

COUNCIL



MONDAY, 26 FEBRUARY 2024 - 4.00 PM

PRESENT: Councillor N Meekins (Chairman), Councillor B Barber (Vice-Chairman), Councillor I Benney, Councillor C Boden, Councillor J Carney, Councillor G Christy, Councillor J Clark, Councillor S Clark, Councillor D Connor, Councillor S Count, Councillor D Cutler, Councillor Mrs M Davis, Councillor L Foice-Beard, Councillor Mrs J French, Councillor K French, Councillor A Gowler, Councillor P Hicks, Councillor Miss S Hoy, Councillor M Humphrey, Councillor S Imafidon, Councillor P Murphy, Councillor Dr H Nawaz, Councillor D Oliver, Councillor D Patrick, Councillor M Purser, Councillor B Rackley, Councillor D Roy, Councillor C Seaton, Councillor E Sennitt Clough, Councillor M Summers, Councillor T Taylor, Councillor S Tierney, Councillor S Wallwork and Councillor Woollard

APOLOGIES: Councillor G Booth, Councillor R Gerstner, Councillor A Hay, Councillor Mrs D Laws, Councillor C Marks, Councillor A Miscandlon and Councillor J Mockett

The Chairman announced that in accordance with Paragraph 2.2 of the Standing Orders, he has permitted an urgent item, which was not included in the original summons, to be placed before Council for consideration. The extra item is a Motion submitted by Councillor Tierney in relation to the proposed Medworth Incinerator and now appears on the Agenda as Item 15.

The Chairman considered this item to be urgent on the basis that there is a period of only six weeks within which it would be possible to initiate a judicial review of the Medworth Energy from Waste Combined Heat and Power Facility Development Constant Decision thought to have been taken by the Secretary of State for Energy Security and Net Zero as published on 21st February 2024. Whilst it is noted that the previously published content on the Planning Inspectorate website has since been removed for clarification, there remains a very short period within which action can be taken should the outcome remain the same. After this meeting there are no further meetings of Full Council until 13th May 2024, and he therefore considered it necessary to provide an opportunity for the proposed motion to be debated today.

In accordance with Paragraph 2.3 of the Standing Orders, as there are a number of items of business on the Agenda and because there are members of the public in attendance to hear the debate of Item 15, it was proposed by the Chairman and agreed by Council that this item be considered before Item 8 of the Agenda.

C31/23 PREVIOUS MINUTES

The minutes of the meeting of 11 December 2023 were confirmed and signed subject to the following amendment:

- Councillor Carney pointed out that in the Motion submitted by Councillor Taylor supporting local farmers, he had referred to Oxfordshire County Council, not Hertfordshire County Council as stated.

C32/23 **CIVIC ENGAGEMENTS UPDATE.**

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

C33/23 **TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL AND/OR THE HEAD OF PAID SERVICE.**

The Chairman made the following announcement:

"I would like to take this opportunity to recognise the efforts of fellow councillors in assisting their constituents during the flooding over the winter months. Particular recognition and thanks go to Councillor Taylor and Councillor Marks who have provided very practical, hands-on support which has proven invaluable. These Councillors went above and beyond their roles as they worked hard to help, and I would like to formally thank and applaud them for the exemplary work they carried out".

C34/23 **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**

There were no questions due to the absence of the Leader of the Opposition, Councillor Gavin Booth.

C35/23 **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 had no questions of portfolio holders in accordance with Procedure Rules 8.1 and 8.2.

C36/23 **MOTION SUBMITTED BY COUNCILLOR TIERNEY**

Councillor Tierney presented his motion regarding the proposed Medworth Incinerator.

Councillor Tierney commented that the proposal has long been on the cards but almost everyone is against it. He commended the local people and groups working to fight against it, which includes every council, every political group on those councils, the MP, and the Mayor. The Council should do everything in its power to fight this to the end and the last option now is a judicial review. However, they are expensive, they need a lot of legal expertise and there has to be a proper reason to have a review, it is not a case of additional argument. Councillor Tierney stated that his hope is that this motion will be agreed so the Council can get independent legal advice as to whether a judicial review is possible; this is something it owes to the people of Fenland, not least Wisbech. This will be a fight to the very end and something that could still be won but all must stand together on this.

Councillor Hoy seconded the motion, and it was opened for debate. Members made comments as follows:

1. Councillor Patrick said that as a member of the WisWin campaign team, he fully supports this motion. The costs will be considerable, and the technical report will be expected before other councils would consider providing financial support. The head of UKWin has generously offered to prepare this; he has worked with WisWin from the outset, is familiar with the Proposal and has also submitted several technical reports to the Planning Inspectorate as well as being involved in several successful Judicial Reviews. Furthermore, two people who led the

successful King's Lynn campaign with the judicial review have also offered to provide the technical support that FDC needs. An initial review by UKWin has revealed at least 5 potential grounds for a Judicial Review:

- Incorrectly treating the energy that would be exported as low carbon energy.
- Failure to adequately consider the impact of the Secretary of State's negative climate weighting on the low carbon premise at the heart of the Principle of Development's weighting.
- Errors of fact regarding waste fuel availability and the flawed approach to the non-combustibility of the 19 12 12 waste code that is currently sent to landfill.
- Reliance on incorrect assumption that the Boston Alternative Energy Facility could only process RDF (Refuse Derived Fuel).
- Illogical assumption adopted that if waste was landfilled it was not recyclable.

Councillor Patrick added that WisWin has already received offers of several thousands of pounds from UKWin and local businesses and they will be running a GoFundMe campaign as many people have already offered support. Furthermore, if this motion is agreed and a committee is set up, in the spirit of transparency and to ensure good communication, he would wish to be part of this as the link between the Campaign Team and the Council.

2. Councillor Boden commented that the decision announced last week was the wrong decision at the wrong location at the wrong time and made for the wrong reason. Unfortunately, there is no right of appeal against the decision so the only way it can be challenged is by means of a judicial review. A judicial review is not an appeal; it does not look back at the evidence or technical arguments and it does not look at any evidence not presented to the Inspector and considered by the Secretary of State. It is a judicial process and there are very few grounds upon which it can be successful. The most common grounds are procedural irregularity in coming to the decision or that the decision is perverse as a result of irrationality in legal terms in that no reasonable Secretary of State could come to that decision based on the evidence before them. Councillor Boden said that Virginia Bucknor kindly contacted him and Paul Medd, Chief Executive, advising that UKWin is willing to provide information and assistance but following consultation with officers, he has been told that Council must appoint its own counsel to give the required advice to help them to decide whether to proceed with a judicial review and cannot subcontract to a third party, especially a pressure group. Having said that, the information that UKWin may be able to provide could be invaluable in terms of Council instructing counsel and in the decision whether to proceed. He will therefore ask Virginia Bucknor to provide as a matter of urgency the detailed arguments mentioned by Councillor Patrick in terms of the potential grounds in the opinion of UKWin for which a judicial review can be sought. However, Councillor Boden stated that even if a procedural irregularity is found to have taken place, it may not mean success; there must have been a procedural failure that could have resulted in a different decision that will mean the judicial review is granted. Councillor Boden said he is saying this so people are aware of the reality of the situation; it is not a chance to fight the campaign again, it is not an appeal but rather an examination of the 60-page decision notice that was issued to see to what extent any of those failings mentioned before may have occurred. The whole reason for this motion and for going to independent counsel is that the Council needs specialist knowledge to ensure that it makes the best decision possible. It is important that at the earliest stage any possible grounds for a judicial review are communicated principally to the Monitoring Officer, Carol Pilson, to be referred to counsel. Councillor Boden welcomed the opportunity from UKWin to give such advice and would appreciate any other suggestions but emphasised the urgency of time. His understanding is that the publication of the notice last week triggered the six-week period by which applications for a judicial review must be made. It is a very tight timescale and officers have delegation given to them in this motion. Although success is not guaranteed, the Council will do its utmost based on the information received from experienced legal counsel; the person the Council will approach is a highly respected King's Counsel, well experienced in large

infrastructure projects that have gone to judicial review, and it will depend on what he says before deciding whether to go ahead with a judicial review. Councillor Boden finished by saying that if there is any reasonable possibility of getting this wrong decision changed then the Council owes it to the people of Fenland to take that opportunity.

3. Councillor Taylor said as Chairman of the Rural Farming Committee he had requested a full toxicology report on the incinerator to protect Wisbech's fruit and vegetable supplies, which the farming community are very concerned about. To date no such report has ever come forward. He supports the motion as he is fed up with big companies, whether it involves incinerators, reservoirs or housing developments, throwing money around getting deals done before coming through this Council. If this Council says no, it means no.
4. Councillor Cutler said she supports the motion; she knows that there is liaison with other councils but asked if this Council has a figure or percentage in mind to contribute towards the costs.
5. Councillor Sennitt Clough said the incinerator will affect most of Fenland and this is why she supports Councillor Tierney's motion. The people she represents as ward councillor for Whittlesey Northwest are concerned about the lorry loads of bottom ash from the incinerator being deposited in a pit in Whittlesey. Furthermore, in 2017 an MVV ship from Plymouth carrying 2,333 tonnes of unprocessed incinerator bottom ash exploded in the North Sea. As Councillor Taylor alluded to, this is another example of Fenland being used as a dumping ground for other peoples' rubbish instead of being regenerated.
6. Councillor Count said he supports this excellent motion prepared very quickly following the unwelcome decision which has gone against the people of Fenland. One of the comments as to why a judicial review could be successful would be if the decision is found to be irrational. He cannot get his head around the evidence presented, the views of the people here, the views of the people at County and other neighbouring authorities, all concluding the same that somebody can find a rational reason to be right and everybody else wrong; this cannot be rational or right. Councillor Count added that he does not live in Wisbech, so will not see the impact of the mega plant on his doorstep but he does use the roads and they are already in a terrible state. Farm vehicles are struggling to get about and now the incinerator will see wagon after wagon on our roads to deal with what will primarily be Norfolk's waste. This decision makes no sense; he agrees with Councillor Tierney and the Council must fight this all the way. He has highlighted this with the Chief Executive of the County Council, who are supportive; they provided a lot of evidence to support this Council and he suggested that officers contact them so see if they can find anything to put in front of the judicial review as evidence. This is an irrational decision, and he is 100% behind the motion.
7. Councillor Mrs French agreed that the roads cannot take the additional volume of traffic, she fully supports this motion and thanked Councillor Tierney for raising it.
8. Councillor Roy said clearly there is overwhelming support to challenge this decision. Right is always right and wrong is always wrong and this is a decision that will affect generations to come. A monstrosity of this size should not be put in a prime food growing area and he fully supports Councillor Tierney's motion.
9. Councillor Wallwork said she is a Wisbech resident and fully supports this motion. She wanted residents to understand that the incinerator decision is something that is not just happening to them, it is happening to all of us, and members do not want this any more than anyone else. She agreed with Councillor Count that this Council must fight this decision and throw everything at it; and if there is any moment that the Council has to throw money and effort at it, the time is now.
10. Councillor Hoy said she was both surprised and devastated by the decision, nobody wanted this. The Council agenda had already been published but thankfully it was possible to add this motion for urgency. The hope of this motion is for officers to explore whether there is a case for a judicial review; time is not on the Council's side; preliminary enquiries have been made and this not to pre-empt any decision made today but officers are on notice to start work urgently. She urged people to exercise caution over what they put on social media or say publicly so as not to jeopardise anything as MPV lawyers will be looking. In response to Councillor Cutler's question about funding, potentially this could mean hundreds of thousands of pounds. Fenland

District Council will have to bear that cost if nobody else steps up to the plate, but she believes that it is a fight that must be fought. The Council won its case regarding housing asylum seekers at the Rose and Crown and that is a signal to Government that this Council will not roll over. She does not want FDC to bear the whole cost but the Combined Authority and County Council have said they are against it, so they need to financially contribute along with other local authorities. If businesses are also offering financial assistance because of the strength of feeling then why would the Council refuse it. Councillor Hoy said councillors live here too, she lives nearby and does not want to breathe in toxic fumes.

11. Councillor Tierney said he was gutted when he heard the decision, but this debate has helped a lot. He thanked members of the public for turning up to the meeting saying it was great to see so many of them. He stated that the Council could not commit to the amount of money that would be required but would need other parties to give as much as they can, but he pledged to donate £1k of his own money for crowd funding.

The Motion was approved.

C37/23 MOTION SUBMITTED BY COUNCILLOR DR HAQ NAWAZ

Councillor Nawaz presented his motion regarding Fenland bus services in Fenland.

Councillor Nawaz stated that as seen in the previous motion, this Council puts community at the centre of everything and it is the aim of members to try to make things that little bit better and easier for its residents. Transport is an integral part of everyday living, so much depends on it and for some, public transport is the only means to get anywhere; the most convenient form of public transport for many, particularly in this area, being a bus. Unfortunately, the Cambridgeshire and Peterborough Combined Authority's (CPCA) Local Transport and Connectivity Plan (LTCP) does not adequately cater for the needs of Fenland residents. Statistics show that Fenland, particularly the north, has some of the most deprived wards in Cambridgeshire and the CPCA has let Fenland down again. Councillor Seaton has worked very hard with the Transport and Infrastructure Committee but Councillor Nawaz himself has attended various meetings and lobbied to highlight the deficiencies within that local plan and promises made by the Mayor of the CPCA have not transpired. Despite there now being a few more services in the evenings, there is no adequate or, in some cases, no services at all at weekends. However, life does not stop at the weekend, and it is concerning that the authors of this plan have not considered the needs of the rural communities of Fenland that need public transport. He expressed his disappointment that the CPCA does not share his concerns despite repeated representations over a considerable period, hence the need for this motion.

Councillor Christy seconded the motion, and it was opened for debate. Members made comments as follows:

1. Councillor Patrick said he fully supports this motion having watched the level of bus services decrease over the years. Villages have been left isolated and he feels that as an area of deprivation, Fenland residents are probably going to be funding the cost of providing transport for better off areas. This Council must fight to improve services so that people can get to work or wherever they need to go, reduce social isolation, and create something that is beneficial for everybody within this district.
2. Councillor Count thanked Councillor Nawaz for bringing forward the motion, providing a chance to highlight deficiencies and what is being offered for the people of Fenland at the cost of £36 for a Band D household. In his view, being told the £36 precept is to improve bus services is poppycock firstly because the Mayor failed to get the bus service improvement plan money. He is the only Combined Authority Mayor in the country to fail to get that money and if a decent plan had been put before Government and the funding received then local people would not have been taxed in this way. Secondly, it is supposed to be based on a bus strategy that is published and consulted upon, however what was published and consulted upon was a wish

list. Everything possible was named for an all-singing all-dancing bus network but no actual plan was put in. This motion exemplifies why Fenland particularly has been let down. Looking at any desired consequence that could be delivered with a decent bus strategy through the eyes of residents, better health outcomes, better education, economic growth, than Fenland deserves it more than most. He did thank the Mayor however because Christchurch is now getting two buses, but he is astounded to find that the parish council knew nothing about this, and Christchurch residents have not had any input as to whether the planned routes are even suitable. Elsewhere, Turves has no public transport whatsoever; it cannot be right to subsidise an enhanced route around Cambridge City while whole villages are left with no support at all because there was no strategy. Finally, whilst this was the Mayor's lone decision to have a precept, saying this money is to deliver bus services, in the meantime £3.85m has been spent on subsidising bus travel for under 25-year-olds. How could he explain to a pensioner with no access to public transport but having to pay the precept out of their pension that they are subsidising a young person with a good job in the centre of Cambridge so they can go home at midnight after a night out. This cannot be justified.

3. Councillor Carney thanked Councillor Nawaz for the motion and commented that he used to drive for Stagecoach, operating out of Ely across Fenland. He left when Stagecoach pulled their routes across Cambridgeshire, one of which was highly profitable, but Stagecoach said it was not viable. How could it not be viable when it was guaranteed to fill a double decker bus? What seems prevalent in this area is that the bus service is disjointed; speaking to residents he hears how they cannot get from one area to another easily without having to change buses and they highlight exactly what is wrong with public transport in this area. He remembers talk some time ago of the CPCA franchising the bus route across Cambridgeshire, which he knows happened in London and increased bus usership, he has not heard any further talk of this, but it would be good to see the CPCA putting money where its mouth is.
4. Councillor Cutler said she supports the motion and echoes Councillor Patrick's comments, particularly for the rural villages where there are no buses let alone a limited service.
5. Councillor Clark said that in his eight years as a Conservative Councillor, bus services were in decline partly due to reduced Government support. After the election of a CPCA Conservative mayor, which assumed transport responsibilities for the County Council, bus services further declined. After the last election, the new Labour mayor, Dr Nik Johnson, found the authority in disarray, poorly set up with a high turnover of staff but it has now turned a corner with an experienced Chief Executive with much set up to deliver for Cambridgeshire and Peterborough. The increase in the precept was not the sole decision of the mayor but was democratically voted through by the Combined Authority Board. Councillor Clark added that he understands that the Fenland member did not vote or speak on this but left the meeting early and was not replaced by a substitute. The Mayor said in a press release that following the decision, the CPCA could offer more routes, more frequently, and serving more people more conveniently than is currently the case. Councillor Clark suggested that rather than keep playing politics in this and previous meetings with the CPCA, perhaps it is time to engage and work with them for the benefit of Fenland. Mayor Johnson is likely to be re-elected for a further term from 2025, therefore he is unable to support this motion as he would like to see the Council work closer with the CPCA for a better outcome for Fenland.
6. Councillor Hoy said she had to challenge what Councillor Clark said and recalled that he was the Leader of this council when the CPCA was being pushed by this Council, and people were saying that there would be issues caused by having another layer of government. She does not believe that Mayor Johnson will win another term because he has delivered nothing for Fenland apart from a couple of buses. Councillor Hoy added that she took exception to party political point scoring regarding the fact that members sometimes miss meetings; this can be for good reason, often relating to health or other personal matters.
7. Councillor Tierney said he found Councillor Clark's remarks concerning the high turnover of staff at the CPCA under the previous mayor to be ill-informed.
8. Councillor Christy stated that he calls on full Council to support this motion, and to lobby the CPCA for the services that Fenland needs. He said that FACT Community Transport provides a number of bus services for the CPCA, being routes taken over when Stagecoach ceased their

services. Services in Fenland have been rapidly declining due to this, but the problem goes back further to the CPCA's failure to secure any funding during the Bus Service Improvement Plan (BSIP) funding rounds in 2022. Councillor Christy added that he believed the CPCA were the only combined authority that failed to secure any funding whatsoever. In contrast the North East CA secured £163.5m, the West of England CA £105.5m and Greater Manchester CA £94.8m. Closer to home, Norfolk County Council was awarded £49.6m and Hertfordshire County Council £29.7m. The explanation given for the CPCA getting nothing was their bid was not ambitious and lacked innovation. Although in the further rounds the CPCA was awarded £2.3m for each of the periods 23/24 and 24/25 under the BSIP+ awards, by context Hertfordshire County Council was awarded a further £2.97m BSIP+ funding on top of their already awarded £29.7m BSIP funding. Councillor Christy said he wanted to raise attention to this for two reasons. Firstly, as this motion states, Fenland's LTCP continues to lack ambition and innovation, it does not address the needs of residents, and Fenland is not receiving its fair share of the available funding from the proposals put forward for the district. Meanwhile empty buses continue to drive across Fenland as the service is not fit for purpose and needs to change. This is all at the cost of the taxpayer as operators continue to be paid even if their buses are empty. Secondly public transport need is expected to grow as it is increasingly seen as a lever to drive social and economic growth. This growth is driven by the younger generation of transport user for work and leisure. In Fenland bus services need to grow in quality, frequency, and coverage so that this generation can access employment and further education.

9. Councillor Nawaz summed up by addressing the points made by Councillor Clark and said that this motion has nothing to do with party politics. On a personal level he has an excellent rapport with Mayor Johnson but what matters is what happens to the residents he represents and the impact that the policies that he is putting forward. Councillor Nawaz added that did not name the Mayor and it was Councillor Clark that brought politics into the debate. The case is overwhelming, Councillor Christy and other members have highlighted in detail the issues and discrepancies there are. The Mayor has trebled the original precept from £12 to £36 whilst reducing bus services hence this Motion.

The Motion was approved.

(Councillors Boden, Christy and Seaton each declared a non-pecuniary interest as trustees of Fenland Community Transport (FACT), which provides some bus services within Fenland, with Councillor Christy also declaring that he is Chairman of the trustees, and his wife works for FACT, but as each can exercise judgement without prejudice, will participate in the debate).

(Councillor Gowler left the meeting at 5.00pm during the discussion on this item and was not present for the vote or the remaining agenda items).

(Councillor Kim French left the meeting at 5.20pm following this item).

C38/23 MOTION SUBMITTED BY COUNCILLOR TIM TAYLOR

Councillor Taylor presented his motion regarding Bluetongue and Bovine Tuberculosis.

Councillor Taylor added farmers have a tendency not to talk about their mental health and one of the reasons for this is that any mention of poor mental health leads to them losing their firearms. This needs to stop. Furthermore, when 150 cattle are being slaughtered on one farm without having been TB tested, how much of this is going on around the country each year? Councillor Taylor commented that even animals being slaughtered for TB are in the human food chain.

Councillor Carney seconded the motion, and it was opened for debate. Members made comments as follows:

1. Councillor Carney said he knows all too well of the frustration of being able to find a vet who can undertake TB testing. Vets qualified to do this are few and far between, but this is something any vet should be able to do. Time is not on the farmer's side and waiting affects their livelihood, therefore he supports this motion.
2. Councillor Tierney thanked Councillor Taylor for an informative and interesting motion. He said it is refreshing to have someone at FDC speak out on behalf of the farmers as this is a rural community and nobody speaks to be speaking for them and he will be supporting this motion.
3. Councillor Nawaz said he would be supporting this motion on the grounds that it involves a serious zoonotic disease which is transferable to humans and affects most systems of the body, needing extensive prolonged treatment. Prevention is better than cure and farmers need to be healthy and happy, remember they are producing the food that we all eat.
4. Councillor Humphrey said that as one of the few members with farming in his blood, albeit arable rather than livestock, he fully supports this motion.
5. Councillor Taylor summed up saying that once an animal has a reactor test to TB, the farm immediately has a movement order placed on it and the animal is then slaughtered, for which the farmer receives a very small percentage of the animal's value. This is a national problem, but Fenland is only the second council in England believed to have a farming committee and he is receiving many calls from other councils to ask if they were to set up a farming committee would he take lead through Fenland to advise and work with them and let Fenland spearhead the leadership of farming throughout the country. He is already working with a number of neighbouring local authorities and some further afield, such as Kent and Northumbria along with their MPs. He asked that all bear in mind that everyone needs a farmer at least three times a day, seven days a week.

The Motion was approved.

(Councillor Mrs Mayor left the meeting at 5.35pm following this item).

C39/23 BUSINESS PLAN 2024/25

Members considered the Final Business Plan 2024-25 presented by Councillor Boden.

Councillor Boden said it was the hard work of Councillor Tierney and officers that made this year's Business Plan an improvement on last year's version.

Councillor Mrs French expressed her gratitude to Councillor Boden, Councillor Tierney and all the officers who put an amazing amount of work into producing the Plan.

Councillor Count offered his congratulations to everybody on an amazing achievement, saying he is happy to support the Plan.

Councillor Tierney said he thanked members for their kind comments as always but reiterated it is the officers who put in the hard work.

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED that the Business Plan be approved.

C40/23 BUDGET 2024/25 AND MEDIUM TERM FINANCIAL STRATEGY 2024/25 TO 2028/29

Members considered the General Fund Budget Estimates 2023/24 and the Medium-Term Financial Strategy 2023/24 to 2027/28; and Capital Programme 2023/26 report presented by Councillor Boden.

Councillor Nawaz commented that it is pleasing to notice this council is not one of the one in five councils expecting to issue Section 114 notices and thanked the officers, Leader and Finance

Portfolio Holder and all members involved in producing this report against so many budgetary pressures. He also thanked officers for their very good housekeeping.

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED that the following be approved:

- (i) the General Fund revenue budget for 2024/25 as set out in Section 8 and Appendix A be approved.
- (ii) the Medium-Term Financial Strategy as outlined in this report and Appendix B be adopted.
- (iii) the Capital Programme and funding statement as set out in Appendix D be approved.
- (iv) the adoption of the additional Business Rates Relief measures as detailed in Section 6 using Discretionary Relief Powers be approved.
- (v) the expenses detailed in Section 11 be approved to be treated as general expenses for 2024/25.
- (vi) the Port Health levy for 2024/25 be set as shown in Section 12;
- (vii) the current working age Council Tax Support Scheme be adopted with effect from 1 April 2024 as set out in Section 14, with appropriate changes to the prescribed pensioner scheme as determined by regulations.
- (viii) the Long-Term Empty Premium and Second Homes premium be amended as detailed in Section 15 as follows:
 - (a) to agree to shorten the period that a 100% Council Tax premium on long term empty dwellings is payable from the current 2 years (empty) to 1 year from 1 April 2024.
 - (b) to agree to implement the 100% Council Tax premium on all second homes from 1 April 2025.
 - (c) to agree that the classes of properties detailed in paragraph 15.10 do not attract the long-term empty premium for the periods specified.
- (ix) the Treasury Management Strategy Statement, Minimum Revenue Provision, Treasury Investment Strategy, Prudential and Treasury Indicators for 2024/25 and Capital Strategy 2024/25 as set out in Section 16 and Appendix E be approved.
- (x) the Band D Council Tax level for Fenland District Council Services for 2024/25 be set at £254.79, a decrease of 0.18% (£0.45) on the current year.

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

In Favour: Councillors Barber, Benney, Boden, Carney, Christy, J Clark, S Clark, Connor, Count, Cutler, Mrs Davis, Foice-Beard, Mrs French, Hicks, Hoy, Humphrey, Imafidon, Meekins, Murphy, Nawaz, Oliver, Patrick, Purser, Rackley, Roy, Seaton, Sennitt Clough, Summers, Taylor, Tierney, Wallwork, Woollard

Against: None

Abstentions: None

(Councillor Sennitt Clough declared an interest in this item by virtue of her husband being Class P but will remain open minded and will participate in the debate).

C41/23 COUNCIL TAX RESOLUTION 2024/25

Members considered the Council Tax Resolution 2024/25 report presented by Councillor Boden.

Councillor Hoy said the level of council tax that other authorities are charging is appalling. That is not to say there is not a case for a rise in some instances, but the level levied by the County Council and Combined Authority are terrible and will have a massive impact on peoples' finances. Councillor Hoy thanked Councillor Boden saying it is rare and refreshing to have a council leader pushing for council tax freezes and cuts.

Councillor Boden thanked Councillor Hoy, saying this is not the Council's money, it is the money of those who elect their councillors and members owe it to them to be as effective and efficient as possible. It is lazy politics that so many authorities have the attitude that they can raise council tax just because they can.

Proposed by Councillor Boden, seconded by Councillor Hoy and AGREED the resolution set out in the report for the Council Tax requirement to be approved.

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

In favour of the proposal: Councillors Barber, Benney, Boden, Carney, Christy, J Clark, S Clark, Connor, Count, Cutler, Mrs Davis, Foice-Beard, Mrs French, Hicks, Hoy, Humphrey, Imafidon, Meekins, Murphy, Dr Nawaz, Oliver, Patrick, Purser, Rackley, Roy, Seaton, Sennitt Clough, Summers, Taylor, Tierney, Wallwork, Woollard

Against: None

Abstentions: None

C42/23 CONSTITUTIONAL AMENDMENTS

Members considered the Constitutional Amendment report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Mrs Davis and AGREED to make the following changes to the Constitution:

- 1. At Part 3, Table 4, paragraph 71a, to amend the existing wording of the Constitution as follows:**

To authorise the allocation of external funding awarded to the Council, **the approval of the Council's acquisitions of goods, services and works (whether following a procurement exercise or otherwise)** and entry in to the associated financial and legal agreements up to £100,000 in consultation with the relevant portfolio holder and Leader of the Council.

- 2. At Part 3, Table 5, paragraph 10, to amend the existing wording of the Constitution as follows:**

To authorise the allocation of external funding awarded to the Council, **the approval of the Council's acquisitions of goods, services and works (whether following a procurement exercise or otherwise)** and entry in to the associated financial and legal agreements up to the following limits:

Value	Designation
Up to £100,000	Corporate Directors in consultation with the relevant Portfolio Holder and Leader of the Council.
Between £100,001 and £500,000	Cabinet Member and Leader of the Council
Over £500,001	Cabinet

3. At Part 4, Council Procedure Rules, paragraph 28 which relates to Substitutions, the addition of a new paragraph 28.7 which states:

“Where Outside Bodies are concerned, the Leader of the relevant political group may nominate an alternative attendee where exceptionally, neither the approved substantive or substitute members are able to attend a meeting of the relevant Body and provided that the Body’s Constitution/Terms of Reference permit that attendance”.

4. Save in so far as a function is delegated to a specific member of the Corporate Management Team such as the Chief Executive, s.151 Officer and/or Monitoring Officer, for the Constitution to be amended so that ‘Corporate Directors instead reads ‘Corporate Directors and Assistant Directors’ with the associated delegations then equally applying to them.
5. For Part 7 of the Constitution, Management Structure to be amended in accordance with the proposals set out at Appendix 1.
6. At Part 3 Responsibilities for Functions, 3.3 Executive Advisory Committees, 3.3.3 RURAL & FARMING EXECUTIVE ADVISORY COMMITTEE to add to the terms of reference to include:
- Reflect upon flooding issues affecting the District.

C43/23 SENIOR MANAGER PAY POLICY STATEMENT

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

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED to adopt the Senior Management Pay Policy Statement for 2024/253 at Appendix 1 as required by the Localism Act 2011.

6.08 pm

Chairman