

# Minutes

Name of meeting	<b>CORPORATE SCRUTINY COMMITTEE</b>
Date and Time	<b>TUESDAY 12 MARCH 2024 COMMENCING AT 5.00 PM</b>
Venue	<b>COUNCIL CHAMBER, COUNTY HALL, ISLE OF WIGHT</b>
Present	Cllrs J Robertson (Chairman), P Spink (Vice-Chairman), R Downer, K Love, C Quirk, Redrup and P Jordan
Co-opted	Simon Cooke (IWALC)
Also Present	Cllrs I Stephens, J Bacon, P Fuller and J Jones-Evans, G Brodie G Brodie  Sharon Betts, James Brewer, Oliver Boulter, Colin Rowland, Justin Thorne, Megan Tuckwell, Melanie White and Ashley Whittaker
Also Present (Virtual)	Cllrs D Andre and L Peacey-Wilcox, M Beston and C Critchison  Simon Bryant, Francis Fernandes, Andrea Jenkins and Claire Shand
Apologies	Cllrs W Drew, J Lever and C Mosdell

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## **91 Apologies and Changes in Membership (If Any)**

Apologies had been received from Cllr Joe Lever, Cllr Clare Mosdell and Cllr Warren Drew.

## **92 Minutes**

RESOLVED:

THAT the minutes of the meetings held on 6 February 2024, 12 February 2024, and 27 February 2024 be confirmed as a true record.

## **93 Declarations of Interest**

Cllr Peter Spink declared an interest in Minute item 99 (Pre-Decision Scrutiny - Disposal of the former Yarmouth Primary School) as the local ward councillor and as a member of Yarmouth Town Council who put in a bid for the site.

## **94 Public Question Time - 15 Minutes Maximum**

Mr Nicholas Fryett of Freshwater submitted a written question in relation to the disposal of the former Yarmouth Primary School site. A written response was provided (PQ04-24).

## **95 Progress Update**

The chairman introduced the report which provided an overview of the progress against actions and outcomes from previous meetings.

An update was sought with regards to the request of the committee in February 2023 to receive a copy of the signed heads of agreement in relation to the proposed disposal of Kingston Marine Park. The Cabinet Member confirmed that work was underway and more substantive news was expected soon.

An update was sought with regards to the request of the committee in January 2023 to receive a copy of the review of leisure centres once it had been completed. The Cabinet Member confirmed that the work had been delayed due to staff absences however it was anticipated that work would be back on track soon.

RESOLVED:

THAT the progress report be noted.

## **96 Committee's Workplan:**

### **96a Forward Plan**

### **96b Committee's Work Programme**

Consideration was given to the committee's work programme and the committee were invited to identify any item contained within the forward plan that would benefit from early consideration. No items were identified at this stage. Consideration was given to the scoping document on a future agenda item on cross-Solent ferry operators. It was suggested that the report also include details on the financial support provided to ferry operators by the government, and any benefits they may receive (such as tax relief), to understand the wider context of how and why those organisations operate in the way that they do.

RESOLVED:

- i) THAT the committee's work programme, and the forward plan, be noted.
- ii) THAT the scoping document on a future agenda item on Cross Solent Ferry Operators be approved and the item be considered by the committee at its meeting in June 2024.

## **97 Future Governance**

The chairman of the Future Governance Working Group was in attendance to present the report which provided an overview of the work underway, and addressed the committees' key lines of enquiry, in advance of a progress report being presented to the Audit and Governance Committee and Full Council for deliberation in March 2024.

Questions were raised regarding the proposed number of meetings, and it was suggested that the frequency of Full Council and service committee meetings be increased, particularly where those committees would be taking on both decision-

making and scrutiny functions. It was suggested that 'Regeneration' be included within the title of the relevant service committee.

Concerns were raised regarding future resources, in terms of both councillors filling committee seats and the capacity of staff to administer additional meetings. Questions were raised regarding the delegation of decision-making powers to council staff. Comments were made regarding the motives driving the change in governance and whether it would ultimately benefit Island residents.

Discussion took place regarding consultation and engagement, including the affected staff whose job roles would be affected. Questions were raised regarding the planned consultation with town, parish, and community councils, whether they would receive the full details of the proposals and whether IWALC would be represented under the new system.

Discussion took place regarding whether it was realistic to implement a new system of governance by May 2024. It was noted that evidence from other local authorities indicated a minimum period of twelve months from the point of passing a resolution to implementation, to enable preparations to take place efficiently and effectively.

Comments were made in relation to the risks associated with the speed of implementation, namely the potential for mistakes to be made, given that a change to a system of decision-making would be new to many councillors and staff, and it was unlikely that sufficient knowledge and experience would be gained by the point of implementation in May 2024. Questions were raised regarding the level of acceptability for mistakes to be made, the risk to the council's ability to deliver projects, and the potential knock-on impact on future funding.

Concerns were raised regarding the lack of financial analysis, particularly the current and ongoing expenses incurred whilst the proposals were being formulated (officer time and the employment of external consultants). Questions were raised around whether this change would incur additional costs for the council at a time of continued financial challenges. Comments were made around future staffing capacity and the committee requested that a full financial risk-assessment be undertaken.

#### RESOLVED:

- i) THAT, whilst the committee supports the proposals to move to a committee-system of governance in principle, it has regard to the risks associated with the speed of implementation by May 2024.
- ii) THAT the committee requests that the Future Governance Working Group considers the following matters:
  - a) Considers the risks regarding the speed of implementation, and provides frequent updates to the Corporate Scrutiny Committee as progress continues.
  - b) Undertakes a full financial analysis.
  - c) Considers increasing the frequency of Full Council meetings.

- d) Considers increasing the frequency of service committee meetings, particularly where the committees would be taking on both decision-making and scrutiny functions.
- e) Considers the inclusion of 'Regeneration' within the relevant service committee title.
- f) Considers the function of scrutiny, and whether separate scrutiny committees should be implemented.
- g) Reconsiders the chairman of the Policy, Finance, and Resources Committee becoming the new leader of the council by default.
- h) Considers the impact on affected staff and consults with those whose job roles would be affected.
- i) Considers the representation from IWALC within any new governance system.

#### **98 Pre-Decision Scrutiny - Island Planning Strategy**

Consideration was given to the report which sought a decision from the Cabinet regarding the recommendations from the Full Council, and the views of the Policy and Scrutiny Committee for Neighbourhoods and Regeneration, to recommend to Full Council the final version of the draft Island Planning Strategy.

It was noted that all the recommended changes arising from the meeting of the Policy and Scrutiny Committee for Neighbourhoods and Regeneration in December 2023 had been included within the revised draft document. Discussion took place with regards to alternative legal advice and national planning policy changes, which referred to Islands not linked to the mainland by a road bridge, and which have a large demographic of elderly residents. Questions were raised regarding whether the council was prepared to delay the decision further to plead exceptional circumstances, and whether this could affect the proposed housing targets for the Island. It was recommended that reconsideration be given to the timeliness of Section 106 agreements and aspects relating to social affordable housing.

RESOLVED:

THAT the Cabinet Member for Planning, Coastal Protection and Flooding reconsiders the timeliness of signing off Section 106 agreements and aspects relating to the use of council owned sites for socially affordable homes for rent.

#### **99 Pre-Decision Scrutiny - Disposal of the former Yarmouth Primary School, Yarmouth**

Consideration was given to the report which sought the Cabinets approval to dispose of the former Yarmouth Primary School site to the preferred bidder, following the results of the marketing exercise.

The committee welcomed the report and approved the process moving forward when handling reports with confidential elements. The committee commented that notwithstanding the need for confidentiality over the identity of the bidders, there

was sufficient detail in the report to understand the nature of the bids and rationale for the decision and therefore fulfil the scrutiny function.

Questions were raised regarding the bidder's proposals to transfer the land with planning permission to the council for affordable housing units and the Senior Estates Surveyor provided an overview of the process. Discussion took place regarding the anticipated capital receipt of £435,000 coming, £400,000 to be returned to the council (which had already been allocated within the council's budget) and the remaining £35,000 to cover the ancillary costs associated with the site disposal (including legal, marketing agent and Crown Estate covenants fees).

RESOLVED:

THAT the report be noted.

### **100 Pre-Decision Scrutiny - Cowes Medina Crossing**

Consideration was given to the report which sought the Cabinet's approval to commission an options appraisal and future operational strategy for alternative solutions to the current Floating Bridge. The committee supported the recommendations to the Cabinet in relation to the continued management model of Floating Bridge 6 and the implementation of the recommended operational efficiencies as set out in the 3S Operational Review report.

Concerns were raised regarding the cost of the next stage options appraisal process and procurement strategy, which was likely to cost in the region of £350,000 to fund technical, financial, legal and procurement advisors, plus a dedicated project manager to lead this work.

Questions were raised in relation to the next steps and concerns were raised regarding the costs associated with commissioning a comprehensive report (setting out the parameters for a new vessel to use in a future tender for another party to design and build) which could spread the risk between council's commissioned report and the future builder/designer.

The Director of Community Services confirmed that the proposals were in line with procurement best practice, and the committee suggested that the Cabinet pursues avenues which would minimise any unnecessary costs and ensure that any future risk is transferred to the designer/ builder of any new vessel to minimise risk to council.

RESOLVED:

- i) THAT the committee recommends the Harbourmaster's stipulation around chain depth being a key issue that needs addressing before further money is spent.
- ii) THAT the committee supports recommendations 5 and 6 to Cabinet (to approve the continued management model of Floating Bridge 6 and to implement the recommended operational efficiencies set out in the 3S Operational Review report).

- iii) The committee has reservations around recommendation 7(a-f) to Cabinet, and recommends that the Cabinet pursue avenues which would ensure that any future risk is transferred to the designer/ builder of any new vessel, and that any further cost prior to tendering for a new design and build be kept to a minimum.

## **101 Scrutiny Annual Report**

The committee received the report which provided an overview of the issues dealt with by scrutiny during 2023-24, and invited councillors to identify any matters which could improve the future delivery of the scrutiny function. Attention was drawn to the data which detailed the level of engagement and interactions with each of the committee's webpage. The committee wished to express its thanks to the Scrutiny Officer and Democratic Services for providing its ongoing support to the scrutiny function.

RESOLVED:

THAT the annual report be received and noted.

## **102 Members' Question Time**

Cllr Peter Spink asked an oral question in relation to the disclosure to the of the identity of the bidders for the former Yarmouth Primary School site. The chairman recommended that the matter be dealt with outside of the meeting.

Cllr Joe Robertson asked an oral question seeking an update on the Ryde Town Board. The Director of Community Services advised that a chairman had been appointed, a Board would be in place by 1 April 2024 (Full Council would appoint two councillor representatives), and a town plan would be developed for submission to the government by 1 August 2024.

Cllr Sarah Redrup asked an oral question with regards to composition of the Ryde Town Board, in respect of diversity and representation including gender parity and age groups. It was suggested that an agenda item on the Ryde Town Board would be added to the committee's workplan for consideration at its next meeting in May 2024.

CHAIRMAN


## Public Question time

To view any public questions that were put to this committee, they will be listed as an additional PDF document below the public question time section within the online minutes, an example is displayed below:

### 32. [Public Question Time](#) PDF 87 KB

Questions must be delivered in writing  
later than 5pm on Friday, 15 January 20

#### **Additional documents:**

- [PQ 11-21](#)  PDF 85 KB
- [PQ 12-21](#)  PDF 90 KB

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**Corporate Scrutiny Committee – Tuesday, 12 March 2024****Written question from Mr Nicholas Fryett of Freshwater, to the Corporate Scrutiny Committee**

Why did bids for the Yarmouth Primary School site automatically fail stage 1 if relating to part of the site only, and who deemed this appropriate, especially if a combination of bids represented far better value to the taxpayer than the acceptance of one at a considerably lower valuation?

The Council must reasonably explain why it is prepared to accept a lower offer seemingly to get the land sold easily, minimising workload to the taxpayer's detriment. My own bid, combined with the recommended one, would raise significantly more whilst resulting in the same key outcomes. IWC can decide how the site is sold and the recommendation should be to accept the recommended offer excluding the small parcel for which a greater offer has been made (unless the recommended bidder is prepared to exceed this). The current recommendation objectively does not provide best value to the taxpayer from the available options.

## ***Response***

*The legal framework and the council's approach to the selection of the preferred bidder is set out in the report. As is set out, the council can dispose of property at below best consideration by using a general consent of the Secretary of State.*

*The difference between the unrestricted value of the property and the disposal consideration must not exceed £2 million and the purpose of the disposal must be likely to contribute to the achievement of the promotion or improvement of economic well-being; the promotion or improvement of social well-being; and/or the promotion or improvement of environmental well-being in its area or for residents in its area.*

*The bids were considered within this framework and the council's reasons are set out in the report.*

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