

COUNCIL



MONDAY, 11 JULY 2022 - 4.00 PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor N Meekins (Vice-Chairman), Councillor I Benney, Councillor C Boden, Councillor G Booth, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor Mrs M Davis, Councillor D Divine, Councillor Mrs J French, Councillor K French, Councillor A Hay, Councillor Miss S Hoy, Councillor M Humphrey, Councillor Mrs D Laws, Councillor C Marks, Councillor A Maul, Councillor Mrs K Mayor, Councillor J Mockett, Councillor P Murphy, Councillor D Patrick, Councillor M Purser, Councillor W Rackley, Councillor W Sutton, Councillor M Tanfield, Councillor S Tierney, Councillor S Wallwork, Councillor R Wicks and Councillor F Yeulett

APOLOGIES: Councillor Mrs S Bligh, Councillor M Cornwell, Councillor S Count, Councillor D Mason, Councillor C Seaton, Councillor R Skoulding and Councillor S Wilkes

C13/22 PREVIOUS MINUTES

The minutes of the meeting of 12 May 2022 were confirmed and signed as a correct record, subject to the amendment of Minute C12/22 to reflect that Councillors Booth and Sutton made comments about there being no need, in their view, for this item to go into private session.

C14/22 CIVIC ENGAGEMENTS UPDATE.

Councillor Miscandlon drew members' attention to the civic activities undertaken by himself in the weeks preceding Full Council.

C15/22 TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.

Councillor Miscandlon informed members that the Leader has exercised his delegated authority to appoint Councillor Count to Cabinet replacing Councillor Lynn and, therefore, taking over his portfolio holder responsibilities as well as representing the Council as the outside body representative for the Safer Fenland/Community Partnership and Police and Crime Panel, with these in-year changes having been made under the Acting Monitoring Officer's delegated authority.

Councillor Miscandlon announced that former Fenland District Councillor, Joan Diggle, had passed away. She had served as a Fenland District Councillor from 1990 until 2003. Members observed a minute's silence in her memory.

Councillor Miscandlon advised members that he will be hosting the McMillan Coffee Morning at Fenland Hall on 29 September 2022 and hoped to see as many members attend in support of this extremely worthwhile cause and asked for donations of raffle prizes.

Councillor Miscandlon thanked all Town and Parish Councils and other organisations who made such a tremendous effort in contributing to the Queen's Jubilee celebrations ensuring that it was a memorable event for all concerned.

The Chief Executive announced that the Council has once again been reaccredited for Customer Service Excellence (CSE). He stated that CSE is a national standard that recognises public bodies that provide customer focused high-quality services and Fenland is one of the few councils that have consistently achieved this rigorous standard for all its services. The Chief Executive advised the following an assessment in June the CSE Assessor was highly complimentary stating that the Council provided a comprehensive evidence-based submission which demonstrated a commitment to delivering excellent services in every area of the Council and that Fenland are truly committed to putting their customers at the heart of everything. He stated that the Assessor noted several key strengths which related to:

- the Council's comprehensive consultation strategy which stresses the importance of consultation and how consultation is linked with Corporate Business Plan objectives
- the Council's corporate values which drive a focus on the customer
- the Council's framework of core and management competencies which support 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
- a commitment to creating new access channels to services and enhancing the Council's digital offer whilst maintaining traditional channels for those residents that need them.

The Chief Executive asked Councillor Steve Tierney, Portfolio Holder for Transformation, Communication and Environment, to receive the CSE Reaccreditation Certificate from the Chairman.

Councillor Tierney made the point that the reaccreditation has nothing to do with him, it is often that councillors have to accept these awards due to the excellent work of staff and he does not want to take the credit away from the fantastic staff.

C16/22 **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 advised that no questions had been submitted under Procedure Rule 8.6 and as Councillor Cornwell was not present at the meeting and had not nominated anyone to ask questions on his behalf there would be no questions under Procedure Rule 8.4.

C17/22 **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 Wicks asked Councillor Hoy how many military personnel are on the housing waiting list for the area? Councillor Hoy responded that she would provide the number following the meeting.
- Councillor Wicks asked Councillor Hoy that, given the Council is trying to reduce the number of long-term empty properties, what action is being taken to encourage housing associations to bring their unoccupied properties back into use? Councillor Hoy responded that sometimes housing associations and social landlords are treated more leniently as the Council relies on them when it needs to place people and it is difficult getting exact numbers as there are so many different types of social housing providers, but it needs to be looked into, which is perhaps something that the Overview and Scrutiny Panel can do also.
- Councillor Sutton thanked the Leader for the Council for providing funding to the Fenland Road Safety Campaign for the forgotten corners bend which is now complete and asked if he would be prepared to support something similar in the future? Councillor Boden responded that he has great sympathy for the forgotten corners issue which affects a large

number of individuals and there has been too many accidents, he recognises that there are others, such as Boots Bridge, but could give no firm assurances on support to others but where there is a need he would be sympathetic. Councillor Sutton also thanked Councillors Connor and Mrs Davis who have been working together to deliver this scheme along with County Councillor Gowing.

- Councillor Sutton asked Councillor Boden to give an update on the finances for Fenland Future Ltd as he seems to remember that there was already £50,000 spent in officer time and a projected £100,000 this year and how long it is going to be before members see some bricks and mortar in the ground? Councillor Boden responded that many of the questions asked by Councillor Sutton were answered in the open papers of the Investment Board, which met today, and he would encourage all councillors to look at these as they are quite important so far as the overall finances of the Council are concerned. He stated that there does continue to be officer time which is utilised for Fenland Future Ltd and there will be many other areas, which are listed in a paper in today's meeting, where recharges will take place and authorisation was given today for these recharges to take place over the next few weeks, with back charges for those costs associated with HR, ICT and all other areas where expenditure has been incurred, which is important for transparency and financially as effectively it is converting what will eventually be a capital receipt and appreciation into revenue. Councillor Boden referred to when bricks and mortar would be in the ground and stated that there are still fundamental decisions to be made about the means by which the two projects will be going ahead, but they will be going ahead in so far as outline planning permission is concerned in the very near future, but some of the additional costs need to be carefully appreciated such as inflationary costs on the building side to ascertain the best way of moving forward and he cannot give a definite date as so many things are up in the air. He made the point that until you start selling the properties any new property company is always going to be a loss maker as it will have no or hardly any income and the Council is looking at approximately slightly less than £2 million costs in the first three years followed by £3.6 million of profit for the following two years, but you cannot just look at Fenland Future Ltd's profit and loss account but the whole equation is to do with the interrelationship with Fenland District Council and the way that capital appreciation becomes either a revenue stream or a reduction in revenue cost. He feels that at a guess in two years time there would be bricks and mortar in the ground in one or both of the two projects, but this position could change.
- Councillor Sutton asked Councillor Boden, with the benefit of hindsight, would it have been better rather than selling off these individual plots to put bricks and mortar on them and take that bricks and mortar premium as lots of plots went for "peanuts" compared to today's prices and his preferred option if he had been in the position would have been to start off with a two or three plots, build them out and then build up to something bigger. Councillor Boden responded that, with the benefit of hindsight, he believes the principle was entirely correct but he would not say in every case he would stick with the decision in practice but feels overwhelmingly the correct decision was made. He stated that the reason is that when you are talking about individual plots, some of which are very small and do not have the opportunity for any significant amount of development, the efficiency with which someone in the private sector can manage to develop these plots will be far greater than the Council with all its bureaucracy and there is an element of risk and reward, with there being greater reward if you do the building yourself but also greater risk and the Council is not set up to have these individual plots developed itself or under its control. Councillor Boden stated that when you are talking about a scheme which might have 90 or 100 dwellings it is a different form of control and there will be economies of scale if the numbers work out once the detailed work is undertaken over the next few months and it just does not make sense on the small plots for this Council or its trading subsidiary to do it itself and he thinks it would be developed more efficiently and effectively by the private sector recognising that the private sector is always going to be more ambitious and whenever it has been appropriate the Council has included claw back provision within the sale so if for example the land had outline planning permission for three properties but the purchaser of the site puts in

planning application for five and is granted permission the Council would get a claw back on those additional properties. He feels the small plots have been handled correctly, in an open way and via auction so it has been very clear what is possible and the Council has been quite surprised in some cases about how much has been received, doing better generally than was expected.

- Councillor Sutton referred to a motion that was submitted to Council in February 2021 on the Built Environment Conservation in Fenland and asked Councillor Mrs Laws what is the position with this? Councillor Mrs Laws responded that she will check but feels this work is incorporated within the Local Plan review. Councillor Sutton stated that he is happy to receive a written answer but the minutes state that something was going to be brought back to Council as there was concern over costs as it was brought forward with no costs attached. He stated that he brought this issue forward as particularly with energy costs having gone up and predicted to go up again in October there are many residents across Fenland that are stuck with wooden windows which are losing heat and he feels it is important that these residents have the same options for efficiency and fuel usage as those that live in more modern houses.
- Councillor Sutton referred to validation, where the Council was at 4-5 weeks, but is now down to around 3-3½ weeks, but, in his view, this is still too long when people are paying for a service and it is not coming down fast enough. He stated that he has had developers and householders inform him that they are not happy with this service that they are paying for and not getting any answers in a respectful time, which used to be 5 days and the sooner the Council gets back to this the better. Councillor Mrs Laws responded that when the service operated at 5 days there was not the volumes of planning applications that there are now, which she does not think will decrease, the service has taken on two extra staff but they obviously need training and two retired members of staff are working on an ad-hoc basis to assist and she praised the staff in the Technical Team that validation is down to around 3½ weeks. She made the point that developers have been offered training for validation, of which some have taken up, and there is a validation checklist available online and from next week a tougher approach will be taken as there has been 18 months grace and if things are missing it will be immediately rejected.
- Councillor Sutton stated that at the December meeting he asked for consideration to be taken into reverting Planning Committee meetings back to 4 weeks, which got dismissed, but was then implemented two weeks later. He thanked the Portfolio Holder for listening and requested assurances that there are no plans for the meetings to go back to 5 weeks? Councillor Mrs Laws responded that she does listen to all members and for several reasons the meetings were moved, with there being no plans for it to be reversed.
- Councillor Yeulett asked if there was a completion date for the March Town Centre re-development and what progress is being made in Acre Road, which has been outstanding for a long time? Councillor Boden, in the absence of the Portfolio Holder, responded that the work is not under Fenland District Council's control it will be undertaken by Cambridgeshire County Council and their sub-contractors so this Council cannot say when it is going to be complete. He stated that Acre Road is completely out of the Council's control over what is happening with this area.
- Councillor Yeulett referred to reference within the report to Acre Road with it stating that local agents are to identify an alternative to deliver a scheme on with Barclays being currently the most viable option and asked if this is still the case? Councillor Boden responded to the best of his knowledge it is as far as the spend is concerned but there is a condition of the monies that they are meant to be spent by 2024, however, where there are extenuating circumstances, which may be the position with building and construction generally in the country, that deadline may be extended by Government.
- Councillor Patrick referred to the criminalising of parking within Fenland and asked Councillor Mrs French what the position was as people seem to be parking all over the place including double yellow lines. Councillor Mrs French responded that it is ongoing, she has a six hour Highway and Transport meeting tomorrow which she hopes afterwards to be able to provide an update. She stated the funding is available, the signage has been

checked across Fenland with the 70-80% of it being incorrect and needing to be corrected and the original dates being looked at are for the application to go to DFT in October with a final decision in early Spring 2023 to bring it into force in September but unfortunately the County Council are creating problems. She stated that she would provide an update to all members following her meeting tomorrow.

- Councillor Wicks referred to the indication that a quarter of a million pounds of potential income is being lost due to incorrect recycling and while the Council keeps on pushing and advertising what to recycle he does not believe the Council is communicating to residents the amount of money which is going amiss. Councillor Murphy responded that officers did go round to properties looking in the bins and knocking on the door informing residents what the bins should contain and this is re-checked later to see if the residents have taken notice, but unfortunately due to Covid this action has not been undertaken for about 18 months but will hopefully begin to commence again. He stated that this is the only way that works at the moment, officers can tell people what to do and they do not take any notice, but they do take notice when officers visit the properties, show them what is wrong in their bin and a sticker is placed on it saying do not collect and the householder has to remove the wrong items and will also get a well done sticker when they get it right. Councillor Wicks stated that his point was that it is not the amount but the actual income that is not coming into the revenue of this Council and residents should be enlightened of their implications as well as the one-on-one action already taking place. Councillor Murphy stated that he has explained what action is undertaken and that is how more revenue is achieved, together with receiving income for the goods making the point that recycling prices fluctuate and at the moment prices are high.
- Councillor Booth referred to a recent Overview and Scrutiny Panel meeting where the issue was raised that there is not a loan agreement in place per se between the Council and Fenland Future Ltd and asked Councillor Boden what progress has been made on this since that meeting? Councillor Boden stated that it was undertaken this morning, although it is a loan facility rather than an agreement. Councillor Booth stated this is excellent news.
- Councillor Sutton referred to a Zoom meeting he attended some time ago where there was a suggestion at that time that the pump out facility that money was spent on about 5 years ago was to be taken out, which he feels is wrong and asked Councillor Mrs French if anything has been done to reverse that proposal? Councillor Mrs French responded that it was changed months ago that the pump out facility was not going to be taken out, it is going to be moved from the High Street and treated as how it should have been in the first place as a Council asset. Councillor Sutton stated this was great news and he is sure the boating fraternity and tourism will benefit from its continued use.
- Councillor Booth referred to Page 18 regarding bringing homes back into use, which quite rightly says how many properties have been brought back into use but it would be good to get an overall picture of what the trend is, are we experiencing more homes going into use as opposed to what is coming out of use and made the point that Councillor Hoy did agree to look at getting this information into the report. Councillor Hoy responded that this would not be a problem.
- Councillor Booth referred to issues he raised at an Overview and Scrutiny meeting about properties in Thorney Toll owned by a housing association are still ongoing and he has e-mailed the Director but is still yet to receive a report, which he feels is another example of what Councillor Hoy was raising about housing associations not bringing properties back into use. Councillor Hoy stated that they will monitor this issue but the Housing Team have had many priorities with the Rough Sleeper funding, Housing Enforcement Policy and changes within the team so it has been on the back burner but will now be moved forward.
- Councillor Booth asked Councillor Murphy, where the report talks about recycling rates and the rate for 2021-22, which he believes on the previous year was just over 40% and Fenland was the worst performing in Cambridgeshire, how does this Council compare to the other authorities with its provisional rate as it does not seem to be much of an increase and the average for other authorities was getting towards 50%, and he feels it is quite a drop to where the Council was some years ago. Councillor Murphy assured Councillor Booth that

the rate is a lot better than it was making the point that all authorities produce their figures in different ways with some not collecting garden waste or other items within the bins. He stated that the Council is doing exactly what it did before, it is doing well and is very comparable. Councillor Booth referred to the figures on DEFRA website which is the Government standard the Council has to report to and expressed the view that you can clearly see on here that this Council in 2021 was the worst performing authority and whilst it is being said that the Council has improved it was previously at 52% and now saying provisionally it is at a 41% recycling rate, which is an 11% drop in the last few years and he cannot see how this is an improvement. Councillor Murphy made the point that the DEFRA figures do include food waste and the Council does not collect food waste separately and it is all to do with how the figures are recorded. Councillor Booth stated that he cannot see how food waste can account for the full 11%. Councillor Murphy responded that members will have to wait and see.

C18/22 MOTION SUBMITTED BY COUNCILLOR HOY

Councillor Hoy presented her motion regarding Government consultation on two measures in relation to the private rented sector.

Members made comments as follows:

- Councillor Tierney expressed the opinion that landlords are an easy target for people as like other types of professions it is easy to look at them and say big rich landlord preying on the poor tenant and whilst there are some landlords like that the vast majority are not like that, most smaller landlords are those looking to supplement their income in difficult times to boost their pension, make a little extra money and most want to provide a nice home for people to live in. He acknowledged that there are obviously bad landlords but a policy must not be made for the worst cases and the best cases forgotten as there are consequences to that and Councillor Hoy pointed out a number of those consequences, with one that he feels she missed was that if you are a landlord and you know you are going to be stuck with someone forever that you cannot make leave whatever happens unless they do set actions then you would be very worried about taking a tenant in and you are going to want the best references, the best background, which is fine for those people who have these. Councillor Tierney questioned what about the people who need a chance and the people who have for one reason or another have made a mistake in the past and have moved on or have fallen on hard times and it looks bad on their references, they will be unable to rent a house because it will be too frightening to let them in so basically locking people out of housing forever which will place a huge burden on the public sector, there would not be the space or the place for them to live, which he feels it is a terrible idea. He expressed surprise that a Conservative Government has pushed on this, property rights are fundamental to him as a Conservative but just as a human being wanting people to be able to find an affordable place to live without having to roll through a thousand levels of bureaucracy created by making it so difficult to be a landlord is not a country he wants to live in and he hopes that members will support this motion today.
- Councillor Patrick agreed with Councillor Tierney that people should be given a chance but what he would actually like to see is that put into operation because all too often people fall by the wayside and he knows from personal experience do not get that chance as when they go to get on the housing list there is no opportunity for them as they are barred due to what has happened for six years. He feels that ways of dealing with this need to be looked at and may be this is something that the Council should be looking at in the future.
- Councillor Boden stated that the one word he heard Councillor Hoy use which is relevant is balance and there does need to be a balance between the interests of tenants and the interests of landlords. He expressed the view that if that balance goes too far in the wrong direction then the losers will be the tenants as if you over-regulate and over-charge through the requirements that exist for landlords you will end up with a position where there just will not be the supply of rented properties for tenants. Councillor Boden made the point it is not

as though the country has not been here before as Government made this sort of mistake previously referring to the National Dock Labour Scheme set up to protect the interests of dock workers which went too far and actually made the dock owning companies uncompetitive only covering the large ports so the very small ports had a massive competitive advantage and took an enormous amount of business away from the large ports and dock workers lost their jobs as a result and he feels that Government is in danger of doing the same here as far as private landlords are concerned. He feels it is really important that tenants have their rights respected and that action is taken against rogue landlords and he is delighted that, with Councillor Hoy's leadership on this issue politically, the Council has been taking strong action against rogue landlords in Fenland, but just because some landlords are rogue there is no reason to say that the whole private rented sector is rotten as it is not, there is a service that is provided and a need that is satisfied and it is in danger of being regulated so that it becomes far smaller than it is now.

- Councillor Booth referred to what will happen with the supply and demand with people thinking that if properties are not rented that they will go into the private housing ownership sector and he is not sure that this would be the case but feels what the Government is trying to do is attempting to crack down on these rogue landlords, which is believed to be around 20% of landlords. He recognised the work the Council has done with its Enforcement Policy to use the powers available to it but feels it should have been implemented years ago. Councillor Booth expressed reservations, he can see what the Government is trying to achieve by removing the Section 21 and potentially changing the way that tenancies are dealt with in the future. He can see issues with the EPC standard improvements, with the Government expecting improvements but are not willing to help, which is a role Government should be there to assist and he feels that this country is probably one of the worst for home insulation and with the issue around energy costs at the moment it is something that should be tackled as a national crisis. Councillor Booth made the point that it is only a white paper at this stage and it does not mean it is going to be legislation but this is the opportunity for people to raise valid concerns.
- Councillor Mrs French expressed the view that balance is what is needed as there are some very good landlords and some landlords have contacted her, none of which are councillors, concerned that if this does happen they may have to sell their properties. She fully supports the motion.
- Councillor Hoy in summing up stated that she understands Councillor Booth's concerns but there is no hard evidence to say someone might sell if these changes happen. She stated that previously from working in the private rented sector she knows where rents come in and that landlords are already working to tight margins before tax changes came in and previous energy changes so it has been one piece of legislation after another and she is particularly worried about the cumulative effect of it. Councillor Hoy stated that the Council has the powers to prosecute landlords as it is, whilst not perfect, the Government do not always look at right solutions they look at what they think is potentially the easy solution. She agrees with the comments of Councillor Patrick regarding taking a chance on people and if options are being taken away people are not going to get a chance.
- Councillor Booth asked Councillor Hoy for assurances that the unintended consequences be stressed in the Council's consultation response. Councillor Hoy stated that she was happy to do this.

Proposed by Councillor Hoy, seconded by Councillor Mrs French and AGREED that the DHLUC be written to expressing the Council's concerns and asking them to reconsider the changes to the EPC and Section 21.

(Councillors Benney, J Clark, Connor, Mockett, Purser and Sutton declared that they are landlords and whilst recognising the advice given and that the Council is not the ultimate decision maker did not feel that it was appropriate to take part in this item which could potentially affect landlords. They left the room for the duration of the discussion and voting thereon)

(Councillor Yeulett left the meeting at 5.08pm following this item)

C19/22 MOTION SUBMITTED BY COUNCILLOR BODEN

Councillor Boden presented his motion regarding air quality monitoring in Whittlesey.

Members made comments as follows:

- Councillor Mrs Laws asked members to support this motion as Councillor Boden is not exaggerating, Whittlesey members phones have been “red-hot” and there are residents who cannot open their windows, cannot open their doors and are fearful of the children playing in the garden by what is quite a throat gripping smell. She stated that members are concerned about the A605 HGVs, Saxon Pit and Forterra. Councillor Mrs Laws praised the Environmental Team but made the point that it is also in the hands of the Environment Agency and she feel this motion is imperative for the people and residents of Whittlesey.
- Councillor Booth stated that he supports the aims of what is trying to be achieved with this motion but asked, as part of due diligence, if there is a ballpark figure of the capital revenue costs and would the Leader be willing to amend point b regarding online reporting and monitoring to say the whole of the District not just Whittlesey. He said from a quick online search there are around 25 locations in a report from 2020, with Broad Street March being an area where concerns had been raised previously so if it going to be undertaken in Whittlesey why is it not undertaken across the whole district.
- Councillor Mrs French agreed with Councillor Booth, with March being on maximum and that is one of the reasons that a March Area Transport Strategy is going to be undertaken with the High Street improvements, with it not just being the traffic flow but to get the emissions out of Broad Street as the people that work and shop in Broad Street do not realise how bad it is.
- Councillor Tierney made the point that when your residents are coming to you and repeatedly telling you something you have to listen and if so many different people are telling you the same thing there must be something to it. He stated that the information is not always right and you need to check the data so that you are transparent so in this case you are going to show residents that their fears are unfounded or you will find something so action can be taken to address it.
- Councillor Patrick referred to the incinerator which is being proposed in Wisbech and he feels that Whittlesey will have other problems as he believes that the fly ash from that incinerator will be taken and transported to Whittlesey so, in his view, the whole district should be checked as there will be readings and if the incinerator is built the Council can see what pattern is developing and what sort of pollution there is.
- Councillor Sutton stated that he has no overall problem with this motion, although he is not sure why it needed to come before Council. He feels there are lots of questions, is the fear greater than the reality and as Councillor Tierney has said the results will identify this one way or the other but his main concern it whether it is the Council’s responsibility to be funding this as there should be some monitoring at Saxon Pit through its licence so should the Council be utilising this rather than doing something it does not necessarily have the power to do. Councillor Sutton stated that he will not go against the motion as all members want their residents to be safe, but he just has concerns about the Council responsibility for doing something that either the private sector or the Environment Agency should be doing.
- Councillor Connor made the point that he is the County Councillor for Whittlesey South and he gets many complaints from residents on the A605 and in all the surrounding areas so he feels members should listen to residents, they know their area best, and he will be supporting this motion, which he feels should be implemented sooner rather than later so residents have confidence.
- Councillor Boden in summing up referred to Councillor Sutton’s question about why this motion needs to come before Council and the reason is that there are an increasing number of residents in Whittlesey who feel let down by the whole system, let down by a polluting enterprise that has been given planning permission to operate right on their doorstep, let

down by the amount of pollution that is being experienced by people on a regular basis, let down by the fact that they have to clean the dust of their windowsills because it builds up and action has not been taken, with the first port of call for many of these if it is suspected that it comes from a regulated site is the Environment Agency and, in his view, the Environment Agency is less than perfect in the way in which it responds to the fears and concerns of residents, it does not work effectively as has been seen by the area's MP getting involved with the Environment Agency and bringing in the relevant Secretary of State to see for himself just how badly things have gone wrong under the Environment Agency's watch, which is why it is before Council so the residents know that they are not being let down by their representatives and the local Council. He stated the Council does have the power to do this and there is a responsibility in terms of the monitoring of air quality and to institute air quality action areas if it is appropriate and as Councillor Booth suggested this responsibility is not restricted to Whittlesey it is Fenland-wide and the Council already carries out a lot of that responsibility by the monitoring that is undertaken, but some is not suitable for real-time online reporting, such as the diffusion tubes. Councillor Boden stated that he is happy to say, if this will satisfy Councillor Booth, that when this report comes back to Cabinet, as the priority at the moment is where the greatest problem is where people are telling us they are choking and not being able to breathe the air, that it is the start of a programme for the whole of the District so that the whole of Fenland is covered by the sort of online reporting which is being asked for as a matter of urgency in Whittlesey. He made the point that there will be more responsibility over the course of the next few years if Government is to be believed on what the Council needs to do and it might be required that a lot of additional equipment be purchased. Councillor Boden stated that he does not have a ballpark figure for the costs, the Council does have some PM2.5 monitors available but whether they are sufficiently accurate and reliable to provide the evidence that may be required is something that will be in the report that will be received in 6-7 weeks time. He advised that a ballpark figure for the modern machine itself is around £10,000 for a VM 10 PM2.5 machine, with this figure being off the top of his head, but ultimately what is the price to pay for clean air, being able to breathe and some members would be shocked by the stories that have been heard from residents in Whittlesey.

- Councillor Booth indicated that he was satisfied with the comments made by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Mrs Laws and AGREED to:

- 1. support in principle the siting within Whittlesey of monitoring equipment measuring particulate matter, particularly PM2.5;**
- 2. that officers be required to present a report to the next scheduled meeting of Cabinet outlining:**
 - a. the capital and revenue costs and preferred location(s) for such additional monitoring equipment**
 - b. how Fenland District Council may facilitate online up-to-date public reporting of monitored air quality in Whittlesey (including, where possible, from third party monitoring equipment) recognising that whilst some monitoring data may be available real-time, other data (such as that from diffusion tubes) is necessarily only available historically.**

C20/22 MOTION SUBMITTED BY COUNCILLOR TIERNEY

Councillor Tierney presented his motion on the Council's Climate Change and Carbon Reduction Policy.

Members made comments as follows:

- Councillor Booth stated that he finds the preamble text to the resolutions fairly sceptical and does not agree with the way some of it is worded as it is, in his view, a cynical way of

presenting the facts, however, looking at the resolutions he has always said the Council should be pragmatic in its approach and item b does actually commit to being legally compliant, with the legal requirement being to be net zero by 2050 so he does not disagree with this but he does disagree with the way that it is been framed in the preamble. He feels that what Fenland needs to do is to push the Government to get better investment and it is a disappointment that when the Council was looking at the garden town in Wisbech that it all came to a halt due to the threat of flooding and the Government was not willing to invest in our area and there is a proposal for a tidal barrier to be installed but nothing has happened for around 3 years in relation to this and these are the type of measures that should be pushed for to protect residents as it is known that Fenland is a particularly area of concern due to sea levels. Councillor Booth agreed that the Council should be meeting its 2050 net zero target in a proactive way as Councillor Tierney has tried to outline.

- Councillor Patrick stated that he is struggling with this motion, on a good summer's day for example with a bit of wind this country is already self-sufficient in the electric power that it produces. He stated that he has solar panels and if the Council is going to do this he asked why cannot when people build houses the Council require developers to put solar panels on the roofs, which will contribute towards electricity and take Fenland towards net zero and he feels these are the things the Council should be looking at and not ignoring what is happening to this world with severe climate changes. Councillor Patrick made the point that this country does not have snow anymore, there is warming and sea levels are rising so action is required quickly as there will be a catastrophe and it can be undertaken at a local level by encouraging people to invest in a means of producing free energy.
- Councillor Sutton referred to Councillor Cornwell asking at two consecutive meetings about a climate change policy and if this is it and the quality of it he feels it is very poor as it does not say anything. He questioned how the twin-hatted members of the County Council can support it when they approved a couple of years ago what was felt to be a very good climate change policy and many councils up and down the country of all political persuasions have adopted a proper policy. Councillor Sutton questioned how Whittlesey Town Council can support it when in their own Neighbourhood Plan there was a specific case around climate change and flood risk.
- Councillor Mrs Davis stated that she supports this motion, she knows that Councillor Tierney himself would say that he is very cynical, but this time she feels he has been practical. She made the point that members all know there is a need for climate change and there is a great cost to this and in the present financial climate it will have to slow down simply because of costs and in practical terms this motion keeps the Council moving towards those levels but is careful to note that it may take longer than Government think.
- Councillor Hoy referred to Councillor Sutton's comments and suggestion that the County Council's last administration policy on climate change was successful when it lost control of the Council so you could argue about how successful they were. She said since the new alliance has taken over every single climate change decision they have made they have gone against what they have said, referring to a change of energy supplier where the greener supplier with the best carbon footprint was rejected as it was too expensive and she recognises why as she would have made the same decision, but everyone wants to virtue signal and say how green they are and how wonderful they are about reducing CO² emissions but this does have real costs and consequences, which is alright if you can afford to pay those costs and consequences but a lot of people cannot and are going to struggle. Councillor Hoy feels that when this starts to 'bite' in a year to two years' time and people start to see the consequences more people will start speaking out.
- Councillor Clark stated that he struggles to support this motion as he has seven grandchildren and he wants a greener world for him to leave them and feels that everything that can be undertaken should be continued. He recognises it comes at a price, but asked what price is put on a human being or a child's life.
- Councillor Boden stated that Councillor Hoy is correct that there is an awful lot of virtue signalling taking place on the subject of the environment and the value of the first 16 items under this motion are facts, which may be considered to be inconvenient truths as these are

in reality the way in which the direction of travel and the speed of travel need to be taken in context of and what is clear that on a global basis the actions the Council takes will have an almost negligible impact, which is not to say there are not problems but if Fenland were to go net zero tomorrow the effects would be swallowed up by Brazil, India, Africa and especially by China in the space of a few months. He feels this needs to be recognised so that when members are talking about what the Council is going to do that members are realistic and he was happy that Councillor Booth said he was happy with the resolutions, which he thinks are correct that the Council should promote measures which alleviates the anticipated effects in Fenland of future global climate change and Councillor Clark asked what price is put on this and this motion is saying that measures should be promoted which are affordable and financially viable, he questioned what is the alternative should the Council be promoting measures which are unaffordable and financially unviable. Councillor Boden made the point that members need to be realistic and realism is beginning to strike around the world at the moment when you look at what is happening with the global energy markets and the global situation that exists referring to the position in Germany. He made the point that this agenda cannot be implemented with no price tag at all and members need to accept there are costs involved, which may be very big and the Council needs to be clear that it does not have unlimited resources and those limited resources need to be allocated in the most cost effective way, with in some cases will mean taking action to reduce carbon emissions and in other cases it will mean taking preventative measures to account for the effects that there will be in the years, decades and centuries to come of a change in climate. Councillor Boden expressed the view that the motion states very specifically that the Council will meet all of the climate change targets which exist and resolution c makes it clear that the Council will record, highlight and increase as much as it can the level of CO² emission reductions achieved through the policies being followed on a day-to-day basis, it not being undertaken just because it is a green policy but because these are green policies which are applicable and sensible for the needs of Fenland. He feels that everyone can very easily be priced off the road in Fenland, there are individuals who feel that private cars should not be permitted or that fuel prices should be higher to deter as many people as possible from using private cars, which is fine for the rich but does not do much for the majority of people who live in Fenland. He hopes that all members when they read the resolutions can support this motion.

- Councillor Tierney in summing up thanked members for the debate, which he feels is important, and he recognises that there are things that can be agreed on such as sensible policies that save people money and also make the world cleaner and greener. He expressed the view that if solar panels do this, and he feels there are some questions about solar panels around construction costs and how much they are subsidised, but it is consistent that they might be a good viable way to produce energy and the point was made about one good Summer's day with wind but asked what about all the Winter days when there would be blackouts and it has to be supported by endlessly running coal and gas facilities but these ideas are good. Councillor Tierney referred to Councillor Sutton's comments and stated that the point of his motion was not to say much because what he is trying to do is push back a little as nobody is pushing back and the trillion plus pounds of costs at least this is going to levy on the world on top of all the other things, the money the country borrows, the money it prints, the cost of wars and pandemics, the consequence is going to be nothing this country has ever seen before and there are some people who as Councillor Boden said do not want people to be driving cars anymore and there are people at County Council proposing housing estates with no parking. He referred to Councillor Clark's point about his grandchildren and stated that he hates that argument as everyone loves their children and he wants his own child and future grandchildren to have a fantastic life but made the point that they will not have a fantastic life if they are in desperate poverty, if they cannot drive, they cannot get a job and cannot afford food and he feels these are things that are going to happen soon not a maybe one degree temperature rise in 100 years and he would propose that the consequences both sides need to be considered and that our children should not be used as a moral lever in a debate. Councillor Tierney hoped that

what he has done in producing this motion, which he has worded quite strongly, is that members can agree on the resolutions, which are a very gentle push back as this is going to start hurting people and they are going to say push back or we will not elect you so it is for the Government to think about the consequences of its actions.

It was requested by Councillor Hoy that a recorded vote be taken, which was supported by Councillors Benney, Boden, S Clark, Connor, Mrs Davis, Mrs French, Hay, Humphrey, Mrs Mayor, Purser, Rackley, Sutton and Wallwork.

Proposed by Councillor Tierney, seconded by Councillor Boden and AGREED to:

- **promote measures which alleviate the anticipated effects in Fenland of future global climate change that are affordable and financially viable and which are believed to have a good chance of achieving their proposed end results**
- **commit to meeting all climate change targets which are legally required by the UK Government**
- **measure accumulatively the CO² emission reductions achieved by the Council's actions, both through the Council's own activities and through the funding of schemes directed by or channelled via the Council to third parties in the District using 2018 as the base year.**

In favour of the recommendations: Councillors Benney, Boden, S Clark, Connor, Mrs Davis, Divine, Mrs French, Miss French, Mrs Hay, Hoy, Humphrey, Mrs Laws, Marks, Mrs Mayor, Meekins, Miscandlon, Mockett, Murphy, Purser, Rackley, Tanfield, Tierney, Wallwork and Wicks.

Against the recommendations: Councillor Sutton.

Abstained: Councillors J Clark and Patrick.

(Councillor Booth left the meeting at 5.40pm during the discussion on this item and was not present for the vote)

(Councillor Mrs Hay left the meeting at 5.56pm following this item)

C21/22 AUDIT AND RISK MANAGEMENT COMMITTEE ANNUAL REPORT 2021/22

Councillor Miss French, Chairman of the Audit and Risk Management Committee, presented the Audit and Risk Management Committee Annual Report for 2021/22.

Councillor Miss French thanked the members of the committee for their participation and enthusiasm and officers for their hard work in servicing the needs of the committee.

Proposed by Councillor Miss French, seconded by Councillor Wicks and AGREED to acknowledge the work of the Audit and Risk Management Committee and its compliance with CIPFA's annual checklist for 2021/22.

(Councillor Tanfield left the meeting at 6.02pm following this item)

C22/22 TREASURY MANAGEMENT ANNUAL REPORT 2021/22

Councillor Boden as Leader and Portfolio Holder for Finance presented the Treasury Management Annual Report for 2021/22.

Proposed by Councillor Boden, seconded by Councillor Mrs Laws and AGREED that the Treasury Management Annual Report 2021/22 be noted.

(Councillor Patrick left the meeting at 6.09pm following this item)

C23/22 24 HIGH STREET, WISBECH - CONTRACT AWARD

In the absence of Councillor Seaton, Councillor Boden presented the report on 24 High Street Wisbech and the award of contract and approval of associated finance and officer delegations.

Councillor Sutton indicated that he wished to comment on the exempt schedules and, therefore, this item was considered in confidential session.

Proposed by Councillor Boden, seconded by Councillor Hoy and AGREED that

- **the current position in relation to the Council's redevelopment plans for 24 High Street, Wisbech be noted;**
- **the anticipated total value of redeveloping 24 High Street capped in accordance with the terms and conditions of the Crown Commercial Services Government Construction Framework RM6088 be noted;**
- **the options available for funding the redevelopment of 24 High Street based on the value anticipated by the preferred bidder and as set out in Schedule 3 be approved with authority delegated to the Chief Finance Officer, in consultation with the Leader, to identify and utilise the most appropriate combination of funding having regard to the Council's wider budgetary duties and obligations;**
- **subject to the above, the negotiation and entry into a contract with the preferred bidder be approved in accordance with the requirements of the Code of Procurement and the legal advice and due diligence requirements as set out in Schedule 1 seeking at all times to ensure that the Council maintains its best value obligations.**

(Members resolved to exclude the public from the meeting for this item of business on the grounds that it involved the disclosure of exempt information as defined in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972)

6.24 pm

Chairman