

Report from Place Overview and Scrutiny Committee: Levelling up fund – Future rounds process

1. Executive Summary

1.1 On 14 June 2022 Cabinet agreed the following resolution:

That Cabinet:

- a) Noted the activity made to date, timescales, and next steps for the Levelling Up Fund applications.
- b) Delegated Authority to the Executive Director of Place, Economy and Environment in consultation with the Executive Director of Finance and the Cabinet Member for Economic Development, Town Centre Regeneration and Growth and approved the final two bids being made to the LUF round two, subject to any Council funding contribution also being in place before submission.
- c) Recommended to Council Subject that, subject to the business case, and the capital and revenue implications stemming from it, being endorsed by the Chief Finance Officer and the relevant portfolio holders, that it approves the additional £21m.

REASONS RESOLVED:

The recommendation was made to enable West Northamptonshire Council to make 2 submissions of up to £20m (up to £40m in total) of Government funding to improve infrastructure across the area for the communities that the council serves.

- 1.2 A request for call-in was made to the Monitoring Officer on 20 June 2022 by Councillors Bob Purser (the Call-In Originator), Wendy Randall, Gareth Eales, Emma Roberts, Janice Duffy, Cathrine Russell, Kyriakoulla Jolley and Keith Holland-Delamere. The call-in was deemed valid and was referred to Place Overview and Scrutiny Committee for consideration.
- 1.3 Place Overview and Scrutiny Committee met on 28 June 2022 to consider the call-in in respect of the Levelling Up Fund – Round Two. In doing so, the Committee heard from the call-in originator and one of the signatories, Councillor Wend Randall, to the call-in. Councillor Beardsworth addressed the Committee in support of the Call-In. The Chair of Community Spaces Northamptonshire addressed the Committee and the Chair read out a letter from the VCSE (Voluntary, Community and Social Enterprise.) The Committee received a comprehensive presentation from the Cabinet Member with responsibility for Economic Development, Town Centre Regeneration and Growth, together with the Head of Major Projects and Regeneration. The Director for Place and Economy was also present at the meeting.
- 1.4 After all the evidence had been heard, Place Overview and Scrutiny Committee resolved that after all the evidence had been heard that:
 - a) The Call in be rejected on the grounds that the Levelling Up Fund round 2 must be submitted by 6 July 2022.

- b) It is recommended to Cabinet that the consultation process for the Levelling Up - Round 3 is reviewed in order that early in the consultation process includes all ward Members and the voluntary sector are included as consultees.

2. Recommendations

- 2.1 It is recommended that the consultation process for Levelling Up - Round 3 is reviewed in order that early in the consultation process all ward Members and the voluntary sector are included as consultees.

3. Reason for Recommendations

- 3.1 At its meeting on 28 June 2022, Place Overview and Scrutiny Committee rejected the call-in regarding Levelling Up – Round 2 but resolved that it would recommend to Cabinet that there is a need to include all ward Members and the voluntary sector early in the consultation process for future rounds of Levelling Up.

4. Report Background

Call-in Hearing

- 4.1 At the meeting on 28 June 2022, the call-in originator and one other call-in signatory expanded upon their reasons for the call-in, and proposed an alternative course of action/recommendations:
- i. Review the process by which recommendations are made to Cabinet so that the process for any phase 3 will be better and more inclusive of Ward member views.
 - ii. Given the purpose of the Levelling Up Fund, we also want to seek recommendations to ensure that left behind areas are not further left behind.
- 4.2 The Cabinet Member with responsibility for Economic Development, Town Centre Regeneration and Growth provided a comprehensive presentation which explained the background to the bidding process and detailed the criteria imposed in respect of the decision made. Key points:
- The criteria imposed was strict and timescales short
 - There was no call for project suggestions due to the short timescales involved
 - It was appreciated that improvements to the process needed to be made for future rounds of bidding and there is commitment to do so. There is an undertaking to be more inclusive of Member views and engagement for the next bidding round
 - An all-Member briefing session will be arranged for future rounds of bidding
 - The voluntary sector will be included as consultees in the future
 - The bidding process allowed just 16 weeks for bids to be put forward which required schemes that were already well developed
 - A 'project pipeline' will be developed, allowing schemes to be prepared to a level where they will be ready for future funding applications
 - Due to the strict timescales involved in the Round 2 bidding process, the outcome would not have changed even if the process had been managed differently

4.3 During the deliberation session, Place Overview and Scrutiny Committee concluded that it did not uphold the Call In, but that the Committee would make recommendations to Cabinet that it be asked to make changes for the future.

Resolved that:

That after all the evidence had been heard:

- a) The Call in be rejected on the grounds that the Levelling Up Fund round 2 must be submitted by 6 July 2022.
- a) It is recommended to Cabinet that the consultation process for Levelling Up - Round 3 is reviewed in order that early in the consultation process includes all ward members and the voluntary sector are included as consultees.

5. Issues and Choices

5.1 Cabinet is asked to consider the recommendations of Place Overview and Scrutiny and provide a response to the Committee to the recommendations.

6. Implications (including financial implications)

Resources and Financial

6.1 The recommendations of Place Overview and Scrutiny Committee may have manpower and financial implications in relation to the consultation process.

Legal

6.2 Call-in is the exercise of an Overview and Scrutiny Committee's statutory power in section 21(3) of the Local Government Act 2000 to review an Executive decision that has been made but not yet implemented. Where a decision is called in and an Overview and Scrutiny Committee decides to refer it back to the Cabinet for reconsideration, it cannot be implemented until the call-in procedure is complete.

6.3 In accordance with Part 7, section 7.2. paragraphs 11.63 and 11.7 of the Constitution, having considered the call-in and the reasons for the call in and the alternative course of action/recommendation proposed, the Overview and Scrutiny Committee may either:

- (a) Refer it back to the decision-making person or body for reconsideration, normally in time for its next scheduled meeting, setting out in writing the nature of its concerns and any alternative recommendations;
- (b) If it considers that the decision is outside the Council's budget and Policy Framework, refer the matter to full Council after seeking the advice of the Monitoring Officer and/or Chief Finance Officer (Section 151 Officer) in accordance with the Budget and Policy Framework Procedure Rules; or

(c) Decide to take no further action, in which case the original Executive decision will be effective immediately.

As the Overview and Scrutiny resolved that:

If a decision is referred back to the original decision maker, that person or body shall then reconsider the matter, taking into account any concerns and recommendations of the relevant Overview and Scrutiny Committee, and make a final decision, amending the decision or not, and give reasons for the decision.

However, as the Overview and Scrutiny Committee resolved that the call-in be rejected on the grounds that the Levelling Up Fund round 2 must be submitted by 6 July 2022 the decision of Cabinet on 14 June 2022 was effective immediately.

Risk

6.4 Place Overview and Scrutiny Committee has regard to any risks and mitigation factors associated with the consultation process for future rounds of levelling up and have made recommendations accordingly.

Consultation

6.5 Place Overview and Scrutiny Committee held the Call-In Hearing.

6.6 The call-in originator addressed the meeting of Place Overview and Scrutiny Committee and answered any questions that the Committee posed.

6.7 The Cabinet Member with responsibility for Economic Development, Town Centre Regeneration and Growth addressed the meeting of Place Overview and Scrutiny Committee and answered questions asked by the Committee.

6.8 The Call-In Hearing was published through the Council's usual channels and was attended by three members of the public, one of which addressed the Committee.

Community Impact

6.9 As set out in the Cabinet report of 14 June 2022 (Item 10).

7. Background Papers

Cabinet Report of 14 June 2022 Item 10 – Levelling Up - Round 2

Decision Notice – Cabinet of 14 June 2022 Item 10 – Levelling Up - Round 2

Place Overview and Scrutiny Committee – agenda and minutes - 28 June 2022