

SWT Corporate Scrutiny Committee - 4 August 2021

Present: Councillor Gwil Wren (Chair)

Councillors Ian Aldridge, Norman Cavill, Simon Coles, Habib Farbahi, Ed Firmin, John Hassall, Libby Lisgo, Loretta Whetlor and Sarah Wakefield

Officers: Andrew Randell, Marcus Prouse, Alison Blom-Cooper, Jo O'Hara and Joe Wharton

Also Present: Councillors

(The meeting commenced at 6.15 pm)

34. Apologies

Apologies were received by Councillors Buller, Hall, Thwaites and Whetlor.

Councillors Lloyd and Wakefield attended as substitutes.

35. Minutes of the previous Corporate Scrutiny Committee held on 7 July 2021.

The minutes of the meeting held on 7th July 2021 were approved.

36. Declarations of Interest

Councillor Wakefield declared an interest in respect of item 8 as a member of the Wellington Mills Community Interest Group.

37. Public Participation

There was no public participation.

38. Corporate Scrutiny Request/Recommendation Trackers

The Corporate Scrutiny Request and Recommendation Trackers were noted.

39. Corporate Scrutiny Committee Forward Plan

The Corporate Scrutiny Committee forward plan was noted.

40. Executive and Full Council Forward Plan

The Executive and Full Council forward plans were noted.

41. Innovation District Update

The Chair advised that following the consultant's report and summary report there had been a deviation in the original terms of reference which had not received proper examination.

It was questioned if the report should be confidential or not. Clarity in what determined a confidential report was requested in a separate discussion to be arranged. An investigation into the confidential report access and procedures of the council was requested.

The Chair proposed for a private meeting be set up to resolve issues before this could be considered in public. A second meeting would be arranged in September to investigate the access to confidential information and how any restrictions around confidential information prevent Councillors undertaking their role.

Concerns were expressed in relation to the terms of reference not being followed and clarity over confidential information restricted from Councillors and the reasons behind this. The use of NDA's protecting information was a concern along with the nature of their use being potentially used against the Council.

The monitoring officer sent the following message to the committee in advance of the meeting.

Dear Cllrs,

I was advised today that a report from EiBC on innovation was circulated to members of the Committee by a fellow Councillor, when it should not have been disclosed and was confidential due to commercial sensitivity. I have been looking into the matter this afternoon and I now have an understanding from officers on the situation.

The consultants that were commissioned by SWT to produce the report spoke to a number of local businesses as consultees. A couple of businesses particularly made it clear that they would provide commercially sensitive information about their future business plans if non-disclosure agreements were signed that the information would be kept confidential and not be published. The NDAs were signed and the information provided. All officers and Members that had sight of the report were advised of the NDA and confidentiality on 12 January 2021. The two businesses confirmed that they would require certain information to be redacted from the report before it was published in order to ensure that they are not disadvantaged commercially or that competitors in their market cannot access this information.

The EiBC report circulated to Scrutiny Committee Members has not been redacted, and therefore cannot be discussed this evening. Any discussion of the full report could result in the Council facing a legal challenge over breaching the NDAs. This is why a summary document was published with the agenda so that Members could be provided with information that didn't breach the NDA.

I am liaising with officers to see if the report, with relevant commercially sensitive parts redacted, can be shared with Members. As soon as this is confirmed I will let you know.

Members are also respectfully reminded that if they wish to request that information is included on an agenda that it is discussed with the Chair of the Committee, the Governance Team and relevant officer(s) prior to circulating any information.

Resolved that the Corporate Scrutiny Committee proposed:-

1. A meeting arranged with relevant officers on this topic.
2. A meeting separately on confidentiality to ensure councillors have info to do their jobs and then defer the item to a special meeting in mid- September if possible.

42. **Access to Information - Exclusion of Press and Public**

Resolved that the press and the public be excluded from the meeting for the items numbered 10 on the Agenda as the items contained exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

43. **Levelling up Bid - CONFIDENTIAL**

The Assistant Director for Major and Special Projects and The Wellington Heritage at Risk Project Manager introduced and presented the report and detailed the Levelling up Bid and the work around Major Projects across the district.

The report discussed the June 2021 Submission for Round 1 of the Levelling Up Fund. The proposal submitted included three projects connected to the heritage programme which were outlined in the report but built on extensive work undertaken since 2017 on the sites. The submission had been produced with the technical information generated over the past years.

SWT was ranked as a Tier 2 authority and would be competing against authorities that had greater need and who have been provided revenue funding to submit a bid.

The outcomes of the bid closely aligned with the regeneration and cultural heritage priorities of the fund. The bids and projects relating to them were set out to the committee.

During the debate the following comments and questions were raised:-

- It was questioned if there was a list of Council projects that required investment.
- There had been lots of external funding bids won elsewhere that required assistance with Major Projects.
- 93 Planning applications had been held by phosphates. Further information was requested on phosphates and a resolution to Planning delays following the meeting.
- Master Planning valuation work set out a schemes for the projects.
- The incremental approach and access to funding was considered the correct approach in driving projects forward and ensuring the opportunity to save heritage assets in the district were not missed.
- The result of the bid was anticipated in the autumn. Significant spend and financial delivery was required within the financial year which was why the item had been brought to the committee as early as possible.
- If the funding wasn't spent in year 1 there was some flexibility into the next financial year which enabled some milestones to be shifted into the next year.
- Green space was a key deliverable at Tonedale Mill which could be achieved immediately following a successful bid.

- Significant funding had been achieved already for the next phase of works.
- The procurement Team and External Design worked together closely to ensure plans aligned.

The Corporate Scrutiny Committee:-

1. Noted the submission of the Vision for Tonedale Levelling Up bid (see appendix A), noting stakeholder support, match funding and potential community, commercial and cultural benefits.
2. Supported the rest of the confidential recommendations as outlined in the Confidential Report.

(The Meeting ended at 6.45 pm)