can do attitude when looking at this issue to see what the Council can do and not be stuck in processes that are going to hinder what needs to be undertaken. He expressed the opinion that the relocation is not on the critical path of things that need to happen, the fountain is going to be in storage for at least 12 months so he does not think this is a critical thing and there is time but it must not be allowed to fumble along and nothing gets done so engagement needs to be made with Historic England as soon as possible to try and get them on side. Councillor Booth urged members to support the proposal to refer the issue back to Cabinet so they can look at it and get a better reputation for this District Council and improve people's opinions as the views in March and the wider area of the Council are not good presently.
- Councillor Seaton stated that Councillor Booth is right that this will not be kept on the back burner, it is this intention that this will move forward to the next Cabinet in September and between now and then there is a lot of work that needs to be done by officers to determine the risks and outline the costs so members can make a correct decision but also listening to what has been said both by the petition and by councillors today. He said that Cabinet will have an open mind and intend to give the issue its proper and due consideration.

Proposed by Councillor Seaton, seconded by Councillor Boden and agreed that the petition be referred to Cabinet for consideration.

(Councillors Benney, S Clark, Connor, Hicks, Imafidon, Marks, Murphy, Purser and Rackley declared an interest by virtue of being members and substitute members of the Planning Committee, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Miss French declared an interest by virtue of being a member of the March High Street Regeneration Committee, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Mrs French declared an interest by virtue of being a member of the Planning Committee and Chairman of the March Area Transport Study, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Mrs Laws declared an interest by virtue of being Portfolio Holder with responsibility for Planning, and retired from the meeting for the duration of the discussion and voting thereon)

(Councillor Mrs Mayor declared an interest by virtue of being a member of Planning Committee at the time the Fountain application was considered, and retired from the meeting for the duration of

the discussion and voting thereon)

(Councillor Booth and Meekins registered that they had been lobbied on this item)

C6/23 **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 Mockett referred to the Cabinet meeting earlier in Agenda Item 6 where it was reported that the £1.85 million liability this Council had with the Department of Transport towards the cost of the A14 improvements was eliminated during March this year and cost the revenue budget just £600, asking Councillor Boden to explain how this has occurred? Councillor Boden responded that the finances of the Council are fastidiously looked after by officers and members of the Cabinet, with him being the Portfolio Holder for Finance so it is always being looked at carefully to ensure the Council gets best value for money and sometimes that involves how money is managed itself. He stated that members will be aware that going back to Councillor Clark's time as Leader the Council was strong-armed and persuaded by the authorities that it needed to make a contribution towards the building of the new A14 of £800,000, being given 25 years to pay that contribution off working out at £32,000 per year. Councillor Boden added that in March 2019 he worked very hard to obtain monies from Cambridgeshire Horizons and also received an additional £1.05 million from Cambridgeshire Horizons which represented a portion of their liability towards the A14 improvements so the Council ended up with a liability of £1.85 million in the Council's balance sheet at the end of 2021-22 to make payment over to the Department of Transport and that £1.05 million was also able to be paid over 25 years representing £42,000 per year. He made the point that the £42,000 was fully funded as the money was received to meet the liability, however, the £800,000 that had been agreed was entirely unfunded and once the Department of Transport woke up and started asking the Council for the money it was known that each year for 25 years £32,000 would need to be paid out of the budget but the Department of Transport did not start asking the Council for money and year after year went by without any request and being an optimistic person he thought that the Council were not going to be asked for this money at all. Councillor Boden stated that he was wrong and earlier this year the Department of Transport asked for the money or wanted the Council to start making payments before the end of the financial year of 31 March 2023 and then the Treasury came up with an idea that if they allowed the Council to commute its payment to make a one-off payment to meet the liability over the next 25 years at 20 basis points below what the Public Works Loan Board lent money out at they would make a nice return and from the Treasury point of view that made a great deal of sense. He made the point that instead of the liability being £1.85 million once that was commuted at a discount rate of 4.86%, the Council had to pay £1,114,600.00, which was a saving of £735,400. Councillor Boden reiterated that the Council has some very prudent finance officers so what they had assured was that the £32,000 had been in the budget for the last two years and last year provision was made for the money to be paid out of the Cambridgeshire Horizons money of £42,000 so by the start of this calendar year the Council had already made provision of £106,000 against the final liability so when this is taken off the £1,114,600.00 this left the Council having to only find £1,008,600.00 to pay and the amount of cash the Council had available from Cambridgeshire Horizons was £1,008,000.00 which left a revenue charge of £600 to remove the liability. He stated that this process has been simplified and he could talk about the time value of money and the loss of potential interest.
- Councillor Booth asked Councillor Mrs Laws what is the position and progress with recruiting new Planning personnel, both in the Planning and Policy Teams? Councillor Mrs Laws stated in relation to Planning Policy staff to further develop the Local Plan a report is going to the next Employment Committee, which if agreed will lead to the advertisement of

staff in this area. She added that in the Planning Team the Council has advertised for a Principal Planning Officer and two Senior posts for some time and has received no interest, with these roles being covered by agency staff at present and officers and herself continue to give thought to how those roles can be made more attractive in a very competitive market but filling the positions in this area is a national issue and the Council is not alone in trying to recruit planning staff. Councillor Mrs Laws made the point that the Council had a positive track record of growing its own in this area and this will be continued. Councillor Booth stated that he understands the issue is a national issue but the concern he has is performance with particularly the minor applications and also the cost with using agency staff so wondered if there were any other alternatives that the Council could look at that will encourage more people to come to work at Fenland planning. Councillor Mrs Laws responded that no stone is being left unturned and the Council is in a position where it has to employ quality agency staff, which is an important factor and at the moment headway is being made with the applications but members have to understand in the last 3 years the increase in applications has been incredible and it is being managed by the staff the Council has with the support of agency staff. She assured members that they are looking at alternatives but the disappointment was losing the contract with Peterborough City Council in March and that is not something that can easily be made up.

(Councillor Marks left the meeting following this item and was not present for the remaining agenda items)

C7/23 TREASURY MANAGEMENT ANNUAL REVIEW 2022/23

Councillor Boden presented the report to members and stated that it is notable for a number of things, especially that it shows that the Council's gross debt as of 31 March 2023 was lower than it was on 1 April 2022 and given all the circumstances which existed that is astonishing and is a reflection of the care which officers have taken in the management of the finances. He made the point that during the course of 2022-23 interest rates increased constantly and when you are in this situation you do not get any points for earning more money as a result, it happens almost naturally, but what is notable is just by how much that the Council managed to increase the amount of money that it received bearing in mind the Council did not know when much of that cash had to be repaid to the Treasury. Councillor Boden explained that the reason the Council did not know how long it had access to the cash as the amount of cash that was held or cash equivalents changed dramatically during the year, with at the beginning of the year, 1 April 2022, the Council holding approximately £32 million of capital cash and by 31 March 2023 the Council was holding £19 million, a loss of almost £13 million, which was not viewed as disastrous as the reason the Council had as much money as it did was due to Covid and all of the Covid schemes that were funded through local government as Central Government provided local authorities with significantly more money than it ended up paying out and has demanded all monies back which has not been paid out.

Councillor Boden reiterated his thanks to officers for the way in which they have managed to achieve so much more than what would have happened if they had just allowed things to drift, actively managing funds available to the Council but in the knowledge that in increasing the cash because the Council did not know from one week to the next when Central Government would demand millions back of the money which they had overpaid the Council.

Councillor Connor gave his thanks to officers and Councillor Boden for the way the finances had been managed.

Proposed by Councillor Boden, seconded by Councillor Connor and agreed that the Treasury Management Annual Review 2022/23 be noted.

Councillor Boden presented the report to members and stated that the purpose of the Medium-Term Financial Strategy (MTFS) is to set a high-level overview of the direction of travel, giving a consistent view as to what is perceived to be likely to happen based on certain assumptions. He stated that MTFS have always provided a challenge for local authorities and every single local authority has a MTFS which shows a position where there is going to be a deficit at some stage in the next 5 years and the Council's challenge and the challenge of officers is to manage to meet that gap, having not just met that gap in the last 10 and more years but exceeded it.

Councillor Boden reminded members that 4 years ago he proposed a change to the MTFS and what he suggested was, to give greater challenge to officers and members to ensure the available resources were managed properly, the assumption about Council Tax would be changed as previously the assumption had been that every year it would be increased by the maximum amount that was legally permissible and it was agreed that it be assumed for the purposes of the MTFS that there would be a 0% increase in each of the following 4 years, which at the time was commented as being totally unrealistic and unachievable but it was achieved and over achieved by £1.8 million, which is now in the budget equalisation reserve. He stated that he is proposing today to tighten that to increase the challenge slightly more so instead of assuming there will be a 0% Council Tax increase for the next 4 years that the total funding from Council Tax will be assumed to remain static each year for the next 4 years, which is not the same thing as it fails to take into account the expected increase in the Council Tax base.

Councillor Boden acknowledged that it makes it more challenging, it increases the potential deficit but it has been managed in the past and he has a great deal of confidence that it will be managed in the future. He made the point that if there is a need to go back on this because of circumstances then this can happen but he is trying to increase the targets and quoted from Michelangelo "the greater danger for most of us lies in not setting our aim too high and falling short but in setting our aim too low and achieving our mark" and he does not want to just achieve the mark but set the aim high.

Members made comments as follows:

- Councillor Tierney stated that he has expressed previously how much he supports this policy and its direction. He thanked officers who have worked so hard to deliver these priorities but he feels something extraordinary is happening here in Fenland and what is different is in some other councils around the country they nod through endless Council Tax rises on the proviso that there is no other way, that it is unaffordable and you cannot continue to deliver good services without rising Council Tax but this Council does not take this view, this is a difficult time for people and it is appreciated that every penny added to the Council Tax hits people in the pocket and some people are just barely managing so for the last 4 years the Council has said what it said it was going to do, freezing Council Tax every year and in the final year it was cut, with the intention to try to do the same in the next 4 years. Councillor Tierney expressed the view that there are no other local authorities doing what Fenland is doing and feels this is real leadership but also without massive cuts to Council services, just reorganisation, transformation and old-fashioned hard work, being proud of what Fenland is doing.
- Councillor Booth stated that he applauds what is trying to be achieved and it is very interesting the approach that Councillor Boden is proposing. He proposed something similar in that there should be a flat net service expenditure so the budgets were not increased, which he has said for many years and whilst it would not have quite the same effect it would mean that there would be the same budgets every year without having to increase it automatically but he was told that this would be illegal in some instances but he does not believe it would have been, it would have just been setting a policy to not increase the budget and it needs to be adhered to much like the commercial industry has to do.

Councillor Booth stated that he agreed with what is being proposed but he does not agree that the services are great, such as the example with Planning where performance is not doing very well on the minor applications and the number of complaints he receives about how long people have to wait on the phone before they speak to someone, with their being much more to do to improve the service for the ordinary people of this District.

- Councillor Hoy stated that she would implore the Lib Dems here to express their views to their colleagues at County because last year they put the Council Tax up by the maximum amount possible and she imagines they will do the same again this year, with the County making up the largest share of the Council Tax so sometimes it feels whatever this Council does is a 'drop in the ocean'.
- Councillor Connor stated that he does not agree with Councillor Booth's comments regarding Planning as members have just heard from Councillor Mrs Laws and there has been a massive spike in planning applications in the last two or three years and everything possible is being undertaken to recruit new staff, having to employ agency staff in the meantime.
- Councillor Booth made the point that he is just relaying what people are telling him quite regularly.
- Councillor Miscandlon commended Councillor Tierney for his comments because councils do not have any money, all the money spent is rate payers money but the Council is mandated to spend that money in the most meaningful manner for the benefit of the constituents and he feels with the current strategies that are being taken that is what this Council is doing. He knows that Councillor Boden attended a conference recently and people have asked how this Council is doing it and he thinks that some of those people should be invited to Fenland to see what the Council is doing and what the officers are doing because they are doing a great job of supporting members in getting the message over to the public.
- Councillor Boden stated that it is very welcome to see the interest from members on the MTFs and agreed that Councillor Booth has commented about having figures applied as flat expenditure but ultimately it comes to pretty much the same thing but utilising a different mechanism and, in his opinion, a more difficult mechanism but the end result is the same and he is grateful that they are going in the same direction even if they are slightly different routes to get there. He feels that Councillor Booth is wrong to say there are issues as far as service delivery is concerned as generally there is a great deal of satisfaction within the services the Council provides and ultimately when it comes to maladministration one of the objective criteria is how many complaints have been submitted about Council services to the Local Government Ombudsman (LGO) and have been found against the Council, the Council will not find out officially until sometime next week what the position is but he is anticipating astonishingly for the fourth year in a row that there will be no complaints raised against the Council to the LGO, which the LGO will have upheld, which to achieve for 4 years means that the Council is certainly not in the worse performing quarter of local authorities in the country. Councillor Boden referred to Councillor Booth mentioning Planning twice at the meeting and stated that he advised, two weeks ago, CMT and the Portfolio Holder that the financial side of things was not the objective here so far as staffing is concerned, there is money set aside and there is money available for those things which are needed and the Council needs to have a better staffing structure and arrangements within Planning but the problem is not finance but availability of staff, with credit paid to officers who have been so careful with the way in which the finances of this Council have been managed over the course of the last few years.

Proposed by Councillor Boden, seconded by Councillor Miscandlon and agreed that the Medium-Term Financial Strategy be re-positioned by keeping the cash amount of Council Tax raised at the current level rather than the previously adopted 0% increase, while recognising that the Council continues to face significant financial challenges and uncertainties that may not allow this ambition to be met.

Councillor Boden presented the report to members and advised that this is a legal requirement and all councils every 4 years must conduct an independent review of councillors remuneration, with the last full review being conducted in 2019 and an interim review in 2021. He made the point that members should play no part in the decision on who is going to be appointed to the panel, which is a role for officers.

Members made comments as follows:

- Councillor Booth stated that as Councillor Boden said this is a legal requirement and he has two questions, the first being about Parish and Town Council allowances as at the previous review it was last minute that it was realised that a review or set guidance for local parish and town council allowances but it is not clear from this report whether the allowance scheme for them will be considered. He feels doing a search on the Council's website for Members' Allowances does not result in anything that give anyone, even a member of the public, what the existing allowance scheme is so he feels clarification is needed that this will include the allowance scheme for Parish and Town Councils. Councillor Booth referred to the selection criteria with it having that they must live in Fenland and his understanding is of the previous reviews that this has not been so restrictive and actually appointed people outside the District, who have had good experience so he wonders why it is being restricted in this manner. Councillor Boden responded that he was going to have to try to remember what it says in the Local Government Act 1983 concerning Parish and Town Council allowances, whilst it might be viewed that Parish and Town Councils do not get allowances this is not what the legislation says but if his recollection is correct where it is agreed by a Parish or Town Council that they will make a payment to their Chairman or their Mayor then it is permissible for them also to make a payment to their councillors but so far as that is concerned the Council's review does not cover those amounts as these are to be set by the individual Parish or Town Councils if they wish to do so but to his knowledge no Parish or Town Council have ever made payments.
- Councillor Tierney confirmed that it is absolutely allowed for Parish or Town Councils to pay an allowance to the councillors as it did come to Wisbech Town Council a couple of years ago and it was rejected. He would urge any councillor who sits on a Parish or Town Council to do the same as one of the things that is powerful about parish level councils is the fact that they are all volunteers and the role is undertaken to help the area for no payment and paying an allowance even a small one changes the nature of the contract with the voting public. Councillor Tierney stated in regards to the District Council it is a legal requirement and when it is undertaken there is the possibility of being interviewed by the panel and his advice would be to tell them is that councillors do not want or need any allowance rise during this financial time of hardship.
- Councillor Boden referred to Councillor Booth's second question in relation to restricting applicants to Fenland and answered that those who live in Fenland are more likely to understand Fenland and what actually happens here but it is also appropriate to look to provide opportunities for people within Fenland where it is possible rather than spread the net wider unnecessarily and there are plenty of people who are qualified within Fenland to do this role and there is not the need to look outside of the District.
- Councillor Booth stated that it was down to the Independent Panel to make a recommendation for Parish and Town Councils to take into consideration and there are two different types of allowances in Parish and Town Councils, a Chairman's allowance and a general councillor allowance but reiterated that it was only realised at the last review that this needed to be looked at and was reported later and is the reason why he is raising it so the Council does not fall foul of this issue again.

Proposed by Councillor Boden, seconded by Councillor Booth and agreed

- to note the requirement to appoint an Independent Remuneration Panel;
- to delegate oversight of the appointment and final selection of Independent Remuneration Panel members to the Monitoring Officer and Assistant Director for Governance in consultation with Group Leaders and in accordance with the Job Description and Person Specification set out at Schedule A; and
- that the scope of the Member Allowances Scheme review be as set out within the report and the associated timetable at Schedule B and to include the recommendation for Parish and Town Council allowances.

(Councillor Mockett left the meeting during the discussion on this item and was not present for the remaining agenda items)

C10/23 CO-OPTION OF TOWN AND PARISH COUNCIL REPRESENTATIVES

Councillor Boden presented the report on behalf of the Chairman of the Conduct Committee and advised that the Town and Parish Council representatives have been in the Constitution for a long period of time, being able to co-opt up to 2 representatives. He stated that a communication was sent out to all Parish and Town Councils asking for any volunteers and only two expressions of interest were received and it was deemed by the Chairman of the Conduct Committee that both were more than suitable and it was agreed by the Conduct Committee to recommend to Full Council that the two individuals be appointed.

Councillor Boden stated that the two individuals are Councillor Martin Field from March Town Council and Councillor Jason Ablewhite from Benwick Parish Council.

Members made comments as follows:

- Councillor Booth asked if the vote has to be for both candidates en bloc or can they be voted for individually as looking at one of the candidates and his history he has some reservations about appointing them to the Conduct Committee given the reasons why they resigned from a prominent political role. The Chairman responded that in light of his comments they would vote individually for the two candidates.
- Councillor Tierney stated that he did wonder if someone would raise this issue but his personal view is that sometimes people make errors of judgements or mistakes in the past and then can move on with their lives, there is a member sitting on the Conduct Committee right now who is subject to a decision against them by the committee for a fairly serious issue but he believes members understand people make mistakes and it does not bar their entire life. He stated that as far as he knows none of the individuals standing has a criminal record or a conduct complaint against them so he does not know the truth of the allegations but if someone has a lot of experience and are a current sitting councillor there should be no reason why they cannot be appointed.
- Councillor Booth made the point that he does not really know the individual and only what he has seen in the press and he believes there was a complaint put to the Conduct Committee at the Council they were politically elected to but what he does not see in the report is that those issues have been resolved, only what is in the public domain and how is it that they have moved on and at present he has concerns.
- Councillor Connor endorsed both Councillor Field and Councillor Ablewhite to be co-opted onto the Conduct Committee.
- Councillor Boden stated that what was noticeable was the expressions of interests of the candidates and this particular candidate that he believes Councillor Booth is referring to, given his experience within the old standards regime, is undoubtedly the best qualified candidate from either Councillors or Town or Parish Councillors on the Conduct Committee if he is selected today and he is confident that he will prove to be an exceptional member.

Proposed by Councillor Boden, seconded by Councillor Connor and agreed to the co-option of Councillor Jason Ablewhite and Councillor Martin Field to the two vacant Town and Parish Council Representative vacancies on the Conduct Committee for a term of 4 years.

C11/23 CONSTITUTIONAL AMENDMENTS: ESTABLISHMENT OF EXECUTIVE ADVISORY COMMITTEES

Councillor Boden presented the report and reminded members that it was mentioned that these proposals would be brought forward at the last Full Council meeting and he is excited about what the possibilities are both for the Culture, Arts and Heritage Executive Advisory Committee and the Rural and Farming Executive Advisory Committee where there will be an opportunity for many members of the Council to contribute to areas where there is a real need to progress and for a voice to be given to sections of Fenland's community that currently do not have the voice they should have. He stated that the Project Review Executive Advisory Committee is set up so the Overview and Scrutiny Panel is not overburdened, which has a full calendar of work anyway but where there may be some specific proposals where either Cabinet or another committee would like to ensure that more members are involved in consideration before a decision is made.

Councillor Boden stated that the Culture, Arts and Heritage Executive Advisory Committee and Rural and Farming Executive Advisory Committee will both be set up in the normal way with a Chairman and Vice-Chairman but that will not be the case with the Project Review Executive Advisory Committee where many individuals may be barred depending upon which particular committee is referring a matter to them so at that point a Chairman and Vice-Chairman will be elected for each individual project. He made the point that this will ensure more members are involved in the work of the Council, it will change some of the direction of the work of the Council and give greater prominence to Culture, Arts and Heritage and Rural and Farming and is probably something that is long overdue.

Members made comments as follows:

- Councillor Miscandlon stated that with these three new committees coming forward it is right that more councillors are being involved in the actual work of the Council. He feels it is imperative, with a lot of new councillors, and a great way of learning how the Council works.
- Councillor Booth referred to the Project Review Executive Advisory Committee where it says that the Chairman and Vice-Chairman will be one of the members who join the project board but wonders if this is too restrictive as there could be members that sit on this committee that have a particular expertise that are not the Chairman or Vice-Chairman.
- Councillor Booth announced his appointments as follows:
 - Culture, Arts and Heritage – Councillor Hicks
 - Rural and Farming – Councillors J Clark and Roy
 - Projects – Councillors Booth and J Clark

He stated that it would be himself that sits on Audit and Risk Management Committee.

- Councillor Boden expressed the opinion that this will be an opportunity not merely for the Council to expand the work that it does but to get more members and newer members involved in the work of the Council, which he feels can only be a good thing. He stated that the reason for having the arrangements of Chairman and Vice-Chairman to be decided at each meeting or project of the Project Review Executive Advisory Committee is because it will not be known which particular members would be excluded because they are a member of the committee which has referred the particular item and it does give the opportunity for members with particular expertise to be the Chairman or Vice-Chairman for that one project.

Proposed by Councillor Boden, seconded by Councillor Seaton and agreed that

- **the establishment of 3 new Executive Advisory Committees be approved as follows:**
 - **Culture, Arts and Heritage Executive Advisory Committee with 7 substantive and 5 substitute seats**

- **Rural and Farming Executive Advisory Committee with 7 substantive and 5 substitute seats; and**
- **Project Review Executive Advisory Committee with 11 substantive and 6 substitute seats;**
- **the proposed amendments to the Constitution to reflect the changes set out at Paragraph 3.1 of the report and as set out in Appendix A be approved;**
- **the proposed allocation of seats to the new and existing committees and panels in accordance with political proportionality requirements as set out in Appendix B in the column entitled 'Adjusted' be approved;**
- **the proposed appointments to seats allocated in accordance with Paragraph 3.3 of the report and as set out in Appendix C be approved;**
- **arrangements are made for the Culture, Arts and Heritage Executive Advisory Committee to meet three times per year and the Rural and Farming Executive Advisory Committee two times per year; and**
- **consideration is given to the application of the Members' Allowance Scheme to these committees as part of the IRP's Review and future recommendation to Full Council.**

5.49 pm

Chairman