

Scrutiny Committee – 6 January 2020

Minute 101

Decisions of the Cabinet

The Chairman informed the Committee that a decision made by the Cabinet at its meeting on 19 December 2019 (with regard to the Tiverton Town Centre Regeneration Project – Tender Outcome) had been called in for consideration by the Scrutiny Committee by Councillors R B Evans, R J Chesterton and B A Moore for the following reasons:

1. The decision that was not unanimously supported by Cabinet fails to understand its significant negative impact when considering the stated council wide ambitions within the current and proposed strategy for regeneration of town centres made within the corporate plan and is contrary to the stated strategic aims of Mid Devon Council as a whole.
2. The decision has been set against a wish to seek views from a number of sections of society, however is clearly driven by the wishes of a small number of Tiverton Town Council planning committee members in particular as stated by individual members of Cabinet on several occasions.
3. Cabinet have failed to acknowledge documented evidence of previous wide ranging consultations that satisfied all consultation requirements.
4. Cabinet have failed to offer a plan that can realistically off set the evident clash of priorities when full-council are asked to consider the future corporate plan at its meeting on 26th February 2020 with no measurable time line set for future decisions against this vital project, yet its delay is contrary to stated aims within the economic strategy of the MDDC plan.
5. Cabinet have failed to recognise the reputational damage that can affect the council given their failure to show a clear economic commitment towards the town, this may possibly also manifest itself in reduced investment from other investors who may see MDDC's Cabinets continued dither and delay as systematic across a range of future investment opportunities.
6. Cabinet have failed to offer a viable alternative except a delay in any works towards the town's regeneration ambitions.
7. Cabinet have failed to consider the financial loss that is already known and continues to grow as each days delay adds to the cost of non-action set against a known budgetary challenge over the coming months and years. These losses should be clearly and openly publicised too aid a decision that is enshrined in openness and transparency to aid informed debate.

The Chairman invited Cllr R Evans who had led the 'call in' to address the Committee. Cllr R Evans explained that he felt that the decision made by the Cabinet

on 19th December to postpone the contract award for the Tiverton Town Centre Regeneration project should be reconsidered.

He explained that that project had been fully considered by the previous administration and that it was aligned to the Corporate Plan. He informed the Committee of the previous public consultation, the planning application in which Tiverton Town Council had commented and the full member review which had taken place. He explained that the market entrance project was part of the wider Tiverton Town Centre Masterplan. He explained that the Scrutiny Committee did not have the power to overturn the decision of the Cabinet but that it could ask it to reconsider its decision to postpone the project.

Other Members who had supported the Call In raised concerns that the Cabinet had consulted with only 14 Members of Tiverton Town Council and that the Council could lose £88k by cancelling the project and starting again.

The Monitoring Officer informed the Committee that the decision made by the Cabinet had not breached Article 15 (Principles of Decision-Making) of the Constitution.

The Cabinet Member for Planning and Economic Regeneration explained to the Committee that the key issues for Cabinet in making the decision to postpone the project were fitness of purpose and involvement of the community. He explained that the project would involve the Council borrowing a large sum of money and that the Cabinet wanted to be sure that this was the best scheme to go forward. He explained that the Cabinet would like Tiverton Town Council to become a full partner in any future consultation on the regeneration of Tiverton Town Centre.

Members gave consideration to the following:

- The public consultation which had taken place
- The involvement of Tiverton Town Council
- The reputation of the Council
- The Councils corporate aims

The Committee **RECOMMENDED** to the Cabinet that:

The decision to defer the Tiverton Town Centre Regeneration Project – Tender Outcome be reconsidered.

(Proposed by Cllr R Evans and seconded by Cllr B A Moore)

Note:

- i) Cllr R L Stanley declared a personal interest as the previous Cabinet Member for Housing.
- ii) Cabinet report previously circulated and attached to the minutes