

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Overview Committee held at Council Chamber, Blackdown House, Honiton on 20 July 2023

Attendance list at end of document

The meeting started at 6.00 pm and ended at 7.33 pm

1 Public Speaking

There were no members of the public registered to speak.

2 Minutes of the previous meeting held on 21 July 2022

The minutes of the previous meeting held on 21 July 2022 were signed as a true and accurate record.

3 Declarations of interest

Cllr J Brown – Minute 14; Affects Non-Registerable Interest: Member of Honiton Town Council.

4 Matters of urgency

There were no matters of urgency.

5 Confidential/exempt item(s)

There were no confidential or exempt items.

6 Proposals for a Place and Prosperity Framework for East Devon District Council

The Project Manager – Place and Prosperity (Exmouth) presented this report which provided Members with an update on progress with developing a new Place and Prosperity Framework.

The Framework sets out the mechanism where Place and Prosperity investment proposals will be screened against the borrowing requirements of the Public Works Loans Board (PWLB) in a standardised way, and sets out a revised governance process for agile and robust decision making.

In presentation, the following points were highlighted:

- The aim is to provide a fund through the PWLB which will allow the Council to borrow money for three key purposes; i) service delivery; ii) economic regeneration; and iii) preventative action.
- The proposed Place and Prosperity Framework addresses the opportunity to have a single fund of circa £20M investing as a first tranche borrowed from the PWLB.
- It is envisaged that the fund will be used only where, in the assessment process, it is considered that all other sources of government funding are exhausted.
- In the event of a feasible investment opportunity, a Place and Prosperity Investment Assessment Group of Officers (with the support of consultants, if necessary) will prepare

a recommendation to be considered by a Place and Prosperity Investment Assessment Board (the Board).

- It is proposed that the Board is a sub-committee of Cabinet comprising the Leader, the Portfolio Holder for Finance and the Portfolio Holder for Economy. The Board will be supported by senior officers.
- Where it is deemed necessary, consultation will take place at the full appraisal stage with members who represent the ward where the proposed investment is to be located, and with relevant Portfolio Holders.
- The Board will have authority to make decisions up to and including £5,000,000. In making a decision, the Board should be fully agreed; a decision that is not unanimous cannot proceed,
- For investment opportunities in excess of £5,000,000, the Board will need to recommend the investment to Cabinet or Council, as appropriate.

Members were asked to consider the proposed draft of the Place and Prosperity Framework and recommend any changes for consideration by Cabinet.

Discussion included the following points:

- The proposed Place and Prosperity Framework is assessed as low impact for climate change and equalities but the wider impact of any specific projects will be assessed in detail if or when those projects are developed. In assessing impacts, specialist advice will be sought where appropriate.
- The PWLB is considered a fund of last resort and attempts will always be made to first identify if grant funding is available. It was noted however that the Council might need to move swiftly in transactions, and grant funding can take some considerable time to access.
- Borrowing from the PWLB can be for up to 50 years at either index-linked or fixed rates or interest. Sensitivity analysis takes place as part of the appraisal process to assess the financial impact of repayment terms and changes in interest rates. To comply with the Prudential Code, the Council is required to put in a 'Minimum Revenue Position'; an investment vehicle such as an annuity, to safeguard for the eventuality that the Council cannot make a repayment or there is a sudden interest rate rise.
- A mechanism is in place which enables officers to carry out a quick initial assessment on whether a project is feasible, before significant time or resource is invested in taking it forward.
- There is a requirement to comply with the Prudential Code but it is for Members to decide the financial limit that the Board can approve up to. It was noted that at £5M, the proposed cap is significantly less than many other local authorities who are more versed in working in this way and delivering these types of projects. Local authorities often have to move quickly; decision making therefore needs to be agile yet robust, and officers expressed confidence that this is achieved through the proposal.
- It is for Members to decide the size and composition of the Board. Members were keen to ensure appropriate Member involvement in the decision-making process balanced against the need for strict confidentiality on the Board, so as not to compromise the Council's position in sensitive negotiations. It was noted that in one similar situation, two Members were appointed at the Leader's discretion to be non-executive observers at the Board meeting. It is understood that this worked well and whilst the non-executive members did not always agree with the Board's decision, they were always content with the robustness of the process.

RECOMMENDED to Cabinet:

- The Committee recommends the amendment of the Place and Prosperity Framework to reflect the addition of an additional non-executive member and recommends that the Framework proceeds to Council.

Members were of the view that the additional non-executive member to the Board should be able to enter into debate as part of the decision making process, but should not have voting rights.

7 **Minutes of Scrutiny Committee held on 9 March 2023**

The following recommendations from the Scrutiny Committee meeting held on 9 March 2023 were received and noted:

1. That the Council aims to complete the Leisure Strategy stock condition survey by the end of the next Council term to enable both the Council and the public to be aware of the condition of their local assets and so that the required maintenance can therefore be budgeted for.
2. In the event that a cultural or leisure site is to close as a result of the stock condition survey, a public consultation be held where possible.

8 **Work Programme 2023-2024**

The Chair asked the Committee to consider items for addition to the Overview Committee's work programme.

The first item for consideration was a proposal form submitted by Cllr Anne Hall regarding grass cutting in urban areas with the management of rewilding areas. It was noted that the Scrutiny Committee would be looking at this issue at its September meeting to ascertain the current position, and could refer its research to the Overview Committee. In discussion at length, Members agreed that the item should be added to the Overview Committee's work programme for scoping, with an officer's report to be expected for its November meeting.

Members also reported that there was some public misconception around the council's rationale for allowing grass to grow and it was felt that the council could better communicate with the public about the good work that it is doing.

A second item for consideration was an item referred from Council on 19 July 2023 concerning car parking payments and a preventative motion to consider not going to cashless machines. The Committee agreed to add this item to its work programme and the Parking Manager is expected to bring an initial report to the Committee's September meeting.

A third item for consideration was concerning a referral from Cabinet in July 2022 for Overview Committee to look into online petitions, and it was expected that the Monitoring Officer will bring a view on this to the Overview Committee's next meeting. At that point, the Committee will make a decision on whether to add this item to its work programme.

Finally, Members had received the Cabinet Forward Plan and were asked to consider if the Overview Committee should receive a report on key decisions prior to Cabinet. The Committee asked for a report on the StreetScene Public Bin Review and it was agreed to add this to the Committee's work programme.

The following points were noted in further discussion:

- Cllr Martin was expected to submit a proposal form concerning snares and glue traps.
- Members were keen to ensure that the issue of housing voids is being scrutinised at the appropriate committee. It was noted that scrutiny of this issue is taking place at Housing Review Board.

Attendance List

Councillors present:

J Brown
P Fernley
A Hall (Chair)
J Heath
Y Levine
T Olive
D Wilson (Vice-Chair)

Councillors also present (for some or all the meeting)

P Arnott
I Barlow
C Brown
M Goodman
M Hartnell
N Hookway

Officers in attendance:

Tim Child, Assistant Director Place, Assets & Commercialisation
Sarah James, Democratic Services Officer
Gerry Mills, Project Manager Place & Prosperity (Exmouth)
Anita Williams, Principal Solicitor (Deputy Monitoring Officer)

Councillor apologies:

B Bailey
T Dumper
M Martin
C Nicholas
H Riddell

Chair:

Date: