

Report to: Cabinet



Date of Meeting 5 May 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Cranbrook Strategic Delivery Board

Report summary:

This report puts forward updated terms of reference for the Cranbrook Strategic Delivery Board including with regard to member representation.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That Cabinet;

- endorse the updated terms of reference for the Cranbrook Strategic Delivery Board
- endorse the three Cranbrook ward members and the Portfolio Holder for Strategic Planning being appointed to the Board from Annual Council

Reason for recommendation:

To ensure that the Board can continue to play a leading role in supporting the delivery of a sustainable community at Cranbrook

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Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Link to Council Plan:

Priorities (check which apply)

- Outstanding Place and Environment
 - Outstanding Homes and Communities
 - Outstanding Economic Growth, Productivity, and Prosperity
 - Outstanding Council and Council Services
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1. Background and context

1.1 The September 2019 meeting of the Cabinet considered a report on the establishment of a Strategic Delivery Board for Cranbrook. The purpose of this was to;

- support the development of Cranbrook as a sustainable community by ensuring that there is a clear plan for the delivery of key community infrastructure, assets and services in the town in step with the growing population
- provide a forum for the three tiers of local government to consider the coordinated and cohesive delivery of assets and services and to provide advice to each Authority accordingly
- ensure that there is a strategic business case to support the delivery of assets and cost effective services on an ongoing basis.

Proposed Terms of the Reference for the Board were endorsed with two members each from the County, District and Town Councils.

1.2 The Board has now been meeting for over one year. The business of the Board over this period has largely been dominated by consideration of proposals for the development of the town centre which has in turn led to more frequent meetings than was originally anticipated. A proposed Memorandum of Understanding to guide the development of the town centre was agreed in principle by Cabinet on the 6th January.

2. Updated Terms of Reference

2.1 Members of the Board have recently reviewed the Terms of Reference. An updated document is appended to this report. This includes expanding the District Council's representation to include all three ward members.

2.2 There has been some frustration amongst board members during the first year of operation that the Board operates in an advisory capacity only. In reality it is not possible to delegate responsibility for planning decisions or for budgetary matters to a non-statutory Board. For this reason the terms of reference recognise that executive decision making and financial decisions will remain the remit of each individual Authority but that any views expressed by the Board will carry weight as a material consideration in any decisions taken by the respective authority.

2.3 There have also on occasion been some frustrations amongst the officers attending the Board, particularly around the topic of the town centre, where at times it was felt that the Board stepped beyond their advisory capacity and sought to direct negotiations. This put officers in an awkward position in balancing instructions from the Board with their own professional opinion. It is considered that this led to the developers at times receiving contradictory advice from officers and the Board which confused and elongated negotiations. This was only resolved once the matter was brought to Strategic Planning Committee.

2.4 The revised terms of reference help to clarify the position with regard to decision making but it is also considered important that Members of the Board understand that they cannot negotiate or be seen to act in anyway on behalf of the partner authorities in the run up to a matter being put before the relevant committee for decision. It is the role of officers to negotiate on behalf

of the Council in accordance with the constitution having where necessary taken relevant instructions from the Committees of the Council. This balance between advising and directing is a delicate one as members of the Board have at times also felt frustrated by a lack of progress towards the signing of the MoU for the town centre and the nature of the associated negotiations.

2.5 The updated Terms of Reference do change the level of representation for the District Council such that it will now exceed that for either the County or Town Councils. Subsequently there is a risk that this unbalances how specific items are considered. The Board was originally established with the same level of representation from each of the three local authorities on the basis that the views and priorities of each would have an equal opportunity of being represented. The revised terms of reference changes this balance such that there would now be 4 District Council Members, 3 County Council Members and 2 Town Council Members. Members may wish to consider the merits of rebalancing the board in this way. The updated Terms of Reference have though been discussed and agreed by members across all three tiers of local government.

2.6 A further consideration relates to the focus of the Board. As part of an informal review of the first year of operation it was queried whether the reference to the Board being both strategic and delivery focused in its title was in some way contradictory. Given the emphasis on the town centre over the last 12+ months the Board has both met more frequently and considered items in more detail than was originally anticipated. This led to a significant number of meetings that were at times unproductive. Although the ward and Town Council members desire for regular updates is understood officers need to be given adequate time between meetings to make progress. At times the Board has also discussed highly detailed matters when other forums are available for such issues to be addressed. There is though a challenge for the Board in terms of focusing solely on strategic issues when future delivery necessarily also hinges on an appreciation of the detail. This is an area that will need to be kept under review going forward.

2.7 Taking account of all of the above it is recommended that the updated Terms of Reference are endorsed and that a recommendation is made to Council to appoint the three Cranbrook ward members to the Board alongside the Portfolio Holder for Strategic Planning.

3. Conclusion

3.1 The original vision for Cranbrook was as a freestanding new community which would be capable of supporting its own assets and services. It is essential, in terms of supporting the growing population, that such provision is delivered in a timely and cost effective manner. Robust governance arrangements are in turn an important ingredient for ensuring the necessary coordination and oversight for this. The Board will play a leading role in this respect.

Financial implications:

There are no direct financial implications identified from the recommendations in this report.

Legal implications:

There are no specific legal implications requiring comment. If endorsed the addition of the two other Cranbrook Ward Members to the Board will be presented to Annual Council for agreement.