

AGENDA

CABINET

TUESDAY, 22 MARCH 2022

4.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH**

Committee Officer: Linda Albon
Tel: 01354 622229
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Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our You Tube Channel due to the Council still observing Covid 19 restrictions.

The link for today's meeting is: <https://youtu.be/m2LBLPMWfp4>

- 1 To receive apologies for absence
- 2 Previous Minutes (Pages 3 - 6)

To confirm and sign the minutes of 24 February 2022.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive members' declaration of any interests under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting
- 5 Update on Progress with Wisbech Levelling Up Fund Regeneration Project (Pages 7 - 16)

For Cabinet to note the Council's progress towards preparing and submitting a bid to

the Government's Levelling Up Fund – Round 2.

6 Investment Board Update (Pages 17 - 26)

To provide an update to Cabinet of the work of the Investment Board from April 2021 to March 2022.

7 Immediate Article 4 Direction (Pages 27 - 34)

To seek authority from Cabinet to serve an immediate Article 4 Direction on the B1098, Horseway, Nr Chatteris in the interests of the protection and appearance of the countryside.

8 Draft 6 Month Cabinet Forward Plan (Pages 35 - 36)

For information purposes.

9 Items which the Chairman has under item 3 deemed urgent

Monday, 14 March 2022

Members: Councillor C Boden (Chairman), Councillor Mrs J French (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor Miss S Hoy, Councillor Mrs D Laws, Councillor A Lynn, Councillor P Murphy, Councillor C Seaton and Councillor S Tierney

CABINET



THURSDAY, 24 FEBRUARY 2022 - 2.00 PM

PRESENT: Councillor C Boden (Chairman), Councillor Mrs J French (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor Miss S Hoy, Councillor Mrs D Laws, Councillor A Lynn and Councillor P Murphy

APOLOGIES: Councillor C Seaton and Councillor S Tierney

CAB45/21 PREVIOUS MINUTES

The minutes of the meeting held 3 February 2022 were agreed and signed.

CAB46/21 BUSINESS PLAN 2022/23

Members considered the Business Plan 2022/23 report presented by Councillor Boden.

Councillor Boden thanked Councillor Tierney and officers for making the report easier to read this year.

Councillor Benney said he was very pleased with the report considering we could have been in the most terrible financial situation due to Covid-19. This report is a credit to Councillor Boden and officers of the Council.

Cabinet considered and AGREED to recommend to Council the approval of the Final Business Plan 2022-2023.

CAB47/21 CORPORATE BUDGET 2022/23 AND MEDIUM-TERM FINANCIAL STRATEGY

Members considered the Corporate Budget 2022/23 and Medium-Term Financial Strategy report presented by Councillor Boden.

Councillor Boden advised of a slight alteration to the recommendation and asked Mark Saunders to clarify. Mark Saunders confirmed that an alteration to the recommendation would be made at full Council that the scheme to be approved will disregard the £150 council tax rebate people will receive in the New Year when determining council tax support applications. However, this relates to the Council Tax Support Scheme and does not affect the Corporate Budget.

Cabinet AGREED that:

- (i) the revised estimates for 2021/22 as set out in Section 8 and Appendix A showing an estimated shortfall at outturn in the region of £243,000, be approved;**

and AGREED to recommend to Council that:

- (ii) the General Fund revenue budget for 2022/23 as set out in Section 9 and Appendix A be approved;**

- (iii) the Medium-Term Financial Strategy as outlined in this report and Appendix B be adopted;
- (iv) the Capital Programme and funding statement as set out in Appendix D be approved;
- (v) the adoption of the additional Business Rates Relief measures as detailed in Section 6 and Appendix H using Discretionary Relief Powers be approved;
- (vi) the expenses detailed in Section 12 be approved to be treated as general expenses for 2022/23;
- (vii) the Port Health levy for 2022/23 be set as shown in Section 13;
- (viii) the Treasury Management Strategy Statement, Minimum Revenue Provision, Treasury Investment Strategy, Prudential and Treasury Indicators for 2022/23 and Capital Strategy 2022/23 as set out in Section 15 and Appendix E be approved; and
- (ix) the Band D Council Tax level for Fenland District Council Services for 2022/23 be set at £260.46, no increase on the current year.

CAB48/21 ECONOMIC GROWTH UPDATE

Members considered the Economic Growth Update report presented by Councillor Benney.

Cabinet considered and AGREED to recommend the Economic Growth Strategic Refresh 2022-25 for approval by Full Council.

CAB49/21 AUTHORISATION OF EXTERNAL FUNDING IN RELATION TO ENERGY EFFICIENCY

Members considered the Authorisation of External Funding in relation to Energy Efficiency report presented by Councillor Hoy.

Councillor Mrs French asked how this will be monitored so that we can ensure this is done in a timely manner, as Clarion are not always good at communicating with us. Councillor Hoy responded that we are the lead agency, and we will have support officers on this project ensuring that they are keeping to time.

Councillor Lynn asked if this is a one-off project from central Government. Councillor Hoy said it is difficult to know; much of the decarbonisation work is costing a lot of money as is the pledge for net zero, which will harm a lot of the poorest people, but it is a balancing act. If we do not take the money from central Government when it is offered, how can we improve properties. We just need to ensure it stays well intentioned.

Councillor Lynn said he would support this on this occasion but hopes we can protect ourselves further down the line from something that could be catastrophic for Fenland. We have a ceiling on property prices, and it is a struggle to get contractors to develop here because of viability. His concern is that costs could spiral and make it impossible for anyone to take this on. Councillor Boden asked if Councillor Lynn is suggesting we contact our MP to advise we have concerns about how the Government were to finance this if it were to go nationwide. Councillor Lynn said that would be a good idea.

Councillor Hoy said she would be happy to add that as an addition to the recommendations because the costs could be too great in the future, both for the country as a whole and the Fenland taxpayer. Councillor Clark seconded that amendment.

Cabinet AGREED to:

- **Note the successful bid for funding from BEIS in the sum of £5,202,622 to assist in the delivery of energy efficiency improvements in social housing stock belonging to Clarion;**
- **Authorise Fenland District Council's entry into BEIS' Memorandum of Understanding at Appendix A of this Report;**
- **Authorise officers to enter into all required legal and financial documentation necessary to give effect to this decision, to include a separate grant funding agreement with Clarion Housing to be approved in consultation with the Portfolio Holders for Housing and Transformation and Communication (Energy Conservation).**
- **Delegate to the Portfolio Holder for Housing to write to the MP expressing Cabinet's concerns over the cost of schemes such as this being expanded nationwide.**

CAB50/21 DRAFT 6 MONTH CABINET FORWARD PLAN

Councillor Boden presented the draft six-month Cabinet Forward Plan for information.


CAB51/21 PREVIOUS MINUTES (CONFIDENTIAL)

The confidential minutes of the meeting held 3 February 2022 were agreed and signed.

2.27 pm

Chairman

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Agenda Item No:	5	
Committee:	Cabinet	
Date:	22 March 2022	
Report Title:	Wisbech - Levelling Up Fund progress update	

1 Purpose / Summary

For Cabinet to note the Council's progress towards preparing and submitting a bid to the Government's Levelling Up Fund – Round 2.

2 Key issues

- 2.1 Government launched the Levelling up Fund (LUF) in 2021, with a tight deadline for Round 1 bid submission. Following internal discussions, Members felt that submitting a considered and well worked up bid in Round 2 would give Fenland the best chance of success in what is likely to be a very competitive process.
- 2.2 Fenland has been assessed as a Category 2 priority place for the LUF process. Unfortunately, this means that the Council receives no Government support to develop a bid. In August 2021, Cabinet agreed that the Council should develop a Town Centre Spatial Plan for Wisbech (Wisbech Master Plan) with an accompanying LUF bid at a cost in the region of £75,000 - £100,000.
- 2.3 Consultants have been appointed to develop the Wisbech Master Plan, with a further specialist appointed to support the Council in developing a compelling LUF bid, based on the emerging Master Plan. This consultant was part of the team that helped the Council to successfully secure Future High Street Funding for March.
- 2.4 Members have met with consultants on a number of occasions to discuss potential opportunities in the town, guiding the development of the master planning work.
- 2.5 Members have also met with the bid development consultant who has described the process as competitive, requiring a bid that is cohesive with projects linking together well and a bid that is compelling in terms of its economic impact and resultant benefit-cost ratio.
- 2.6 In parallel with the Council's work, the MP's office has commissioned a piece of place shaping work through [thinkingplace](#) - developing a narrative for Fenland. It is expected that this work will also support the Council's Wisbech LUF bid submission.

3 Recommendations

- 3.1 That Cabinet notes the contents of this report and the positive progress being made towards the development of a LUF Round 2 bid, namely:
 - The Wisbech Master Plan is now at a draft stage with the Plan due to be completed and project selection for the LUF bid expected to take place in the coming weeks
 - Experienced LUF bid supporting consultant appointed
 - Phase 1 of the MP funded thinkingplace work for the wider district completed
 - Anglian Water and partners are funding Stage 2 of the thinkingplace district place shaping work

Wards Affected	Wisbech Wards
Forward Plan Reference	KEY/14MAY21/01
Portfolio Holder	Cllr Chris Seaton - Portfolio Holder for Heritage and Social Mobility
Report Originator	Phil Hughes - Interim Assistant Director
Contact Officers	Paul Medd - Chief Executive Simon Machen - Corporate Growth and Regeneration Advisor Phil Hughes - Interim Assistant Director Simon Jackson - Economic Growth Manager Jo Blackmore - Executive Officer
Background Papers	Levelling Up Fund Prospectus - Round 1 (2021)

1 Background / introduction

- 1.1 Government's response to Covid-19 through Build Back Better and the Levelling Up Fund (LUF) agenda offers a unique opportunity to attract significant levels of funding to Fenland which is designated as a 'Priority 2' area. The recent success of the March Future High Street Fund (FHSF) bid demonstrates that with the right professional input, stakeholder engagement and political prioritisation, the Council is capable of pulling together a credible and compelling business case for investment.
- 1.2 The Growing Fenland Masterplans, funded by the Combined Authority, for March, Wisbech, Chatteris and Whittlesey were coordinated by the District Council with support from economic analysts Metro Dynamics who worked closely with key stakeholders. The master plans were endorsed by the District Council, respective Town Councils, the County Council and Combined Authority. They include a set of well informed and evidenced strategic priorities for each town.

2 Levelling Up Fund

- 2.1 Announced at the Spending Review in 2020, the Levelling Up Fund (LUF) will invest in capital investment in local infrastructure that improves everyday life across the UK. Building on and consolidating prior programmes such as the Local Growth Fund and Towns Fund, it will have a visible and tangible impact on people and places and support economic recovery. In doing so it will also create opportunity across the country, prioritising bids that invest in regeneration and growth in places of need and areas of low productivity and connectivity.
- 2.2 The £4.8 billion fund will support town and city centre regeneration to deliver economic and social levelling-up. In round one, the emphasis was on town centre regeneration, culture and heritage. LUF provides a new approach to tackling economic differences between areas and driving prosperity in towns and cities that have been left behind, and which have now been prioritised by Government for support.
- 2.3 The Fund is intended to support investment in places where it can make the biggest difference to everyday life, including ex-industrial areas, deprived towns, and coastal communities. Bidding and funding criteria are not yet known for round two but there remains an expectation of it being similar to round one with the prospectus outlining the priorities below.
- 2.4 **Regeneration and town centre investment**, building on the Towns Fund framework to upgrade eyesore buildings and dated infrastructure, acquire and regenerate brownfield sites, invest in secure community infrastructure and crime reduction, and bring public services and safe community spaces into town and city centres.
- 2.5 **Cultural investment** maintaining, regenerating, or creatively repurposing museums, galleries, visitor attractions (and associated green spaces) and heritage assets as well as creating new community-owned spaces to support the arts and serve as cultural spaces.
- 2.6 It should also be noted Government's **Net Zero and wider environmental ambitions** represent a key part of the commitment to Build Back Better – and this is particularly important with regards to capital and infrastructure projects which have a visible impact on surroundings. Projects should be aligned to and support Net Zero goals: for instance, be based on low or zero carbon best practice; adopt and support innovative clean tech and/or support the growth of green skills and sustainable supply chains.
- 2.7 The bid assessment process is likely to focus on the following key criteria:

- Characteristics of the place – each local authority is sorted into category 1, 2 or 3 based on Government's published assessment metrics, with category 1 representing the highest level of identified need. Fenland falls into category level 2.
- Deliverability - will be based on supplementary finance, business and commercial cases, with bids able to demonstrate delivery on the ground within 2022-23 financial year prioritised in round 2.
- Strategic fit with local and Fund priorities – this should be addressed in the strategic case of submissions and should include support from stakeholders.
- Value for money – an economic case should be submitted to explain the benefits of the bid and how it represents value for money.

2.8 The key information for LUF Round 2 that is currently known includes:

- The detailed round 2 prospectus is expected to be released this spring.
- Bidders can submit one bid or a 'package' bid of no more than 3 linked projects per MP constituency.
- MPs must support any bid in writing as a gateway criterion for a bid.
- Match funding, formally secured, of at least 10% will be a gateway criterion.
- If a bid is unsuccessful, Lead Authorities can submit again in later rounds with a revised bid or other proposed bids.
- Once funding awards are decided, relevant local institutions are responsible for their delivery. Further contributions from the Fund will not be provided to meet cost overruns after funding has been agreed.

Progress in developing the necessary supporting evidence and prioritised plans for LUF Round 2 bid development

3 Wisbech Master Plan

- 3.1 The Wisbech Growing Fenland document sets out a clear list of priorities for the town and town centre.
- 3.2 To further develop this approach with spatial, map-based expression to these priorities and to identify further opportunities for regeneration and investment, a Wisbech Master Plan has been commissioned from Norr Consulting.
- 3.3 This work directly supports the development of the town's quality of life offer and economic growth ambitions. The March FHSF fund bid was successful due to the funded investment in consultancy support. We were able to very clearly demonstrate how each of the projects included within the long list, and refined through business case development, met the Master Plan's priorities. This is the expectation for the Wisbech Master Plan to enable any LUF bid to meet the Government's criteria.
- 3.4 Following site visits and discussions with Members, Norr has been developing site information and the potential future opportunities for those sites within a Master Plan document. The Plan is at an advanced draft stage and should be sufficiently developed to share with Cabinet in the coming weeks. Work is on track to fit with the expected timetable for Government's LUF Round 2 prospectus.
- 3.5 The Plan includes:
- Analysis - consideration of the key ingredients of the wider town centre including its physical context, historic context, urban grain, connectivity, views and landmarks, land use, social infrastructure, open space and public realm
 - Identifying barriers and constraints to growth and change

- Identifying opportunity sites and character areas across the wider town centre for renewal and investment
- A high-level illustrative masterplan and spatial vision for the wider town centre which is visual in its design, featuring a number of artists impressions, plans/maps and photographs
- Renewal and regeneration options for opportunity sites and character areas
- The physical and social infrastructure provision required to support and future proof business growth and promote inward investment
- A high-level public realm strategy including improved connectivity and accessibility

3.6 It is important to stress that this Plan will build on work already completed through extensive partner and community engagement on the Wisbech Growing Fenland project. It will be integrated into the Council's emerging Local Plan to give it significant weight in the planning process, giving it greater status when being used to form the basis of the Wisbech LUF bid.

4 Place Shaping documentation for Fenland

4.1 The COVID-19 pandemic has undoubtedly highlighted the importance of where we live, how we live and the role of the local community. This period of disruption is an excellent opportunity to review the services and projects we are delivering to ensure that they will drive the socio-economic and structural changes needed for our towns to thrive.

Place shaping work - Phase 1

4.2 Building on the success of the Growing Fenland Plans, the local MP appointed place shaping specialists [thinkingplace](#) to create a simple, clear and impactful story that highlights Fenland's assets and opportunities, helping to develop an anchor point for future strategy development and bid submissions. The initial cost met by Steve Barclay MP for phase 1 of the place shaping work will form a basis on which to lever in much greater amounts of funding in the short to medium term.

4.3 Phase 1 of the place shaping work identified Fenland as an area with potential and opportunities including:

- Improvements made possible through the levelling up agenda
- Marketing the Fens as an Agri Research Hub
- Improved internet/broadband connectivity
- The creation of higher skilled job opportunities for young people
- Attracting residents from 'overheating' Cambridge
- Start up support facilities for businesses
- Building on biodiversity
- Green energy
- Managing our water resources

4.4 The work also identified the need to demonstrate the area's relevance to Government, investors and relocators.

4.5 The recommendations from Phase 1 of this work included using an external branding of **North Cambridgeshire: the natural capital** to:

- Provide a recognisable place reference point
- Allow integration of wider assets within a 'fuzzy geography'

- Provide further alignment with the Oxford/Cambridge Arc and the Innovation Corridor
- Leverage in the globally respected Cambridge Brand

4.6 The North Cambridgeshire brand would include three key themes:

Fresh Green Futures focussing on:

- Water management
- Biodiversity
- Renewable energy
- University links to Cambridge and Peterborough
- Carbon capture
- Knowledge and new skills
- Knowledge-led businesses
- Grow-your-own-talent with a focus on youth
- Sustainability

Our living and growing opportunity focussing on:

- Repurposing town centre buildings
- Improving social and physical infrastructure
- Land availability
- Affordability
- Work/live opportunities
- Open spaces and outdoor lifestyle
- Social mobility
- Big skies, sunsets, horizons and clean air

Focussed on food, linked to:

- Farming heritage
- Fertile and productive land
- Food processing
- Leading on the future of food production
- Agri-research hub potential
- Links to Norwich Research Park and Cambridge University
- Leading on the future of food production

4.7 Another recommendation was to form a **North Cambridgeshire 'Place Board'** to harness and align the talent with the local area, extend resources and externalise locally determined messages to specific audiences. This recommended active collaboration of local knowledge and leadership will compliment local authority activity and enable the 'place' to reach out to cities, universities, developers and Government.

4.8 However, it is important to stress that this work is not intended to rewrite or reinvent our current socio-economic strategy and priorities. Those have been subject to extensive stakeholder engagement and are endorsed by FDC, the CPCA and by our town councils. The Growing Fenland Master Plans remain the starting point, with the need to show a clear 'golden thread' back to these from any future work.

Place shaping work - Phase 2

- 4.9 Following the presentation of the outcomes and recommendations of phase 1 of the place shaping work to a number of partner organisations and Stephen Barclay MP, Anglian Water and partners have committed to funding the next phase of the project which will cost circa £50,000.
- 4.10 Phase 2 of the place shaping work will involve developing a Brand Strategy for North Cambridgeshire including:
- Place brand visual language and identity
 - Photography
 - A masterclass for designers and commissioners
 - A prospectus including content development, copywriting, design and print
 - Cascading and implementation including a launch event
 - Development of a Place Development Board

Links between the LUF bid requirements and place shaping work

- 4.11 There are clear crossovers between the place shaping recommendations and LUF criteria as set out in the table below:

LUF REQUIREMENT	ASSOCIATED PLACE SHAPING RECOMMENDATION OR IDENTIFIED OPPORTUNITY
<p>Regeneration and town centre investment, building on the Towns Fund framework to:</p> <ul style="list-style-type: none"> • upgrade eyesore buildings and dated infrastructure • acquire and regenerate brownfield sites • invest in secure community infrastructure and crime reduction • bring public services and safe community spaces into town and city centres. 	<p>Our living and growing opportunity focussing on:</p> <ul style="list-style-type: none"> • Repurposing town centre buildings • Improving social and physical infrastructure • Land availability • Affordability • Work/live opportunities • Open spaces and outdoor lifestyle • Social mobility • Big skies, sunsets, horizons and clean air
<p>Net Zero and wider environmental ambitions. Projects should be aligned to and support Net Zero goals including:</p> <ul style="list-style-type: none"> • low or zero carbon best practice • adopt and support innovative clean tech and/or support the growth of green skills and sustainable supply chains. 	<p>Fresh Green Futures focussing on:</p> <ul style="list-style-type: none"> • Water management • Biodiversity • Renewable energy • University links to Cambridge and Peterborough • Carbon capture • Knowledge and new skills

	<ul style="list-style-type: none"> • Knowledge-led businesses • Grow-your-own-talent with a focus on youth • Sustainability
Strategic fit with local and fund priorities – this should be addressed in the strategic case of submissions and should include support from stakeholders.	Formation of a North Cambridgeshire Place Board

5 Appointment of a Bid Development Consultant

- 5.1 The Council has secured the support of Avison Young to develop the Round 2 LUF bid. Avison Young is a very experienced team of consultants with a successful track record in the development of bids - including LUF round 1 bids for other areas.
- 5.2 Avison Young will work closely with Members, Norr and council officers in the next 2 months to develop a compelling round 2 LUF bid. Any bid will be developed following the Round 2 prospectus that is expected to be published in the spring, with a 2 - 3 month bidding window following its publication.
- 5.3 The Norr developed Master Plan will contain a pipeline of potential projects for Wisbech that sets out a plan for the future. Some projects may suit a LUF bid, others may be more longer-term and will be in place for future opportunities. This approach puts Fenland in a strong position as Government rolls out further funding opportunities to improve places.
- 5.4 In the short-term, Members will be presented with the long list of potential projects and a matrix highlighting how those projects fit into LUF criteria. This will allow Members to select projects that are more likely to lead to a successful LUF bid. It is anticipated that this process will take place in the coming weeks.
- 5.5 Criteria for successful LUF projects are expected to include the following (this based on LUF Round 1 prospectus):
- Filter 1 – must have the expenditure completed within three years, although Round 1 stated: ‘expect all funding provided from the Fund to be spent by 31 March 2024, and, exceptionally, into 2024-25 for larger schemes’.
 - Filter 2 - must cover one or more of the following LUF themes:
 - a) Regeneration and town centre investment, building on the Towns Fund framework to upgrade eyesore buildings and dated infrastructure, acquire and regenerate brownfield sites, invest in secure community infrastructure and crime reduction, and bring public services and safe community spaces into town and city centres.
 - b) Cultural investment maintaining, regenerating, or creatively repurposing museums, galleries, visitor attractions (and associated green spaces) and heritage assets as well as creating new community-owned spaces to support the arts and serve as cultural spaces
 - Filter 4 – Capital only fund.
 - Filter 5 - Package bids can have up to two or three projects only. Package bids must clearly explain how their component elements are aligned with each other and represent a coherent set of interventions. Package bids can include a mix of projects

from the Fund's investment themes but should not include multiple unrelated investments.

6 Legal Implications

- 6.1 There are no specific legal implications in relation to this report, however each bid and/or funding allocation will be managed in accordance with the Council's constitutional requirements with separate and specific legal advice being sought in relation to potential subsidy and/or procurement implications on a case-by-case basis.

7 Financial Implications

- 7.1 This report updates Cabinet on the progress of work that Cabinet has already approved - namely the Wisbech Master Plan and bid support consultants costing in the region of £75,000 - £100,000.

8 Effect on corporate objectives

The corporate objectives which link to the projects and proposals discussed in this report are as follows:

8.1 Communities

- Support vulnerable members of our community
- Promote health & wellbeing for all
- Work with partners to promote Fenland through culture and heritage

8.2 Environment


- Work with partners and the community on projects that improve the environment and our street scene
- Work with partners to keep people safe in their neighbourhoods by reducing crime and anti-social behaviour and promoting social cohesion

8.3 Economy

- Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland
- Promote and enable housing growth, economic growth and regeneration across Fenland
- Promote and lobby for infrastructure improvements across the district

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Agenda Item 6

Agenda Item No:	6	
Committee:	Cabinet	
Date:	22 March 2022	
Report Title:	Investment Board Update	

1 Purpose / Summary

- 1.1 To provide an update to Cabinet of the work of the Investment Board from April 2021 to March 2022.

2 Key Issues

- 2.1 The Commercial and Investment Strategy was approved by Full Council on 9th January 2020.
- 2.2 At the same meeting Full Council also agreed to establish a Local Authority Trading Company (LATCo) for the purpose of facilitating the delivery of the agreed strategy and noted the proposed intention that the Investment Board will be able to utilise reserves and/or borrow sums up to a combined maximum of £25 million in order to deliver the objectives of the Strategy.
- 2.3 Following on from this approval the creation of the Investment Board and the delegation of functions was approved by Cabinet on 16th January 2020.
- 2.4 The business case for the creation of the LATCo was approved by Cabinet on 9th June 2020 and Fenland Future Ltd was incorporated on 10th June 2020.
- 2.5 The Investment Board has met regularly throughout the period and details of these meetings are contained in the report whilst respecting the confidential nature of some of the items discussed.
- 2.6 Fenland Future Ltd held its inaugural board meeting on 8th December 2020 and a first draft business plan has been circulated to the Investment Board for discussion and approval. The final business plan will be formally presented to the Investment Board in March 2022.

3 Recommendations

- 3.1 It is recommended that Cabinet note the annual report from the Investment Board.

Wards Affected	All
Forward Plan Reference	
Portfolio Holder(s)	<p>Cllr Chris Boden – Leader, Finance Portfolio Holder and Chairman of the Investment Board</p> <p>Cllr Steve Tierney – Transformation and Comms Portfolio Holder and Investment Board Member</p> <p>Cllr Ian Benney – Economic Growth Portfolio Holder and Investment Board Member</p>

Report Originator(s)	Paul Medd – Chief Executive Peter Catchpole – Corporate Director & Chief Finance Officer Amy Brown - Head of Legal and Governance and Acting Monitoring Officer
Contact Officer(s)	Paul Medd – Chief Executive Peter Catchpole – Corporate Director & Chief Finance Officer Amy Brown - Head of Legal and Governance and Acting Monitoring Officer
Background Papers	Investment Board minutes Commercial and Investment Strategy

Appendix: Annual report

Report of the Investment Board

April 2021 - March 2022



1 What is the Investment Board?

- 1.1 The Investment Board was created on 16th January 2020 to help drive forward the Council's Commercial and Investment Strategy which was approved by Full Council on 9th January 2020. The Investment Board is a sub-committee of Cabinet designed to be more "fleet of foot" in order to be able to respond to opportunities in an agile and commercial manner.

2 Purpose of the Investment Board

- 2.1 The Investment Board is responsible for implementing the Commercial and Investment Strategy including oversight of the Council's companies and partnerships.
- 2.2 The Investment Board will act as a decision-making body in relation to the functions delegated to it and will report to Cabinet in relation to the exercise of those functions.
- 2.3 Support and advice will be provided to the Investment Board by key members of the Corporate Management team.

3 Membership and Operation of the Investment Board

- 3.1 The Investment Board will comprise a maximum of two Cabinet Members (one of whom should be the portfolio holder for finance if that position is not held by the Leader) in addition to the Leader who will determine their appointment annually.
- 3.2 The Investment Board shall meet on a basis agreed by itself with a minimum of 3 meetings per year.
- 3.2 The quorum shall be the Leader in the presence of a minimum of;
 - a. one other Cabinet Member;
 - b. one senior advisory officer (or their appointed deputy)

An invitation to attend must have been provided to the Chair of O&S at least 5 clear days in advance of the meeting taking place. This notice period may be waived if the Chair of O&S or their nominated deputy so agrees.

An invitation to attend must also have been provided to the section 151 officer and the Monitoring Officer (or their nominated deputies) which will normally be at least 5 clear days in advance of the meeting taking place.

- 3.3 The provisions relating to substitution set out at paragraph 28 of the Standing Orders shall apply to meetings of the Investment Board save that the Leader and Cabinet Members may only be substituted by Cabinet Members [and the Chair of O&S may only be substituted by the Vice Chairman]. Such substitutions to be notified to Council as part of the annual nomination process.

3.4 The Cabinet Procedure Rules shall apply to meetings of the Investment Board save in respect of paragraphs 1.6, 1.8, 2.2 (second paragraph), 2.3(g) and (h) and paragraph 2.5(d) which shall be disapplied.

4 Functions of the Investment Board

- 4.1 To determine investment appraisals submitted under Part 2 of the Council's Commercial and Investment Strategy together with the most appropriate means of delivery;
- 4.2 To determine business cases submitted under Part 3 of the Council's Commercial and Investment Strategy by the Council's companies and partnerships;
- 4.3 To determine the amount and terms of any investments, loans and assets required for the delivery of proposals approved in accordance with paragraphs (a) and (b) above from the agreed budget allocation;
- 4.4 To produce a report to Cabinet twice a year summarising its activities in accordance with paragraphs (a) to (c) above.
- 4.5 Approve the business plans of the Council's companies and partnerships;
- 4.6 To monitor performance and financial delivery in line with the approved business plans;
- 4.7 To ensure that those companies and partnerships comply with relevant Council policies, strategies and objectives;
- 4.8 To exercise decisions, where delegated by Cabinet, in relation to a company or partnerships' reserved matters;
- 4.9 To oversee the relationships between the Council and the Council's companies and partnerships in accordance with the Council's objectives.
- 4.10 To prepare and present an annual report to the Overview and Scrutiny Committee;
- 4.11 To determine for each individual company or partnership whether the Investment Board recommends to Cabinet the delegation of any functions to the officers of the Council.
- 4.12 All other matters not falling within the remit of the Investment Board functions set out at 4.1 to 4.11 above will be referred to Cabinet for decision.

5 Summary Progress to date

- 5.1 At a meeting of the Investment Board on 18th September 2020 approval was given to take forward to a detailed business case the development of FDC owned land at the Nene waterfront in Wisbech.
- 5.2 At a meeting of the Investment Board on 12th January 2021 approval was given to take forward to a detailed business case the development of FDC owned land in Chatteris.

5.3 At a meeting of the Investment Board on 16th March 2021 approval was given to acquire a commercial property in Wisbech and this was subsequently completed on 26th March 2021.

6 Work programme and outcomes

6.1 The Investment Board sat on the meeting dates detailed below and considered the matters also shown in the table below as part of its work for 2021/22:-

Meeting date	Outcome
16 th March 2021	<p>A paper on impaired Residential Property Investment was discussed and the Investment Board agreed to:-</p> <ul style="list-style-type: none"> • Maintain a watching brief to identify such opportunities if this direction is followed; • Establish an Outline Business Case process to evaluate any such opportunities; • Request a full business case on each potential acquisition when identified; <p>To date no such opportunities have been brought forward.</p> <p>The Investment Board agreed to note the confidential verbal update on the Nene Waterfront.</p> <p>The Investment Board agreed to note the confidential verbal update on a further Housing Development opportunity within the district.</p> <p>The Investment Board approved the proposed investment opportunity presented to them under Part Two (Commercial Property Investment) of the Councils' Commercial and Investment Strategy together with the associated budgetary, financial and legal arrangements required to bring that into effect.</p> <p>This commercial property was subsequently acquired in Wisbech and a rental return of £230k per annum is currently being returned, a yield of over 6%.</p>

Meeting date	Outcome
28 th June 2021	<p>Councillor Benney was elected as Vice-Chairman of the Investment Board for this municipal year.</p> <p>The Investment Board agreed to note current progress and the indicative timetable within the confidential Nene Waterfront report.</p> <p>The Investment Board agreed to note current progress and the indicative timetable within the confidential housing development opportunity update report.</p> <p>The Investment Board agreed to the recommendations within the confidential Resourcing Considerations report to recruit a full time dedicated resource to drive forward the Fenland Future Ltd business.</p>
16 th September 2021	<p>The Investment Board agreed to approve the changes for the recruitment of a fixed term Development Director and delegate authority to Corporate Management Team to process the recruitment as soon as possible. Through a procurement process we have appointed Instinctively Green Ltd (Adam Broadway) to provide interim support and advisory services to FFL. Adam commenced work in December 2021 and is working with the Board of Fenland Future Ltd to drive forward the business.</p> <p>The Investment Board agreed:</p> <ul style="list-style-type: none"> • to note the current progress and indicative timetable within the confidential Nene waterfront report • that incubator units should not be discounted for inclusion in the scheme as long as Fenland Future Limited receive no reduction in overall income from this site. <p>The Investment Board agreed to note current progress and the indicative timetable within the confidential housing development opportunity update report.</p>

Meeting date	Outcome
3 rd December 2021	<p>The Investment Board agreed to note the current progress and indicative timetable within the confidential Nene waterfront report.</p> <p>The Investment Board agreed to note current progress and the indicative timetable within the confidential housing development opportunity update report.</p> <p>The Investment Board agreed to delegate to the Section 151 Officer in consultation with the Leader to:</p> <ul style="list-style-type: none"> • Conclude the legal purchase by the Council of a property in March that strategically offers a future opportunity to open up access to a Council owned potential development site at the price of £310,000. • The purchase is subject to satisfactory due diligence that has commenced recognising the urgency of the seller's house move chain. <p>The Investment Board agreed to:</p> <ul style="list-style-type: none"> • Note the financial update on the progress of the Commercial and Investment Strategy; and • Approve the expenditure incurred by Fenland District Council on behalf of Fenland Future Ltd since its adoption in January 2020; and • Give a steer on the funding agreement between FDC and FFL to be discussed at the next FFL Board meeting. <p>The Investment Board considered a commercial opportunity in Whittlesey via a public auction and agreed to delegate to Members of the Investment Board and the Section 151 Officer to decide whether, subject to necessary due diligence, to make a bid on the opportunity subject to the financial parameters decided at the meeting.</p> <p>Following further due diligence conducted after the meeting it was decided in consultation with the Chair of the Investment Board not to make a bid at this time.</p>
22 nd March 2022	

7 Finance Update

- 7.1 As part of the Commercial and Investment Strategy a facility of £25m was granted to the Investment Board to finance capital expenditure to be undertaken in accordance with the aims and objectives of the agreed strategy. At the end of March 2022 £4m of this facility has been utilised to fund the acquisition detailed in 7.3 below and 44 Russell Avenue as detailed above. These acquisitions were approved at Investment Board meetings held on 16th March 2021 and 3rd December 2021 respectively.
- 7.2 Further utilisation will be needed when the funding position of Fenland Future Ltd is fully agreed.
- 7.3 The Commercial Investment in Wisbech has delivered a rental income of £230k for the year to March 2022. As we used our own funds to acquire this asset there is no external cost of capital and the loss of interest foregone on our funds is minimal at present. This acquisition has enhanced the Councils revenue position and has had a positive impact on the MTFS as presented to Full Council in February 2022.

There are also potentially Minimum Revenue Provision (MRP) implications to consider that will impact our revenue position and we will work through these for 2022-2023.

- 7.4 Fenland Future Ltd expenditure and commitments to date are as shown in the table below:-


Detail		Total FFL Costs £	Nene Waterfront £	Chatteris £	FFL Set up Costs £	Consultancy Costs £	FDC Recharges £	Loan Interest £
Dec-20	Set up costs	2,925.00			2,925.00			
Mar-21	Recharges	58,029.30					58,029.30	
May-21	Norr	14,575.08	14,575.08					
Aug-21	Ecology survey	5,000.00	2,500.00	2,500.00				
	Set up costs	975.00			975.00			
Sep-21	Pre Planning consultancy	77,110.00	27,200.00	49,910.00				
	Architectural	21,950.00		21,950.00				
Nov-21	Topographical Survey	950.00		950.00				
Dec-21	Site clearance work	1,924.75	1,924.75					
Jan-22	Planning Advice	10,225.00		10,225.00				
Feb-22	Valuation services	1,750.00		1,750.00				
	Recharges	159,514.43				42,997.50	116,516.93	
Total Paid and Committed		354,928.56	46,199.83	87,285.00	3,900.00	42,997.50	174,546.23	TBC

At present these monies sit as a debtor in the Councils accounts as the only funding agreed so far is the £10,000 for set up costs approved by Cabinet on 9th June 2020. It is clear that further funding is now needed and a paper on this will be presented at a future Investment Board as part of the Fenland Future Ltd Business Plan for 2022-23 onwards.

It is also necessary to agree the terms of the funding for the loans provided to Fenland Future Ltd and a draft loan agreement will also form part of those plans.

8 Other opportunities

- 8.1 An opportunities schedule is kept as there were several other investment opportunities presented to the Investment Board throughout the year to 31st March 2022. These include but are not limited to a retail opportunity in Chatteris, a business park in Whittlesey, commercial development land in Wisbech and a commercial unit in March. Due diligence was carried out on each opportunity and all were unsuccessful due to a variety of reasons that will help inform future aspirations. A total of £25k was expended on advice and due diligence throughout the year covering issues including PWLB lending constraints and the new Prudential Code.

Agenda Item No:	7	
Committee:	Cabinet	
Date:	22 March 2022	
Report Title:	Article 4 Direction – Land to the rear of B1098, Horseway, Nr Chatteris	

1 Purpose / Summary

- 1.1 To seek authority from Cabinet (under the Part 3, Table 1 of the Council's constitution: Any function under a local Act other than a function specified or referred to in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000) to serve an immediate Article 4 Direction to remove permitted development rights for means of enclosure, formation of accesses, temporary uses and caravans, formation of tracks on land located in the open countryside to the rear of established and unrelated residential properties on the B1098, Horseway, Nr Chatteris, in the interests of the protection and appearance of the countryside.

2 Key Issues

- 2.1 Land to the rear of the B1098, Horseway has been divided up in to approximately 100 parcels many of which have been sold off to the general public. Owners have begun to erect fences and gates and place buildings and general paraphernalia on their parcels of land. This development is beginning to alter the appearance of locality to its detriment. Some of the development may require planning permission and be unauthorised. Given the remote location, the large number of plots and individual owners involved, the monitoring and identification of unauthorised development is very challenging.
- 2.2 Officers are therefore recommending that an immediate Article 4 Direction is served. Once in force a detailed survey of the site will be undertaken in order to establish the 'as is, baseline position'.

3 Recommendations

- 3.1 That Committee authorise the serving of an immediate Article 4 Direction to remove permitted development rights as set out in Section 1 of this report a) to d) and authorise a full survey of the site be carried out to be funded from the Planning Reserve.

Wards Affected	Manea
Forward Plan Reference	N/A
Portfolio Holder(s)	Councillor Dee Laws - Planning
Report Originator(s)	Nick Harding – Head of Planning
Contact Officer(s)	Nick Harding – Head of Planning nharding@fenland.gov.uk Becky Rousell – Senior Enforcement Officer brousell@fenland.gov.uk Dan Horn – Acting Assistant Director dhorn@fenland.gov.uk
Background Papers	General Permitted Development Order Development National Planning Policy Framework (NPPF) Planning Policy Guidance (NPPG).

1 BACKGROUND AND INTENDED OUTCOMES

- 1.1 This report is seeking authorisation for the issue of an immediate Article 4 Direction (Town and Country Planning (General Permitted Development) Order 2015 (as amended). The Direction proposes to remove a number of permitted development rights. The land in question has / is being sold off in a series of plots (c100) and some of the new owners have undertaken works/ changed ten use of the land. Given the rural location, away from any settlement, the introduction of fences etc, tracks, caravans, temporary uses/ buildings and caravans on the plots over a wide area, would be detrimental to the appearance of the countryside. There is the need to control these developments in the interest of the protection of the countryside.
- 1.2 The Article 4 Direction sought to immediately remove the following permitted development rights;
- a) The erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure referred to in paragraph A.1 being development comprised within Class A of Part 2 of Schedule 2 to the Order and not being development within any other Class.
 - b) The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part) being development comprised within Class B of Part 2 of Schedule 2 to the Order and not being development within any other Class.

- c) Temporary use of land comprised within Class B of Part 4 of Schedule 2 to the Order and not being development within any other Class.
 - d) Use of land as a caravan site within Class A Of Part 5 of Schedule 2 to the order and not being development within any other class.
- 1.3 The effect of the Article 4(1) Direction is that development comprising the erection, construction, improvement or alteration of a gate, fence, wall or other means of enclosure; the formation, laying out and construction of a means of access to a highway; temporary use of the land: or use of the land as a caravan site, will now require the formal determination through the submission of a planning application.
 - 1.4 If the recommendation is accepted by the Committee Article 4, the Council will publish a notice of the Article 4 direction in the local newspaper, display at least two site notices for a period of not less than six weeks. Given the number of owners involved, it is not practical to service notice on them individually. The notice will allow for a minimum period of 21 days for any representations to be made to the Council to which will be taken into account by the Council when deciding whether to confirm the Article 4 Direction.
 - 1.5 To reiterate, an Immediate Article 4 Direction is proposed. This means that permitted development rights are removed with immediate effect and then consulted on. The Article 4 (1) Direction will lapse after 6 months from when it was made unless it is confirmed beforehand. Any objections will be considered by the Council before it considered whether to confirm the Direction, or not. An immediate Article 4 (1) Direction is used where there is an urgent, justified requirement for protection. Once confirmed, an immediate Article 4(1) Direction becomes permanent.
 - 1.6 As an alternative to an immediate Article 4 Direction is a non-immediate Article 4 Direction. Under this procedure the Direction does not take effect until at least 28 days after the Direction has been published AND it has been confirmed by the Council. With a non-immediate Direction, the permitted development activity that is being brought under control will be able to continue on taking place until such time as the Direction is confirmed by the council following public consultation.
 - 1.7 If the recommendation is accepted by Committee, then a full survey of the site will be undertaken in order to establish the baseline position of what is present on the site at that point in time. This will enable the Council to monitor, record and action (as may be found to be appropriate) any subsequent unauthorised development.

2 REASONS FOR RECOMMENDATIONS

- 2.1 The land in question has / is being sold off in a series of plots (c100) and some of the new owners have undertaken works/ changed the use of the land. Given the rural location, away from any settlement, the introduction of fences etc, tracks, caravans, temporary uses/ buildings and caravans on the plots over a wide area, would be detrimental to the appearance of the countryside. There is the need to control these developments in the interest of the protection of the countryside.

3 CONSULTATION

- 3.1 Consultation has not been undertaken and neither is it required. Consultation would have the potential to stimulate / accelerate development activity on the land.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The alternative that has been considered is to do nothing and simply respond to reports of unauthorised development. This is not considered to be a viable option given the remoteness of the location and the number of plots that there are on the land.

5 IMPLICATIONS

5.1 Legal Implications

The Council can be liable under section 108 of the Town and Country Planning Act 1990 (as amended) to pay compensation to those whose permitted development rights have been withdrawn but only if, within 12 months of the effective date of the Article 4 Direction, the Council 1) Refuses planning permission for development which would otherwise have been permitted development, or 2) Grants planning permission subject to more limiting conditions than the General Permitted Development Order (GPDO).

The grounds on which compensation may be claimed are limited to abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. Abortive expenditure includes the preparation of plans for the purposes of work and other similar preparatory matters but no more. 'Other loss or damage directly attributed to the withdrawal of permitted development rights' includes the depreciation of the land. The onus is on the claimant to prove a financial loss resulting from the refusal to grant permission or from the grant subject to conditions formerly granted by the permitted development. There are various factors that are taken into account in a determination of whether or not compensation is payable

5.2 Financial Implications

See above legal implications above. There is also the cost of the surveying of the land. Prices for this work have not yet been obtained. The cost of the survey work will be funded from the Planning Reserve.

5.3 Equality Implications

There are no equality issues for consideration.

6 SCHEDULES

Appendix 1 – general site location plan

Appendix 2 – site location plan



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FENLAND DISTRICT COUNCIL, LICENCE No. 10023778, 2022

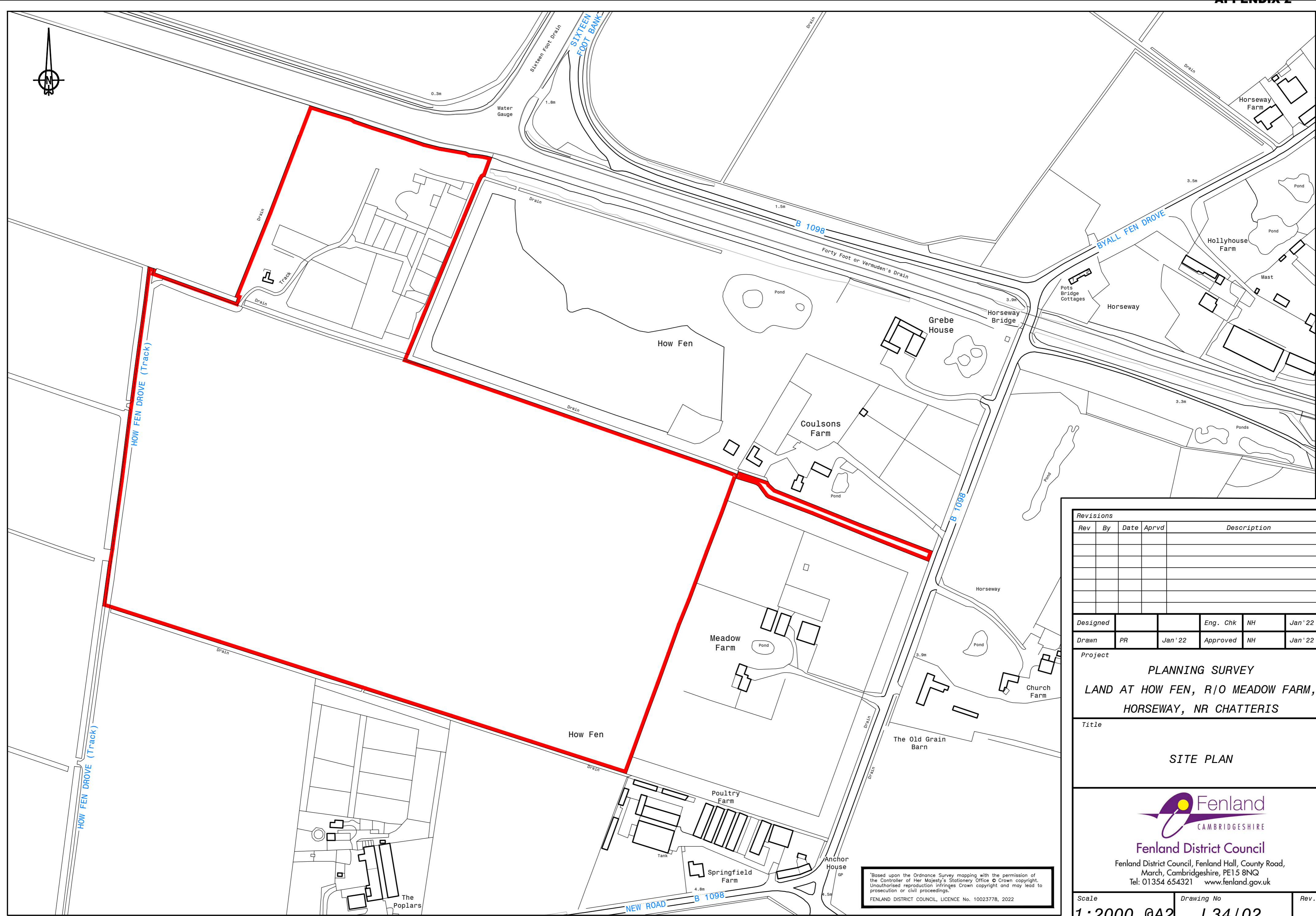
Revisions					
Rev	By	Date	Aprvd	Description	
Designed				Eng. Chk	NH Jan '22
Drawn	PR	Jan '22		Approved	NH Jan '22

Project	PLANNING SURVEY LAND AT HOW FEN, R/O MEADOW FARM, HORSEWAY, NR CHATTERIS
Title	LOCATION PLAN



Fenland District Council
 Fenland District Council, Fenland Hall, County Road,
 March, Cambridgeshire, PE15 8NQ
 Tel: 01354 654321 www.fenland.gov.uk

Scale	1:15,000 @A4	Drawing No	L34/01	Rev.	
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Revisions					
Rev	By	Date	Aprvd	Description	

Designed			Eng. Chk	NH	Jan '22
Drawn	PR	Jan '22	Approved	NH	Jan '22

Project
**PLANNING SURVEY
 LAND AT HOW FEN, R/O MEADOW FARM,
 HORSEWAY, NR CHATTERIS**

Title
SITE PLAN



Fenland District Council
 Fenland District Council, Fenland Hall, County Road,
 March, Cambridgeshire, PE15 8NQ
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**DRAFT 6 MONTH CABINET FORWARD PLAN –
Updated 14 March 2022**



(For any queries, please refer to the published forward plan)

CABINET

CABINET DATE	ITEMS	LEAD PORTFOLIO HOLDER
Thu 28 Apr 2022	Reserve Date	
Thu 12 May 2022	<ol style="list-style-type: none"> 1. Draft Local Plan 2. Wisbech Levelling Up Fund Regeneration Bid 3. Whittlesey Neighbourhood Planning Referendum 4. Fenland Transport Strategy 5. Cabinet Draft Forward Plan 	Cllr Boden / Cllr Laws Cllr Boden / Cllr Hoy / Cllr Tierney / Cllr Lynn Cllr Laws Cllr Seaton Cllr Boden
TBC Jun 2022	<ol style="list-style-type: none"> 1. Appointments to Outside Bodies 2. Civil Parking Enforcement (CPE) Update 3. Cabinet Draft Forward Plan 	Cllr Boden Cllr French Cllr Boden
TBC Jul 2022	<ol style="list-style-type: none"> 1. Annual Report 2021/22 2. Treasury Management Annual Report 2021/22 3. Financial Outturn Report 2021/22 4. Capital Update Report 5. Council Tax Support Scheme 6. Cabinet Draft Forward Plan 	Cllr Boden Cllr Boden Cllr Boden Cllr Boden Cllr Boden Cllr Boden
TBC Sep 2022	<ol style="list-style-type: none"> 1. Whittlesey Neighbourhood Planning Referendum 2. Investment Board Update 3. Cabinet Draft Forward Plan 	Cllr Laws Cllr Boden Cllr Boden

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