



AGENDA

EXTRAORDINARY SCRUTINY COMMITTEE MEETING

Date: Thursday, 8 April 2021
Time: 7.00 pm
Venue: Virtual Meeting Via Skype*

Membership:

Councillors Lloyd Bowen (Chairman), Richard Darby, Steve Davey, Mike Dendor (Vice-Chairman), Tim Gibson, Alastair Gould, James Hall, Carole Jackson, Denise Knights, Pete Neal, Hannah Perkin, Ken Pugh and Bill Tatton.

Quorum = 4

Pages

Information for the Public

*Members of the press and public can listen to this meeting live. Details of how to join the meeting will be added to the website on Wednesday 7 April 2021.

Privacy Statement

Swale Borough Council (SBC) is committed to protecting the privacy and security of your personal information. As data controller we ensure that processing is carried out in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. In calling to join the meeting your telephone number may be viewed solely by those Members and Officers in attendance at the Skype meeting and will not be shared further. No other identifying information will be made available through your joining to the meeting. In joining the meeting you are providing the Council with your consent to process your telephone number for the duration of the meeting. Your telephone number will not be retained after the meeting is finished.

If you have any concerns or questions about how we look after your personal information or your rights as an individual under the Regulations, please contact the Data Protection Officer by email at dataprotectionofficer@swale.gov.uk or by calling 01795 417179.

1. Apologies for Absence and Confirmation of Substitutes
2. Declarations of Interest

Councillors should not act or take decisions in order to gain financial or other material benefits for themselves or their spouse, civil partner or person with whom they are living with as a spouse or civil partner. They

must declare and resolve any interests and relationships.

The Chairman will ask Members if they have any interests to declare in respect of items on this agenda, under the following headings:

(a) Disclosable Pecuniary Interests (DPI) under the Localism Act 2011. The nature as well as the existence of any such interest must be declared. After declaring a DPI, the Member must leave the meeting and not take part in the discussion or vote. This applies even if there is provision for public speaking.

(b) Disclosable Non Pecuniary (DNPI) under the Code of Conduct adopted by the Council in May 2012. The nature as well as the existence of any such interest must be declared. After declaring a DNPI interest, the Member may stay, speak and vote on the matter.

(c) Where it is possible that a fair-minded and informed observer, having considered the facts would conclude that there was a real possibility that the Member might be predetermined or biased the Member should declare their predetermination or bias and then leave the meeting while that item is considered.

Advice to Members: If any Councillor has any doubt about the existence or nature of any DPI or DNPI which he/she may have in any item on this agenda, he/she should seek advice from the Monitoring Officer, the Head of Legal or from other Solicitors in Legal Services as early as possible, and in advance of the meeting.

3. Call in - Master's House, Sheerness, Low Carbon Refurbishment

5 - 8

Report to follow

The Cabinet Member for Economy and Property, the Chief Financial Officer and the Head of Property Services have been invited to attend.

4. Exclusion of Press and Public

To decide whether to pass the resolution set out below in respect of the following item:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act:

3.Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Issued on Monday 29 March 2021

The reports included in Part I of this agenda can be made available in **alternative formats**. For further information about this service, or to arrange for special facilities to be provided at the meeting, **please contact DEMOCRATIC SERVICES on 01795 417330**. To find out more about the work of the Scrutiny Committee, please visit www.swale.gov.uk

**Chief Executive, Swale Borough Council,
Swale House, East Street, Sittingbourne, Kent, ME10 3HT**

This page is intentionally left blank

Agenda Item 3

Appendix iv

Call in Form

NB: Please note that urgent decisions are not subject to Call-in. (See paragraph 16 of O&S procedure rule 15)

| | |
|---|--|
| Decision/Minute Number: 564 MASTER'S HOUSE, SHEERNESS - LOW CARBON REFURBISHMENT Cabinet: 17th March 2021 | Deadline Date for Call-in: 30/03/21 |
|---|--|

Reason for making the Call-in (*please continue on a separate sheet as appropriate)

I wish to call in the Masters House decision under the following headings:

- Inadequate consultation relating to the decision
- Viable alternative not considered
- Relevant information not considered
- Outside the policy and budgetary framework

The report submitted to cabinet lacked detail for what I believe was required for an informed decision to be made, nor was the detail made available for all members to scrutinise what was being proposed. I attended the cabinet meeting and note that this was raised at the meeting by a visiting member who questioned what other options had been explored, what work had been done to create the business case if the business case is sound or lacking consideration relating to other areas. A cost to the council of £1.3million pounds should be made available to members to question.

At the meeting the Deputy cabinet member for economy and property indicated that the cabinet member and officers had gone into 'minute detail' to consider the proposal. I do not feel this was evident from the report and supported by the cabinet member herself when stating that 'it appears by the report that there is no thought gone into this'. If the cabinet member holds that view then other members should have the ability to raise questions and be given answers.

If the relevant information in the paper to cabinet in order for them to make an informed decision is lacking then it is difficult to understand how cabinet could have made an informed decision at the meeting, unless there is information that is not contained within the paper and discussed in private session which I am not aware of.

Given the expenditure of public money to be associated to this item it is right and proper that there be a public meeting held for members to scrutinise the proposals.

The report, I do not think provided sufficient information on the wider aspects of this project

and what risks and opportunities could impact on the work and future provision of Masters House. I think there needs further consideration on the viability of the proposals given that we are aware that both St Georges and Conqueror Court have spaces available, this could suggest the need for such office space isn't great locally. The current leaseholder at Masters House has been sub-letting over the years and information should be available as to if the space has been fully occupied. For these reasons I think scrutiny needs to explore if there is a consistent proven case given as to the need for this expenditure.

The council considered in 2012 and 2018 potential redevelopment of this site and opted not to. As a potential viable this should be fully explored, I do not think it is clear in the report if this has been fully explored other than comments by cabinet members in relation to preserving the car park.

Relevant information not considered, we are aware of an alternative proposal going through planning at Queenborough plus the one at the dockyard church, which also would have implications on the viability of this project if they were to be agreed.

I am also minded that it is outside the policy budgetary framework as the ongoing costs relating to leasing a building do not appear to have been fully addressed. Consideration needs to be given to the ongoing costs for Masters house including insurance and maintenance. This particularly applies if the council are planning to offer 'hot desking' to users, it is not clear if there will be additional costs to the council in this case to provide ICT and telephony services.

| | |
|--|-----|
| Please also tick the boxes as appropriate: | |
| Decision outside Policy and Budgetary Framework | Yes |
| Inadequate consultation relating to the decision | Yes |
| Viable alternative not considered | Yes |
| Relevant information not considered | Yes |
| Justification for the decision open to challenge on the basis of the evidence considered | |

The Alternative proposal is (*please continue on a separate sheet as appropriate).

Consider not implementing the changes.

Could the public funds associated to this project be made better use of if the need to refurbish Masters House was not necessary and the objectives of refurbishing Masters House be achieved via different means. Could alternative means of providing office space be achieved?

| | | |
|--|-----------|---------------------|
| Called-in by: | | |
| Chairman of the Scrutiny Committee | | yes |
| Vice-Chairman of the Scrutiny Committee, in the absence of the Chairman | | |
| Five non-Cabinet Members | | |
| Name | Signature | Date |
| | | |
| | | |
| | | |
| | | |
| | | |
| Checklist | | Yes/No |
| Does the reason and alternative proposal cover any of the types of decisions (1-10) in the Constitution Overview and Scrutiny Procedure Rules? | | No |
| Is the call-in form completed correctly? | | Yes |
| Has the call in form been received within the specified time? | | Yes |
| The reason for the call in is unclear or does not relate to the decision specified on the call-in form | | No |
| The reason for the call in is a question the answer to which can be found in the report | | No |
| Is the request frivolous or defamatory? | | No |
| Authorisation | | |
| Discussed with Policy and Performance Officer/ Democratic Services | | Yes |
| Monitoring Officer is justification for call-in valid? | | Yes |
| Please return hard copy to: | | For office use only |

| | |
|---|---|
| Democratic Services, Swale House, East Street, Sittingbourne, ME10 3HT | Form received by: David Clifford Date and time: 29.03.2021 at 10:21 |
|---|---|