


	<b>Agenda Item 8</b>	
Committee:	<b>Council</b>	
Date:	<b>17 June 2020</b>	
Report Title:	<b>Committee Structure, Political Balance and Allocation of Seats</b>	

## 1. PURPOSE/SUMMARY

- 1.1. The purpose of this Report is to agree the committee structure and terms of reference for the forthcoming municipal year as well as confirming the allocation of seats to those committees and also to outside bodies in accordance with political proportionality rules and to receive notification of the appointments to them (where known).

## 2. KEY ISSUES

- 2.1. The Constitution provides under Rule 1, paragraph 1.2 that at the Annual Meeting, Council will:
- (a) determine which committees and panels should be established for the ensuing municipal year;
  - (b) agree the terms of reference for those committees/panels as outlined in the [constitution](#)
  - (c) allocate the seats and position of the Chairman and Vice Chairman to Political Groups in accordance with political proportionality rules where appropriate in respect of committees, panels and outside bodies;
  - (d) receive notification and to appoint Councillors to the allocated seats on each committee and panel and to serve as Chairman and Vice-Chairman.
- 2.2. Political Groups are allocated seats proportionate to their size.
- 2.3. The Council ordinarily has 39 elected members however a vacancy currently exists, which cannot currently be filled until May 2021 in accordance with current regulations. Legislation requires a political proportionality review to be conducted following an election rather than as a result of a vacancy. However, given there will be a significant delay before there is a legal requirement for a review, Group Leaders have indicated that they agree to act in accordance with the spirit of the legislation. The review would then have to be based on the number of 'actual' members (discounting the vacancy), namely 38.

## 3. RECOMMENDATIONS

It is recommended that Council:

- 3.1. Maintains the Committees and Panels set out at Appendix A for the 2020/2021 municipal year;
- 3.2. Agrees that the terms of reference set out at Part 3 of the Council's [constitution](#) in relation to the committees and panels referred to at paragraph 3.1 above should continue as currently drafted;
- 3.3. Agrees the allocation of seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements (Appendix A);
- 3.4. Agrees the appointments to seats allocated in accordance with paragraphs 3.3 above (Appendix B) to include co-opted or non-members.
- 3.5. Agrees the list of Outside Bodies and allocation of seats in accordance with political

balance arrangements as set out at Appendix C for 2020/21. Appointments will be made at Cabinet in July.

<b>Wards Affected</b>	All
<b>Portfolio Holder(s)</b>	N/A
<b>Report Originator(s)</b>	Carol Pilson - Corporate Director and Monitoring Officer <a href="mailto:cpilson@fenland.gov.uk">cpilson@fenland.gov.uk</a> 01354 622360 Peter Catchpole – Corporate Director and Section 151 Officer <a href="mailto:petercatchpole@fenland.gov.uk">petercatchpole@fenland.gov.uk</a> 01354 622201 Anna Goodall - Head of Governance and Legal Services <a href="mailto:agoodall@fenland.gov.uk">agoodall@fenland.gov.uk</a> 01354 622357
<b>Contact Officer(s)</b>	Paul Medd- Chief Executive Carol Pilson - Corporate Director and Monitoring Officer Peter Catchpole – Corporate Director and Section 151 Officer Anna Goodall - Head of Governance and Legal Services
<b>Background papers</b>	Constitution

#### **4. BACKGROUND/INTRODUCTION**

4.1. For each municipal year, Council has to set out the Committees and Panels which are to be established. On establishing the Committees and Panels, in accordance with the rules relating to Political Proportionality the seats on each committee and panel together with the position of Chairman and Vice Chairman are then allocated to Political Parties. Council also receives notification of the appointments to these Committees. Council is also required to confirm allocations to Outside Bodies based again on political proportionality.

#### **5. COMMITTEE STRUCTURE**

5.1. As per paragraph 2.1, the Constitution provides that the Council considers the establishment and terms of reference of committees at its Annual Meeting. This must be determined before seats can be allocated to committees in accordance with the political proportionality rules.

5.2. The Committees and Panels of Fenland District Council are as identified in Appendix A and their terms or reference are as set out at Part 3 of the Constitution. No changes have been proposed to either for the forthcoming municipal year.

#### **6. ALLOCATION OF SEATS**

##### **6.1. Political Proportionality**

6.1.1. As per paragraph 2.1 the Constitution provides that the Council allocation of

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seats and position of Chairman and Vice Chairman on those committees subject to political balance arrangements.

- 6.1.2. The rules relating to political proportionality in relation to membership of committees are set out in the Local Government and Housing Act 1989 and the supporting regulations.
- 6.1.3. For the purposes of the regulations a political group must consist of two or more members who have signed a declaration to that effect.
- 6.1.4. Where one or more groups exists the relative proportions of the groups should be used in allocating seats on committees/outside bodies. Therefore any elected members who are not part of a group are not automatically allocated seats on committees. If however there are any seats which remain unallocated after political groups have been given their proportionate allocation, those unallocated seats will be given to ungrouped members.
- 6.1.5. The Council ordinarily has 39 elected members however a vacancy currently exists, which in accordance with the provision set out in the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 an election to fill the vacancy cannot take place until May 2021. There is no requirement to change the political proportionality purely as a result of the vacancy arising as legally the review would follow the subsequent by-election. However, given that there will be a significant delay before there is a legal requirement for a review due to the protracted timescales for an election, Group Leaders have indicated that they agree to act in accordance with the spirit of the legislation. The review would then have to be based on the number of 'actual' members (discounting the vacancy), namely 38. The distribution of the 38 current members of the Council within the group structures is as follows. It is :

<b>Group</b>	<b>Number</b>	<b>Percentage</b>
Conservatives	25	66%
Fenland Independents Alliance (Including 2 Liberal Democrats)	13	34%

- 6.1.6. The proposed allocation of seats and position of Chairman and Vice Chairman on the committees referred to at paragraph 5 and subject to political balance arrangements are as set out at Appendix A.

## **6.2. Outside Bodies**

- 6.2.1. Also in accordance with political proportionality requirements Fenland District Council allocates seats on outside bodies where there are 2 or more appointments to be made. The list of Outside Bodies and the allocation of seats is as set out at Appendix C.
- 6.2.2. Confirmation of membership to the Outside Bodies will be undertaken by Cabinet in July, which will allow sufficient time for Group Leaders to appoint to their allocation of seats.

## **7. COMMITTEE APPOINTMENTS**

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- 7.1. As per paragraph 2.1, the Constitution provides that Council agrees the appointments to the seats allocated at paragraph 6 above.
  - 7.2. The terms of reference of the Conduct Committee also provide for the appointment of up to 2 co-opted members and Independent Persons.
  - 7.3. The proposed allocations for the forthcoming municipal year are as set out at Appendix B.
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## Appendix A - Allocation of Seats on Committees & Panels

Committee	Membership	Political Apportionment
<p>Overview and Scrutiny</p>	<p>Up to 12 members of the Council (none of which may be part of the Cabinet)</p> <p>6 substitute members</p> <p>Appointment:      Chairman                                  Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Planning Committee</p>	<p>Up to 12 members of the Council. No more than three of which can be members of the Cabinet.</p> <p>Each political group can appoint up to 4 substitute members (8 substitute members)</p> <p>Appointment:      Chairman                                  Vice Chairman</p>	<p>8 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>4 substitute members from each political group</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Licensing Committee (Licensing Act 2003)</p>	<p>Up to 12 members of the Council.</p> <p>The same Members are to be appointed for the Licensing Act 2003 Committee and the Non Licensing Act 2003 Committee.</p> <p>6 substitute members</p>	<p>8 to the Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 4 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The</p>

	<p>Appointment:            Chairman                                  Vice Chairman</p>	<p>Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Staff Committee</p>	<p>8 members of the Council to be formed from: 3 members of Cabinet, one of which is to be the portfolio holder with responsibility for Finance. 3 members of any Overview and Scrutiny panel 2 Backbench members</p> <p>4 substitute members</p> <p>Appointment:            Chairman                                  Vice Chairman</p> <p>The Chairman may be a member of Cabinet</p>	<p>5 to the Conservative Group 3 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 3 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>
<p>Corporate Governance Committee</p>	<p>Up to 11 members of the Council to be formed from: Up to 3 members of Cabinet not including the portfolio holder responsible for finance Up to 3 members drawn from the Overview and Scrutiny panel 5 Backbench members</p> <p>5 substitute members</p>	<p>7 to Conservative Group 4 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 3 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p>

	<p>Appointment: Chairman Vice Chairman</p> <p>The Chairman may be a Member of Cabinet or Overview and Scrutiny</p>	<p>To the Conservative Group To the Conservative Group</p>
<p>Conduct Committee</p>	<p>Up to 5 Members of the Council</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p> <p>The Committee may also appoint itself up to two members of Town or Parish Councils to assist its work.</p> <p>Independent Person: Deputy Independent Person:</p>	<p>3 to Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p> <p>Currently: Councillor Andrew Donnelly Councillor John Maxwell</p> <p>Stuart Webster Claire Hawden-Beal</p>
<p>Appointments Panel</p>	<p>Up to 7 members and not less than 3 nominated by the Leader to reflect political proportionality</p> <p>3 substitute members</p> <p>Appointment: Chairman Vice Chairman</p>	<p>5 to the Conservative Group 2 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>Substitute members 2 to Conservative Group 1 to The Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)</p> <p>To the Conservative Group To the Conservative Group</p>





## Appendix B- Appointments to Committees and Panels

<b>Cabinet (9)</b>	
Cllr Ian Benney	Cllr Mrs Dee Laws
Cllr Chris Boden (Chairman)	Cllr Peter Murphy
Cllr Sam Clark	Cllr Chris Seaton
Cllr Mrs Jan French (Vice Chairman)	Cllr Steve Tierney
Cllr Miss Sam Hoy	Cllr Susan Wallwork
<b>Overview and Scrutiny Panel (12)</b>	
Cllr Gavin Booth	Cllr Alex Miscandlon (Vice Chairman)
Cllr Mike Cornwell	Cllr Mark Purser
Cllr Anne Hay	Cllr Robert Skoulding
Cllr Michael Humphrey	Cllr David Topgood
Cllr David Mason (Chairman)	Cllr Bob Wicks
Cllr Mrs Kay Mayor	Cllr Fred Yeulett
Substitutes:	
Cllr Sarah Bligh	
Cllr David Connor	
Cllr Andy Maul	
<b>Planning Committee (12)</b>	
Cllr Ian Benney	Cllr Charlie Marks
Cllr Sam Clark	Cllr Mrs Kay Mayor
Cllr David Connor (Chairman)	Cllr Nick Meekins
Cllr Mike Cornwell	Cllr Peter Murphy
Cllr Mrs Anne Hay (Vice Chairman)	Cllr Will Sutton
Cllr Andrew Lynn	
Substitutes:	
Cllr Sarah Bligh, Cllr Gavin Booth, Cllr David Patrick, Cllr Michelle Tanfield	
Cllr Mrs Jan French, Cllr Billy Rackley, Cllr Robert Skoulding	
<b>Licensing Committee (12) - same Members for Licensing Act 2003 Committee and Non - Licensing Act 2003 Committee</b>	
Cllr David Connor	Cllr Nick Meekins
Cllr Miss Sam Hoy	Cllr Billy Rackley
Cllr Michael Humphrey (Chairman)	Cllr Robert Skoulding (Vice Chairman)
Cllr Andrew Lynn	Cllr David Topgood
Cllr Andy Maul	Cllr Michelle Tanfield
Cllr Mrs Kay Mayor	Cllr Simon Wilkes

Substitutes	Cllr Peter Murphy
Cllr Ian Benney	Cllr David Patrick
Cllr Alex Charlie Marks	
Cllr Alex Miscandlon	

<b>Corporate Governance Committee (11)</b>	
Cllr Ian Benney	Cllr Kim French (Vice Chairman)
Cllr Gavin Booth	Cllr Nick Meekins
Cllr John Clark (Chairman)	Cllr Mark Purser
Cllr Sam Clark	Cllr David Topgood
Cllr Daniel Divine	Cllr Bob Wicks
Cllr Mrs Jan French	
Substitutes	
Cllr Sarah Bligh	Cllr Will Sutton
Cllr Miss Sam Hoy	
Cllr Dee Laws	
<b>Staff Committee (8)</b>	
Cllr Chris Boden	Cllr Kim French (Chairman)
Cllr Mike Cornwell	Cllr Steve Tierney
Cllr Maureen Davis (Vice Chairman)	Cllr Bob Wicks
Cllr Mrs Jan French	Cllr Fred Yeulett
Substitutes:	
Cllr Andrew Lynn	Cllr Nick Meekins
Cllr Mrs Kay Mayor	
<b>Conduct Committee (5)</b>	
Cllr Mike Cornwell	Cllr David Topgood (Chairman)
Cllr David Patrick	Cllr Susan Wallwork (Vice Chairman)
Cllr Mark Purser	
Substitutes:	
Cllr David Connor	Cllr Andy Maul
Cllr Miss Sam Hoy	
<b>Independent People</b> Independent Person: Stuart Webster	<b>Town/Parish Reps</b> Cllr Andrew Donnelly

Deputy Independent Person: Claire Hawden-Beal	Cllr John Maxwell
<b>Appointments Panel (7)</b>	
Cllr Chris Boden	Cllr Robert Skoulding
Cllr Steve Count	Cllr Will Sutton
Cllr Mrs Jan French	Cllr Steve Tierney
	Cllr Fred Yeulett
Substitutes:	
Cllr Mike Cornwell	Cllr Kim French

## Appendix C - Allocation of seats on Outside Bodies

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
1	Anglia Revenue Partnership	1 + 2 substitutes	Cllr Jan French Substitute members Cllr Connor Cllr Kim French		Conservative Party representation
2	Benwick Internal Drainage Board (IDB)	4	Cllr Laws Cllr Miscandlon Cllr Mrs Mayor Cllr Wicks		3 Conservatives  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
3	Cambridgeshire Horizons Board	1	Cllr Boden		Conservative Party representation
4	Cambridgeshire Military Community Covenant Board	1	Cllr Tierney		Conservative Party Representation
5	Cambridgeshire Police and Crime Panel	1 + 1 substitute	Cllr Wallwork  Substitute member  Cllr Lynn		Conservative Party Representation
6	Cambridgeshire Health and Wellbeing Board + District Lead Members Group	1	Cllr Wallwork		Conservative Party Representation
7	Chatteris Community Centre Association	2	Cllr Murphy  Cllr Benney		1 Conservative  1 Fenland Independents Alliance (including 2

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
					Liberal Democrats and 1 Member of The Green Party)
8	College of West Anglia Governing Body	1	Cllr Topgood		Conservative Party Representation
9	Community Learning and Skills Partnership	1	Cllr Benney		Conservative Party Representation
10	Curf and Wimblington Combined IDB	1	Cllr Davis		Conservative Party Representation
11	Feldale IDB	7	Cllr Laws Cllr Boden Cllr Miscandlon Cllr Mrs Mayor		5 Conservatives  2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
12	Fenland Association of Community Transport	1	Cllr Seaton		Conservative Party Representation
13	Fenland Diverse Communities Forum	1	Cllr Tierney		Conservative Party Representation
14	Fenland Tension Monitoring Group	1	Cllr Hoy		Conservative Party Representation
15	Fenland Transport and Access Partnership	1	Cllr Topgood		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
16	Fenland Transport Strategy	2	Cllr Seaton Cllr Connor		1 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
17	Fenland Twinning Association	4	Cllr Mrs Hay Cllr Mrs Mayor Cllr Topgood Cllr Meekins		3 Conservatives  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
18	Hanson, Fletton Brickworks Industry	1	Cllr Boden		Conservative Party Representation
19	Health Committee	1 + 1 substitute	Substitute Member Cllr Topgood		Conservative Party Representation
20	Hundred of Wisbech IDB	15	Cllr Topgood Cllr Wallwork Cllr Lynn Cllr Hoy Cllr Rackley Cllr Sutton Cllr Meekins Cllr Booth Cllr Tanfield		10 Conservatives  5 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
21	Kings Lynn IDB	1	Cllr Topgood		Conservative Party Representation
22	LGA/ LGA Rural Commission/ LGA Urban Commission	1 + 1 Substitute	Cllr Boden Substitute member Cllr Tierney		Conservative Party Representation
23	Manea and Welney Drainage Commissioners	3	Cllr Marks Cllr Sutton		2 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
24	March Area Transport Study	2	Cllr Count Cllr Skoulding		1 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
25	March West and White Fen Internal Drainage Board (Previously known as March and Whittlesey IDB)	6	Cllr Cornwell Cllr Wicks		4 Conservatives  2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
26	March East IDB	11	Cllr Purser Cllr Clark Cllr Topgood Cllr Cornwell Cllr Marks Cllr Yeulett		7 Conservatives  4 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
27	March Education Foundation	1	Cllr Purser		Conservative Party Representation
28	March Fifth District Drainage Commissioners	8	Cllr Cornwell Cllr Jan French		5 Conservatives  3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
29	March Sixth District Drainage Commissioners	4	Cllr Cornwell Cllr Jan French		3 Conservatives  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
30	March Third IDB	5	Cllr Cornwell Cllr Marks		3 Conservatives  2 Fenland Independents Alliance



Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
			Cllr Jan French Cllr Yeulett		(including 2 Liberal Democrats and 1 Member of The Green Party)
31	Middle Level Commissioners	3	Cllr Laws Cllr Miscandlon Cllr Sutton		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
32	Needham and Laddus IDB	1	Cllr Sutton		Conservative Party Representation
33	Nightlayer IDB	10	Cllr Benney Cllr Murphy Cllr Divine		7 Conservatives 3 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
34	North Level District IDB	7	Cllr Humphrey Cllr Sam Clark Cllr Laws Cllr Mrs Mayor Cllr Miscandlon Cllr Booth		5 Conservatives 2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
			Cllr Meekins		
35	Wisbech Community Development Trust (Oasis Village Centre)	1	Cllr Rackley		Conservative Party Representation
36	Ransonmoor District Drainage Commissioners	2	Cllr Connor Cllr Wicks		1 Conservative 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
37	RECAP	1	Cllr Murphy		Conservative Party Representation
38	Rural Cambs CAB	3	Cllr Miscandlon Cllr Booth		2 Conservatives 1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
39	Safer Fenland Partnership	1	Cllr Wallwork		Conservative Party Representation
40	The Wash and North Norfolk Marine Partnership	1	Cllr Rackley		Conservative Party Representation
41	The Combined Authority	1 + 1 Substitute	Cllr Boden Substitute member		Conservative Party Representation

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
			Cllr Jan French		
42	The Combined Authority Overview and Scrutiny Committee	2 + 2 Substitutes	Cllr Miscandlon Cllr Mrs Hay Substitute member Cllr Tierney		Conservative Party Representation
43	The Combined Authority Audit Committee	1 + 1 Substitute	Cllr Benney Substitute member Cllr Hoy		Conservative Party Representation
44	Upwell IDB	2	Cllr Rackley Cllr Sutton		1 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
45	Waldersley IDB	2	Cllr Rackley Cllr Sutton		1 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
46	Warboys, Somersham and Pidley IDB	1	No nominated representative for 2019/20		Conservative Party Representation
47	Whittlesey & District	5	Cllr Mason		3 Conservatives

Ref No	Outside Body	Number of representatives required 2020/21	Current nominated representatives 2019/20	To Be Nominated Representatives 2020/21*	Proportionality
	IDB		Cllr Laws Cllr Mrs Mayor Cllr Wicks		2 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
48	Wisbech Access Strategy Member Steering Group	2	Cllr Lynn Cllr Rackley		1 Conservative  1 Fenland Independents Alliance (including 2 Liberal Democrats and 1 Member of The Green Party)
49	Young People March	1	Cllr Purser		Conservative Party Representation

\*Confirmation of membership to the Outside Bodies will be undertaken by Cabinet in July, which will allow sufficient time for Group Leaders to appoint to their allocation of seats.