

Notice of Meeting

Additional Item

Council

A meeting of the Test Valley Borough Council will be held on

Date: Wednesday 26 June 2019

Time: 5.30 pm

Venue: Upper Guildhall, High Street, Andover, Hampshire SP10 1NT

when your attendance is required to consider the business set out in the agenda.



Head of Legal and Democratic Services

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Legal and Democratic Service

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PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Council

Wednesday 26 June 2019

AGENDA

**The order of these items may change as a result of members
of the public wishing to speak**

20 Appointment of Member Panel for Project Enterprise

3 - 6

To consider appointments to the Project Enterprise
Member Panel.

Item 20 Appointment of Member Panel for Project Enterprise

Report of the Corporate Portfolio Holder

Recommended:

That five Members be appointed to the Member Panel to be consulted by the Head of Estates and Economic Development in respect of proposed property investments.

SUMMARY:

- In November 2015, Council approved a delegated authority to the Head of Estates, in consultation with a Member Panel, to purchase property investments.
- Prior to the May election, the Member Panel consisted of five Members, Cllrs North, Giddings, Hurst, Stallard and Ward. [Former] Cllrs Giddings, Hurst and Stallard did not stand for re-election.
- The terms of the delegation provides that a quorum for the Member Panel is 3.
- Accordingly, appointments are requested for the Member Panel for property investments.

1 Introduction

1.1 Since 2015, the Council has operated a work stream known as Project Enterprise, to consider and enter into property investment opportunities from a pre-approved capital budget. The Scheme of Delegation includes a delegation to the Head of Estates and Economic Development, in consultation with a panel of Members (appointed by Council, consisting of five Members, with a quorum of three for each decision) to consider property investments and authorise expenditure from a pre-approved capital budget allocation.

1.2 This report invites Council to appoint five Members to the Member Panel for this purpose.

2 Background

2.1 Since the delegation was introduced in 2015, several properties have been purchased under this authority. Reports are submitted to Council following each acquisition.

2.2 Three of those previously appointed to the Member Panel (former Cllrs Giddings, Hurst and Stallard) did not stand for re-election in May. This leaves only two Members on the Panel, and given the requirement for a quorum of three Members, at least one additional appointment is required. However, it is considered that a Panel of five Members would be appropriate (given a quorum of three).

3 Corporate Objectives and Priorities

- 3.1 Project Enterprise has been established to support the objectives of the Medium Term Financial Strategy, by increasing the Council's income in order to reduce its reliance on government support.
- 3.2 Investments under Project Enterprise generate income, thereby contributing to this objective.

4 Options

Option 1 – no further appointments.

- 4.1 If no additional appointments were made, the Member Panel would not be quorate, and therefore the Head of Estates and Economic Development would be unable to make decisions under his delegated authority to support Project Enterprise. In such a case, individual investments could be referred for consideration by Cabinet, but the consequent delay in decision-making might lead to investment opportunities being lost.

Option 2 – appoint additional Members to the Member Panel.

- 4.2 This is the recommended option. As noted above, the retirement at the May election of three Members who had been previously appointed to the Panel has left only two current Members remaining, and given the requirement for a quorum of three Members, at least one additional appointment is required for the Panel to operate. However, it is considered that a Panel of five Members would be appropriate (given the provision that a quorum of three is needed for decision-making).

5 Option Appraisal

- 5.1 If no appointments are made (Option 1) it is likely that some of the potential investment opportunities available to the Council would be lost, as the investment would be offered to others in preference to the Council. This would limit the ability of Project Enterprise to generate additional income for the Council.
- 5.2 Option 2 (appointment of a full Member Panel) allows the existing delegated authority to be operated. Council is kept aware of the investments being made, as each is reported to full Council after the approval decision has been taken.

6 Resource Implications

- 6.1 Investments considered by the Member Panel are limited to a pre-approved budget.

7 Legal Implications

- 7.1 Property investment decisions should be taken in accordance with appropriate authority. Appointing a Member Panel would allow decisions made by the Head of Estates and Economic Development (in consultation with the Panel) to be properly made.
- 7.2 The Member Panel is not an ordinary committee for the purposes of the Local Government and Housing Act 1989, and therefore appointments do not have to comply with the rules on proportionality contained in that Act. It is therefore a matter for full Council to determine who should be appointed to the Panel, and in so doing it could appoint on similar principles which were applied when appointments were made to the Council's ordinary committees at Annual Council, but it would not be obliged to do so.

8 Equality Issues

- 8.1 None.

9 Other Issues

- 9.1 Community Safety – no specific issues.
- 9.2 Environmental Health Issues – none.
- 9.3 Sustainability and Addressing a Changing Climate – no specific issues.
- 9.4 Property Issues – this report facilitates the Council's investment in suitable property opportunities.
- 9.5 Wards/Communities Affected – property investment opportunities may arise in any Ward.

10 Conclusion

- 10.1 Appointing five Members to the Member Panel will facilitate property investment when suitable opportunities arise. The appointed Members will be able to consider relevant issues surrounding particular proposed purchases, and all Members will be kept informed of decisions taken by reports back to full Council following such decisions.
- 10.2 Property investments using the pre-approved budget provide income which assists in achieving the Council's agreed Medium Term Financial Strategy.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Reports to full Council 11 November 2015 and 9 November 2016.			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref	N/A
(Portfolio: Corporate) Councillor T Preston			
Officer	Howard Bone	Ext	8201
Report to	Council	Date	26 June 2019