

CABINET



MONDAY, 26 FEBRUARY 2024 - 2.00 PM

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

APOLOGIES: Councillor Mrs D Laws and Councillor A Miscandlon

OFFICERS IN ATTENDANCE:

CAB53/23 PREVIOUS MINUTES

The minutes of the meeting held 22 January 2024 were approved and signed.

CAB54/23 BUSINESS PLAN 2024/25

Members considered the Business Plan 2024/25 report presented by Councillor Boden.

Councillor Mrs French expressed her thanks to officers, Councillor Tierney, and Councillor Boden, saying a lot of work has gone into producing this Business Plan over the last few months and she congratulated all involved.

Councillor Tierney said he could not take a great deal of credit, but added his appreciation to officers and thanked them for their hard work on producing the Business Plan.

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED to consider and recommend to Council the approval of the Final Business Plan 2024-25.

CAB55/23 BUDGET 2024/25 AND MEDIUM TERM FINANCIAL STRATEGY 2024/25 TO 2028/29

Members considered the Budget 2024/25 and Medium-Term Financial Strategy 2024/25 to 2028/29 report presented by Councillor Boden.

Councillor Boden wanted to put on record his thanks to Mark Saunders, Chief Accountant, for the work put in this and every year which is much appreciated by all members, to Peter Catchpole the S151 Officer, and to Sian Warren and the Finance team for the large amount of work put into producing these figures.

Councillor Boden added that it has been a difficult financial year for several reasons, not least the high level of inflation, excessive temporary staff costs, particularly in Planning, and continued excess costs for temporary accommodation under the Council's homeless obligations. The Council is seeking to remedy the latter two, reducing staff costs through filling vacant posts, and the possibility of restructuring work to minimise the number of temporary staff, and a considerable amount of expenditure in purchasing 30 properties to be used for temporary accommodation to reduce the cost that the Council failed to recover from central Government.

In presenting the report, Councillor Boden mentioned that in respect of council tax there is some

moral issue about not taking more from the public than this Council needs to balance the books and should continue to fulfil the election promise that only the amount of council tax will be taken that is needed. However, there are challenges ahead, including that of the transformation necessary to continue to push through cost efficiency, savings, and rationalisation of the work the Council does and there will be some difficult decisions to make. Additionally, there will be the challenge of the capital programme, the way it will be funded and the extent to which it will be able to be implemented. But this council is in a far stronger position than many others around the country thanks to many years of prudence of councillors and the good guidance of officers.

Proposed by Councillor Boden, seconded by Councillor Mrs French and AGREED that:

- (i) The revised estimates for 2023/24 as set out in Section 7 and Appendix A showing an estimated shortfall of £548k (to be funded from the Budget Equalisation Reserve) be approved: and**

AGREED to recommend to Council that:

- (ii) The General Fund revenue budget for 2024/25 as set out in Section 8 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 using Discretionary Relief Powers be approved.**
- (vi) The expenses detailed in Section 11 be approved to be treated as general expenses for 2024/25.**
- (vii) The Port Health levy for 2024/25 be set as shown in Section 12.**
- (viii) 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.**
- (ix) 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.**
- (x) 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.**
- (xi) 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.**

CAB56/23 REVISED GRANT DECISION MAKING PROCESS FOR THE 2024/25 SPF INVESTMENT IN BUSINESS PROJECT AND REPF BUSINESS GROWTH GRANTS PROJECT

Members considered the Revised Grant Decision Making Process for the 2024/25 SPF Investment in Business Project and REPF Business Growth Grants Project report presented by Councillor Benney.

Proposed by Councillor Benney, seconded by Councillor Hoy, Cabinet considered and

AGREED a replacement to the North Cambridgeshire Place Development Board in the UK Shared Prosperity Fund grant making decision process.

CAB57/23 FDC TRANSPORT POLICY

Members considered the FDC Transport Policy report presented by Councillor Seaton.

Proposed by Councillor Seaton, seconded by Councillor Mrs French and AGREED to approve the development of a draft transport policy that will come back to Cabinet for discussion and adoption during financial year 2024/25.

CAB58/23 RENEWAL OF BUILDING CONTROL SERVICES

Members considered the Renewal of Building Control Services report presented by Councillor Boden on behalf of Councillor Mrs Laws.

Proposed by Councillor Boden, seconded by Councillor Hoy and AGREED to the renewal of the contract for CNC to deliver Building Control services on behalf of the Council.

CAB59/23 CONSTITUTIONAL AMENDMENTS

Members considered the Constitutional Amendments report presented by Councillor Boden.

Proposed by Councillor Boden, seconded by Councillor Tierney and AGREED to recommend for approval by Full Council the following changes to the Constitution:

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

The 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 into 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 acquisition of goods, services and works (whether following a procurement exercise or otherwise)** and entry into 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 insofar as a function is delegated to a specific member of the Corporate Management Team, such as the Chief Executive, S151 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 4 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.**

CAB60/23 WISBECH HIGH STREET UPDATE

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

Councillor Seaton announced that piling is completed at 24 High Street; the base slab either has already been laid or is shortly to be laid and progress should accelerate now that the challenging ground works have been completed.

In respect of 11-12 High Street, Councillor Seaton advised that the Council has received a consultant report of potential options. The National Lottery Heritage Fund (NLHF) requested the Council commission this report to give guidance as to what would be appropriate on the site. The report highlights that a three or four storey building is suitable in this conservation area. A third, less attractive option, is considered in the report. It does not consider costs but only the impact of building in this historic centre of Wisbech. Councillor Seaton stated that for Cabinet to consider further options, he would like to have options assessed for cost which will allow future decisions and will also allow more meaningful discussions with potential funding partners, including discussing any grant with the NLHF. Councillor Seaton added that Council officers had a very productive meeting two weeks ago with the NLF, and it was more positive than expected due to some new personnel in post. A response is expected shortly, and Councillor Seaton will pass more information to Cabinet members when he receives it.

Proposed by Councillor Seaton, seconded by Councillor Mrs French and AGREED to note the current position in relation to the building of 24 High Street, Wisbech and note the actions regarding 11-12 High Street, Wisbech.

CAB61/23 ACCEPTANCE OF CAPITAL FUNDING FOR THE PROVISION OF DOMESTIC FOOD WASTE SERVICES

Members considered the Acceptance of Capital Funding for the Provision of Domestic Food Waste Services report presented by Councillor Murphy.

Councillor Murphy referred to the £826,815 grant funding available from Defra for weekly food waste services being rolled out nationally by Government from March 2026 and said this was not

sufficient to the Council's requirements. To deliver this additional service, small food waste bins will be required along with extra vehicles to collect them. Approximately 48,000 internal food waste caddies, 49,000 external caddies and 300 communal bins will also be needed.

Councillor Murphy said the Council needs to accept the amount offered whilst commencing an appeals process for further capital funding to cover the deficit that will occur in the roll-out, which will be an addition to the existing high standard refuse service. Councillor Murphy further stated that all the equipment required will be purchased simultaneously by all RECAP partners to take advantage of the benefits of bulk buying.

Members made comments, asked questions, and received responses as follows:

- Councillor Boden said that this is a new statutory responsibility and to receive any capital funding, the Council is obliged to respond positively to the figure offered by 1st March, even though the amount of money is not sufficient. However, he understands that Government has withdrawn the suggested amount, accepting that a different figure may be appropriate even though there is no guarantee any additional money will be received. Collecting authorities nationwide are saying the amount of capital offered is insufficient to fulfil this new legal obligation. This is something FDC will be following up vigorously but at this stage, to receive any money at all, there is no choice but to accept the offer made but it does not commit the Council to only accepting that amount.
- Councillor Mrs French commented that this was discussed on Politics East yesterday with the Leader of South Norfolk saying the money offered would not be enough and he was talking in the region of millions of pounds being needed. She said this Council needs to be very careful not to be hit with something that is going to cost a fortune. Councillor Boden said unfortunately there is no choice but to go ahead with it and accept the money; it is a matter of negotiating to ensure the Council is fully funded for the capital and revenue changes that are going to take place.
- Councillor Hoy said she understands that the Council must accept this money and supports it but there needs to be very strong representations made to Government about this. She believes that it will be a very unpopular policy and, having seen it happen in other areas, can envisage small bins being blown around the streets in high winds, leading to rubbish being strewn about with all the potential problems that will cause, including rats. The public will be unhappy, and they will blame FDC, whose waste service is exemplary. She expressed her fear that the Government will potentially make the Council's best service its worst service overnight; it will be really bad news. Councillor Boden thanked Councillor Hoy but he did not believe that this would happen as the Council has some extremely good officers who will be able to manage the situation.

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

- 1. Consider and accept this funding offered towards the necessary capital expenditure for these service changes, acknowledging that there are conditions placed upon this funding and the use of equipment purchased.**
- 2. To delegate the sign off of the financial, legal and all other agreements to the Council's Section 151 Officer in consultation with the Finance Portfolio Holder.**
- 3. Note at this point confirmation of the final funding amount has not been forthcoming from Defra. It is expected that the first instalment of funding will be in the region of £826,815.**
- 4. Delegate to the Finance Portfolio Holder and Section 151 Officer the ability to accept future capital and revenue allocations in regard to the introduction of a Food Waste Service and enter into any associated agreements.**
- 5. Note that given the number of authorities going to market for these vehicles and materials at one time, there is the risk that the funding provided by Defra does not**

- completely cover the costs of transitioning to this additional statutory waste service.**
- 6. Note that the New Burdens doctrine will be applied to the net costs of transitioning to and providing the new service from March 2026.**

CAB62/23 DRAFT 6 MONTH CABINET FORWARD PLAN

Councillor Boden presented the draft 6-month Cabinet Forward Plan for information.

Councillor Hoy commented that as a matter of process she felt items should not appear on the agenda without Cabinet members knowing or approving them. She asked if the agenda could therefore be reviewed, and any oversights be corrected before the next meeting. Councillor Boden said it is a matter for Cabinet members to decide what is on the agenda, but both he and officers noted her comments.

Councillor Mrs French said it is not on the Forward Plan but she hopes to bring forward a paper in respect of upgrading the signage at FDC-owned car parks.

2.40 pm

Chairman