



Full Council Report

ISLE OF WIGHT COUNCIL

Meeting	FULL COUNCIL
Date	20 MARCH 2024
Title	RYDE TOWN BOARD
Report of	DEPUTY MONITORING OFFICER

Executive Summary

1. Ryde has been selected to be one of 55 towns across the UK to benefit from funding of £20m over ten years as part of the Government's Long-Term Plan for Britain's Towns programme. The Council will be the accountable body for the Fund.
2. A new Town Board led by an independent Chair will be responsible for allocating the Fund in accordance with a Long-Term Town Plan comprising a 10-year vision and 3-year investment plan which they will be responsible for developing.
 - The Council will receive an initial amount of £50k capacity funding in the financial year 2023/2024 for the Board's setup costs. Government guidance suggests that these monies can be used to:
 - convene a Town Board
 - run community engagement
 - support the Town Board in developing Long-Term Plans
 - provide technical expertise to the Town Board for project development including feasibility studies and business cases.
3. The Council is required to be represented on the Board by two elected members. The Chair of the Town Board cannot, in accordance with the government guidance, be an elected member.
4. This report is seeking a decision by Council to appoint two Isle of Wight Councillors to the Town Board.

Recommendation

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| 5. Council is asked to nominate the two elected members to represent the Council on Ryde Town Board. |
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Background

6. Ryde has been selected to be one of 55 towns across the UK to benefit from funding of £20m over ten years as part of the Government's Long-Term Plan for Britain's Towns programme.
7. Whilst the Council will be the accountable body for the grant a requirement of the funding is the establishment of an independent Town Board made up of local community leaders and employers. The Town Board will be responsible for developing and overseeing delivery of a Long-Term Town Plan comprising a 10-year vision and 3-year investment plan. This document will guide the allocation of the grant monies.
8. Funding guidance issued by the Department of Levelling Up, Housing and Communities (DLUHC) stipulates the makeup of the Board which must be led by an independent Chair, include the local Member of Parliament, a representative of the Office of the Hampshire and Isle of Wight Office for Police and Crime Commissioner (OPCC) or with the agreement of the Chair a senior representative from the police and two elected representatives of the Isle of Wight Council. Other members may be appointed to the Board at the Chair's discretion.
9. Given the nature of the work that the Board will be doing, it would be normal for the Council representatives to be drawn from the Executive.
10. DLUHC require the Board to be in place by 1 April 2024 and the 10-year vision and 3-year investment plan submitted for review no later than 1 August 2024.
11. To help meet the pressing deadline for establishment of the Board and to help ensure independence and openness, Solent Partners have been commissioned to manage the selection process for the Chair and non-mandatory appointees to the Board.

Corporate Priorities and Strategic Context

12. The recommendations in this report support the [Corporate Plan 2021 – 2025](#) in delivering the corporate priorities and vision contained within it.

Consultation

13. There is no statutory requirement to undertake a consultation exercise and given the timescales identified above it was not considered possible to do so.

Financial / Budget Implications

14. The Council is the accountable body for the grant. Funding guidance received from DLUHC stipulates that in terms of assurance the first line of defence is provided by the local authority and is the responsibility of the Chief Finance Officer as they act at an operational management level within the local authority in receipt of the funding.

15. The Chief Finance Officer will be required to submit a Statement of Grant Usage and an Assurance Letter to DLUHC. The Chief Finance Officer will be required to provide written confirmation that they have undertaken to actively apply all the necessary checks to ensure proper administration of the Town Board's financial affairs regarding the funding programme, particularly in respect to financial administration and transparency of governance. The first line of defence will also include compliance checks to ensure the governance requirements around the Town Board are being met.

Legal Implications

16. The appointment of two elected members to Ryde Town Board is a key requirement of the Fund. Failure to make such an appointment may jeopardise the grant offer.
17. Some appointments to outside bodies are made because of a statutory or legal requirement to appoint one or more councillors to them. In other cases, for example, the constitution of outside bodies may require a councillor to be appointed. Unusually, this requirement falls somewhere between the two. However, representation can be expected to add value in terms of contributing towards the local authority's strategic priorities.
18. Those councillors or members who are appointed to Ryde Town Board are advised to update their notifications for their relevant register(s) of interest, where appropriate.

Equality and Diversity

19. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
20. It is not considered that the content of this report has any negative impact on any of the protected characteristics.

Options

21. Option 1: To make appointments to Ryde Town Board.
22. Option 2: Not to make such council appointments.

Risk Management

23. The Councillors who are involved in the management of outside bodies have responsibilities to that body that must be acted upon. Failure to act in a proper manner may give rise to personal liability or liability for the local authority. In this particular case the Council is the accountable body for the fund and must ensure that there are robust legal agreements in place to manage the fund.

24. Councillors should therefore carefully consider the implications and responsibilities of being involved with particular outside bodies, including time commitments, managing potential or actual conflicts of interest, personal risk arrangements and the extent of any insurance cover, and obligations to report back to the local authority.
25. For instance, with the continued emphasis on partnership working, councillors (as community leaders) have an important role to fulfil in supporting and advising outside bodies. However, this can give rise to conflicts of interest, particularly where the organisation is seeking or receiving funding from the local authority. Councillors always need to be clear about their roles and alert to potential conflicts of interest in order to ensure transparency and public confidence in local democracy, including the local government decision-making process.
26. All councillors taking up such appointments are recommended to make sure that when they take up their appointment with the relevant outside body they have access to the important documents regulating that organisation such as its constitution or terms of reference to ensure that they are aware of what the body can and cannot do, and receive a proper briefing on that body and their role within it if necessary.
27. Those councillors taking up such appointments are obliged to continue to comply with the local authority's Members' Code of Conduct, to comply with the code of conduct of the outside body they are appointed to if one exists, and to declare a personal interest in any business of the local authority where it relates to a body they are appointed to by the local authority.
28. In its role as accountable body for the Fund the Council must comply with the Subsidy Control Act 2022. If a subsidy is present in projects brought forward for support, then it must consider the principles of the subsidy control requirements set out in the subsidy control Statutory Guidance unless the funding can be given as Minimal Financial Assistance (MFA).
29. Where a subsidy will, or may, exceed the MFA limits (and does not fall within one of the exemptions permitted by the Subsidy Control Act 2022), or is not capable of being provided under a streamlined route, the Council will need to assess subsidies against the subsidy control principles and other requirements.
30. The Council must work with the Town Board to understand how projects brought forward for support by the Fund can be delivered in compliance with subsidy control. Where a project presents an unacceptable risk of non-compliant delivery, the Council may choose to either reject it or require adjustments to be made such that funding the project will not contravene subsidy control.
31. The Council may need to recover funding from project deliverers where subsidy control or State aid law has not been complied with. Therefore, it will ensure that any project deliverers manage subsidy control or State aid in line with their agreed approach and take steps to monitor this. The Council will also ensure that project agreements are designed to enable the recovery of subsidy / State aid if it has been misused. It will also ensure that project partners are aware of their obligations and that they can recover funding from them if it is not compliantly managed or is misused.

32. The Council must be engaged throughout the development of Town Board's Long-Term Plan, including discussing the list of interventions and powers to be used from the programme's toolkit. In many cases, the Council will need to formally agree through its own structures to deploy powers or interventions where they interact with Council responsibilities. Where an intervention would commit the Council to future expenditure beyond the period of funding for Ryde's Long-Term Plan this must be agreed by the Council.

Evaluation

33. If appointments are not made to Ryde Town Board there is a high risk that this could hinder the local authority in furthering its interests and corporate priorities, and not further develop the external facing role of councillors. There may also be a risk of legal challenge.

Appendices Attached

34. Appendix 1 - Long-Term Plan for Britain's Towns, Briefing Note, January 2024

Background Papers

35. None.
36. Contact Point: Justin Thorne, Deputy Monitoring Officer, ☎ 821000 e-mail justin.thorne@iow.gov.uk

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