

# Scrutiny Board

## Minutes - 2 May 2023

### Attendance

#### Members of the Scrutiny Board

Cllr Paul Sweet (Chair)  
Cllr Philip Bateman MBE  
Cllr Val Evans  
Cllr Rita Potter  
Cllr Wendy Thompson  
Cllr Susan Roberts MBE  
Cllr Zee Russell  
Cllr Ellis Turrell (Vice-Chair)  
Cllr Barbara McGarrity QN  
Cllr Louise Miles  
Cllr Udey Singh  
Cllr Jacqueline Sweetman

#### In Attendance

Cllr Stephen Simkins

Deputy Leader: Inclusive City Economy

#### Witnesses

Bilivir Chander Kumar  
Esme Sackhouse

Westside Traders Group  
Westside Traders Group

#### Employees

Earl Piggott-Smith  
David Pattison  
Ian Fegan

Scrutiny Officer  
Chief Operating Officer  
Director of Communications and External  
Relations  
Director of Regeneration  
Head of Strategic Transport  
Director of Resident Services  
Programme Manager – Connected Places

Richard Lawrence  
Marianne Page  
John Roseblade  
Ruth Taylor

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## Part 1 – items open to the press and public

*Item No.*     *Title*

- 1**     **Apologies for Absence and Substitutions**  
Apologies for absence were received from Cllr Simon Bennett.
- 2**     **Declarations of interest**  
There were no declarations of interest.

3 **City West Grant Relaunch Scheme - Payments**

The Chair welcomed everyone to the extraordinary meeting of the Board and advised it was being live streamed using the Council's website. A recording of the meeting would be available for the viewing after the meeting has taken place.

The Chair reminded everyone in attendance that the Council was in a pre-election period and care should be taken to avoid during debates showing any bias or support to any candidate or political party which could impact on public perception or voting intentions.

The Chair advised that if the debate moved into areas of either criticism of an individual Councillor and or a political party then the Chief Operating Officer will ask for the broadcast of the meeting to be paused and decision taken about future proceedings.

The Chair welcomed Bilivir Chander Kumar and Esme Sackhouse as representatives of Westside Traders Group to contribute to the discussion on the agenda item City West Grant Relaunch Scheme.

The Chair invited David Pattison, Chief Operating Officer, to comment on the meeting proceedings.

The Chief Operating Officer advised the Board that the forthcoming election did not mean that Councillors could not engage in a robust debate but reminded everyone that the meeting should not be used to publicly support and or endorse any election candidate or to promote their own candidacy. The meeting should focus on the report City West Grant Relaunch Scheme for comment and discussion.

The Chair invited the Vice Chair to briefly explain the reasons for calling an extraordinary meeting of the Board and listed the running order of speakers for the meeting.

The Vice Chair advised the Board of the reasons for wanting to review the Cabinet's urgent decision as regards the amount of £5,000 offered to eligible businesses affected by the pedestrianisation works on Victoria Street and surrounding streets in the city centre. There were also concerns about new grant scheme offer following publication of the documents related to the urgent decision.

The request to call an extraordinary meeting of the Board met the conditions detailed in the Council's Constitution.

A Board member asked for further details about the reasons for wanting an extraordinary meeting to better understand the 'urgency' of the issue and the timing of the meeting before the election, while accepting the importance of the issue to the traders affected by the redevelopment work.

The Vice Chair commented that as the decision was made under urgent powers it warranted the need to have an urgent meeting of the Board to scrutinise the reasons for this decision.

The Chief Operating Officer accepted that it is unusual for a meeting of the Board to be held at short notice just before an election.

The Chief Operating Officer added that legal advice was sought from a KC about if a meeting could be held in such circumstances. The advice was that as the basis of the decision was that it was a decision made under urgent action powers then a meeting would need to take place immediately before the election date.

The Chief Operating Officer advised the Board that the Council followed the advice of the KC in arranging the date of the meeting before the election.  
The Board thanked the Chief Operating Officer for the information.

The Chief Operating Officer added that the decision was also made in response to representations from traders who considered the amounts proposed under the scheme were not adequate when considering the level of financial hardship experienced because of the pedestrianisation work.

The Chair invited Richard Lawrence, Director of Regeneration, to present the report.

The Director advised the Board that the briefing notes sets out the rationale for determining the level of the business support grant payment offered to City Centres traders who may have been affected by improvement works funded by £15 million investment from the Future High Street Funds.

The Director gave a short presentation of the key points in the City West Grant Relaunch Scheme briefing note, which detailed the legal and financial considerations and key dates in the decision-making timeline.

The Director commented on the level of funding provided by the Future High Street Fund improvement works to transform the physical environment of the area as part of a wider strategic redevelopment plan for the city centre.

The Director advised the Board that the briefing paper was drafted in response to the challenge from the City Centre West traders about the level of grant payment proposed in the urgent decision made on the 31 March 2023.

The Director advised the Board that the current position is that 21 applications have been received for the city centre grant reward scheme. The Director added that 20 of these applications are being processed and seven applications have been approved and five traders have received a payment of £5,000 pounds each.

The Chair invited Steve Simkins, Cabinet Member, to make some introductory comments before the Board discussed the report.

The Cabinet Member commented that the issue of grant scheme to traders has been presented to scrutiny members to review on five different occasions since September 2022. The Cabinet Member queried the reason for the requesting an urgent meeting as there was already a previous commitment following the Scrutiny Board meeting 14 March 2023 to present an update report on the scheme to a future meeting.

The Cabinet Member advised the Board that there is no legal requirement for the Council to provide financial support to businesses affected the development work and listed examples of similar work in other authorities where no funds were offered

to businesses whose trading was affected by large scale improvements to the public realm.

The Cabinet Member commented on the consultations with traders over the previous 12 months and the changes made to the scheme over time in response to concerns about the eligibility criteria and the level of the financial support.

The traders supported Option 2 that was proposed in the report presented to the Board on 14 March 2023 for comment. The Cabinet Member advised the Board that the deadline for submitting applications to the current scheme has since been extended to 31 May 2023 to allow more time for applicants to prepare. The Chair invited Bilivir Chander Kumar and Esme Sackhouse, as representatives of Westside Traders Group, to present their evidence to the Board.

Bilivir Chander Kumar presented a detailed timeline of meetings with Council officials and the Cabinet Member since December 2021.

Bilivir Chander Kumar expressed concerns about long delays in responding to requests from Council officials and the Cabinet Member for information and non - attendance at meetings about the timescale and extent of pedestrianisation works on Victoria Street and surrounding streets.

Bilivir Chander Kumar expressed further concerns about the overall approach of the Council when consulting with traders since December 2021 highlighting the lack of consultation with individual businesses about the impact on businesses of the redevelopment scheme before work began. In addition, there were concerns about the way traders were informed about changes to the scheme, the eligibility criteria, the process for applying for financial support and the tight deadline for submitting applications.

A Board Member expressed concern that they were not aware of the issues raised by the representatives of the traders and proposed a motion that the discussion on the report be deferred to a further meeting. A Board Member added that this would allow for the issue to be properly considered by members who could then make more informed comments in response to the concerns of trader representatives about key decisions relating to the scheme.

The motion was seconded, and it was suggested that witnesses named in the evidence by the trader representatives should be asked to attend the meeting to respond directly to the concerns raised.

The Board debated the proposed motion and Chief Operating Officer was asked to advise on whether any proposed adjournment to the debate was lawful in a situation where presenters had not finished giving their evidence.

The Chief Operating Officer confirmed the process for presenting a motion to the Board had been correctly followed and advised that an adjournment would be lawful if there is good reason for that decision to be made.

The Chief Operating Officer recommended to Board that the motion should be withdrawn to allow the representatives to present their evidence in full and then if having considered information there would be option then to re-submit the motion to adjourn the meeting.

A Board Member commented on the resolution from the previous meeting where it was agreed that a further report on the progress of the rollout of the scheme would be presented at a future meeting.

In addition, it was agreed that the report should include the responses of the traders to the scheme.

A Board member queried the reason arranging the meeting at short notice in view of this decision.

The Board further debated the proposed motion and differing views were expressed.

The Chair accepted the advice of the Chief Operating Officer and recommended that the representatives of the traders' groups be allowed to present the rest of their evidence to help inform what, if any, additional information is needed and then to consider re-submitting the motion for an adjournment at the end. This advice and recommendation was then accepted by the Board.

The representatives presented their evidence to the Board.  
The Chair thanked the presenter for their presentation.

A Board member resubmitted the motion for the meeting to be adjourned and a new date set to present all the information for further decision. The motion was seconded, and the majority voted in support.

Esme Sackhouse queried the timeframe for agreeing a date for the meeting to reconsider the information. The Chair commented that the intention would be to have the meeting date agreed as soon as possible before the deadline for applications to be submitted of 31 May 2023.

The Cabinet Member commented that to allow time for the all the relevant information and witnesses to prepare their evidence that the deadline for applications to the scheme would be extended. In addition, the Cabinet Member agreed to provide copies of reports, minutes and email correspondence between the Council and the traders about the scheme to allow Board members to have a fully informed discussion about the issues raised during the meeting.

The Chair thanked everyone for their contributions and closed the meeting.  
Resolved:

1. The Board to receive a further report at a date to be agreed to consider all relevant documentary evidence relating the City West Grant Relaunch Scheme and discussions with representatives of the Westside Traders Group.
2. The Board to invite, named Council employees and the Cabinet Member to give evidence in response to the concerns highlighted by representatives of the Westside Traders Group about the City West Grant Relaunch Scheme.

[NOT PROTECTIVELY MARKED]