

CABINET

MONDAY, 12 JUNE 2023 - 4.00 PM



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

APOLOGIES: Councillor S Tierney

Councillor Boden welcomed new Cabinet members, Councillor Wallwork and Councillor Miscandlon.

CAB1/23 PREVIOUS MINUTES

The public minutes of the meeting held 16 March 2023 were approved and signed.

CAB2/23 RURAL ENGLAND SHARED PROSPERITY FUND

Members considered the Rural England Shared Prosperity Fund report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Cllr Laws and AGREED:

- 1.1 To recommend acceptance of £436k Rural England Shared Prosperity Funding from the Cambridgeshire & Peterborough Combined Authority for a two-year period commencing in 2023-24 and ending in 2024-25.**
- 1.2 Due to the tight delivery timescale, it is recommended that the 2023/24 RESPF monies should be allocated exclusively for business growth purposes. The split of the fund to be spent in 2024/25 between business growth and community will be determined at a future meeting of the Cabinet.**
- 1.3 Given the limited funds available for projects in 2023/24, Officers should prioritise bringing forward opportunities for approval in the following areas:**
 - Grants towards equipment and premises for smaller businesses which will promote business growth.**
 - Grants to rural areas**
 - Grants which will create and sustain rural jobs by assisting the diversification of income streams for farmers.**
- 1.4 To delegate to Officers responsibility for approving and finalising with the CPCA the RESPF Grant Funding Agreement; and**
- 1.5 To note that a further report will be presented to Cabinet for approval of the detailed proposals in relation to the projects, procedures and documentation associated with the onward administration of the funding.**

CAB3/23 FENLAND FUTURE LTD - APPOINTMENT OF DIRECTOR

Members considered the Fenland Future Ltd – Appointment of Director report presented by Councillor Boden.

Councillor Miscandlon said that having known Anna Goodall for twelve years he considered this to be a most appropriate appointment. Councillor Boden agreed.

Proposed by Councillor Boden, seconded by Councillor Mrs French, and AGREED to approve:

- **the appointment of Anna Goodall to the Board of FFL and the appointment of Jane Bailey as the Company Secretary of FFL and to,**
- **delegate to the Company Secretary all necessary arrangements to make this happen.**

CAB4/23 APPOINTMENT TO OUTSIDE BODIES FOR 2023/24

Members considered the Appointment to Outside Bodies for 2023/24 report presented by Councillor Boden.

Councillor Boden advised that as there had been some amendments since the list was published it would be prudent for him to read them out. He added that the Leader of the Fenland Independent Alliance (FIA), Councillor Gavin Booth, had filled some of the posts to which the FIA were entitled to nominate, but where he had not yet nominated, these can be dealt with between meetings of Cabinet by the Monitoring Officer under her delegated powers within the Constitution.

Councillor Boden announced the additional appointments and changes as follows:

- Fenland Twinning Association –Councillor Diane Cutler appointed from the FIA. Councillor Mrs French said she thought she had read that the FTA was closing. Councillor Boden replied that he understood that the committee was considering closure, but assuming they still believe it is the right thing to do, they need to be constituted before they can un-constitute themselves.
- Hundred of Wisbech IDB - Councillor Mrs French in place of Councillor Sam Clark. Councillors Dal Roy and Gavin Booth appointed from the FIA, and Councillor Roy Gerstner appointed as unaligned.
- Rural Cambs CAB – Councillor Gavin Booth appointed from the FIA.
- March East IDB – Councillors John Clark and Paul Hicks appointed from the FIA.
- Middle Level Commissioners – Councillor Boden said the appointment was proposed of former Councillor Will Sutton to represent the FIA but at this point would refer to the Monitoring Officer. The Monitoring Officer advised that in view of the nominee being external to the Council she needed to check the legal and constitutional position of this proposal. She therefore suggested this appointment not be made today to allow her time to investigate and feedback to the group leaders. Councillor Mrs French referred to 24th May 2014, when Mr and Mrs Bucknor said that the Council should not be paying non-councillors to represent FDC on outside bodies and this was supposed to go to Full Council. There were discussions at Cabinet on 18th June 2015 but again it went no further. Councillor Mrs French added that with the new makeup of councillors, there are more than enough members to attend outside bodies without having to ask non-councillors to attend and in her opinion this resolution should be taken back to Full Council next month. Councillor Mrs Laws agreed, she recalled that Councillor Mrs Potts had put up a very strong argument to remain on the North Level IDB after retiring from Council but was declined and, like Councillor Mrs French, is of the opinion there are enough members to fill these appointments. Councillor Hoy agreed; she recalled a similar situation that led to a review by the Overview & Scrutiny Panel in 2015 in which several recommendations were made. Councillor Boden said this was very helpful and he would therefore leave it in the hands of the Monitoring Officer.

- Nightlayer IDB - the FIA have ceded their two positions to the Conservative Group, hence the appointment of Councillors Miscandlon and Boden.
- North Level District IDB - Councillor Boden advised that due to a mistake on his part, Councillor Laws' name appeared twice on the published report, therefore the erroneous second post is replaced with the addition of Councillor Humphrey and Councillor Booth is appointed from the FIA.

Councillor Hoy asked if Cabinet are obliged to accept the Monitoring Officer's delegation. We do not have to make the appointment even under delegation if we do not agree it today; it is not a fait accompli and even if the advice is that it is unclear and because of that we have to allow the appointment, we do not have to allow anything because it is Cabinet that makes the appointment and we could say we wanted this to come back to the next Cabinet meeting. Councillor Boden responded that the Monitoring Officer will make her decision based on all the evidence in front of her; we must accept that it is in the Constitution that she can make appointments between meetings of Cabinet. He added that members can either change the Constitution or have a resolution at Full Council to change it. There is a legal permission for representatives other than councillors to be used on Outside Bodies, but it would be for Full Council to decide not to utilise that. Councillor Mrs French said that she would not want to go down the route of changing the Constitution again as it is not an easy task, and she would much prefer a resolution.

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

1.1. The proposed nominations in respect of Outside Bodies which require Fenland District Council representation as set out at Appendix A and in addition as read out in the meeting for the amendments.

1.2. Note where requirements to provide representatives on outside organisations cannot currently be fulfilled.

1.3. Delegate to the Corporate Director and Monitoring Officer in consultation with the Leader of the Council and Group Leaders the addition or deletion of Outside Bodies as the need arises during the municipal year and appointment of members to vacancies on outside bodies during the municipal year.

CAB5/23 24 HIGH STREET, WISBECH - UPDATE

Members considered the 24 High Street Wisbech update report presented by Councillor Seaton.

Councillor Mrs French said the news after all these years is very welcome. She referred to the report where it says contractors will be using the Wisbech Town Council car park and queried whether it is Wisbech Town Council's or Fenland's car park. Councillor Seaton confirmed that it is Wisbech Town Council's car park, but he understands this is leased from the County Council. The compound will take up about 20 car parking spaces. The part owned by Fenland will not be intruded upon.

Councillor Hoy said it is a shame to be losing the car parking spaces but the work needs doing. Unfortunately, not all the spaces are able to be used at the moment because rough sleepers have been camping there for many months, but we are in the process of evicting them through legal action.

Proposed by Councillor Seaton, seconded by Councillor Miscandlon and AGREED to note the current position in relation to the 24 High Street construction project in Wisbech High

Street.

CAB6/23 DRAFT 6 MONTH CABINET FORWARD PLAN

The Cabinet Forward Plan was noted for information, but Councillor Boden proposed a few additions to the Forward Plan for 17th July, namely:

- The addition of a paper on A14 Contributions and Cambridgeshire Horizons Limited monies, and
- An update on the medium-term financial strategy and any recommendations for full Council.

CAB7/23 CONFIDENTIAL MINUTES

The confidential minutes of the Cabinet meeting held 16 March 2023 were approved and signed.

4.29 pm

Chairman