



SCRUTINY COMMITTEE MINUTES

14 February 2024

PRESENT: Councillors G Isaacs (Chair), K Bowker, A Edwards, B Egan, D Jones, D Thomas, J Thornton.

ALSO PRESENT: Councillors B Campagna, B Palmer, A Thornton, C Walter.

Officers: Angela Hutchings, Amanda Parrott, Sonia Worthington

APOLOGIES: Councillor N Harvey.

10. MEMBERS' INTEREST

There were no disclosures of interest.

11. MINUTES

The Minutes of the meeting held on 10 January 2024 were approved as a correct record and signed by the Chairman.

Cllr G Isaacs moved a motion without notice, seconded by Cllr K Bowker, to take agenda item 5 ahead of agenda item 4 and this was agreed on a show of hands.

12. TOURISM IN CASTLE POINT

The Committee considered the report of Assistant Director, Climate & Growth and Senior Economic Development Officer following a request by the Cabinet for a review of tourism within the borough.

During debate Cllr G Isaacs suggested that the Task & Finish Group be chaired by Cllr D Jones.

Cllr G Isaacs moved a motion, seconded by Cllr J Thornton, that a Task & Finish Group be formed to engage with officers, stakeholders and partners and scope out the opportunities for tourism and growing the tourism economy in Castle Point, and this was approved unanimously.

Resolved

That a Task & Finish Group be formed to engage with officers, stakeholders and partners and scope out the opportunities for tourism and growing the tourism economy in Castle Point.

13. RENEGOTIATION OF EXISTING LEASE AND MANAGEMENT AGREEMENT FOR CANVEY LAKE

The Committee considered the report of the Chief Executive requesting consideration of the terms of the lease and management agreement between Castle Point Borough Council and Canvey Island Town Council and asking for recommendations to the Cabinet regarding the proposals of the Town Council to amend those existing arrangements.

It was noted that the date that the lease was granted was 1 March 2010 and not 2020, as set out in paragraph 4.1 of the report.

The Chief Executive advised that the report had been brought to the Committee to oversee the Council's response to the letter received from Canvey Island Town Council, at appendix 2 to the report. The Town Council was seeking renegotiation of the terms of the lease and management agreement, at schedule 5 of the lease, for Canvey Lake. The Town Council considered the matter at its Common Liaison Committee (CLC) on 13 December 2023; Cllrs Isaacs and Jones represented the Borough Council at that meeting and agreed with the recommendation that the Town Council should seek such a renegotiation. This was ratified by a meeting of the full Town Council on 22 January 2024.

She further confirmed that it was clear that the original terms of the agreement relating to the CLC and the feasibility study were no longer fit for purpose and should be replaced with a better way of working that allowed the Town Council to fulfil its stewardship role, working in partnership with multiple agencies and stakeholders, including the Borough Council. The Borough Council remained the landlord and had associated powers and rights that were separate and distinct from the stakeholder role, which would not be diluted. The Leader of the Council and the Chief Executive had agreed that the renegotiation requested by the Town Council be undertaken under the scrutiny of this Committee.

The Chief Executive proposed that she lead a team to liaise with the Town Council, and along with legal officers and the new Monitoring Officer, to negotiate a variation to the lease to reflect the replacement of the CLC with a stakeholder group, as proposed by the Town Council. The resultant documentation would then be brought back to the Committee for review and oversight, with the Town Council's consent, and explain the changes to be made. The Committee would then have an opportunity to make any further recommendations it might have, to be reported to the Cabinet for consideration before any formal legal documentation was executed. This would ensure that all Members would have the opportunity to understand the changes that were proposed to be made and to understand the legal arrangements in place between the Borough Council and Town Council in an open and transparent way.

In response to a Member question as to whether the new committee was being set up for the sole purpose of renegotiating the lease, the Chief Executive emphasised that it was not proposed that there would be a new

committee; the governance of the Town Council arrangements was a matter for the Town Council. The CLC was a committee of the Town Council, thus the Borough Council had no vires in respect of that committee and was currently only acting as a stakeholder notwithstanding the contractual arrangements. The recommendation from the Town Council was that the arrangements be corrected by creating a stakeholder forum that was not a committee, which, as well as the Borough Council, will include all the other partners that had been part of a wider, multi-agency response and had been assisting the Town Council for the past two years. That would regularise the position already in place.

Responding to a further question as to how long it would take before this came back to the committee, the Chief Executive advised that this was unknown. It was a straightforward proposal from the Town Council. The members of the stakeholder group would need to be agreed; however, as it was not a formal committee it wouldn't require a membership to be quorate but could fluctuate as needed and would operate as a consultee. The creation of the variation to the lease was likely to take longer; a new legal document would need to be drawn up stating which parts of the lease would no longer have effect and would therefore be removed from the lease. This was likely to take a couple of months and would also have to go through the Town Council's corporate governance.

Cllr G Isaacs moved a motion, seconded by Cllr D Thomas, that the Chief Executive liaise with the Town Council and the new Monitoring Officer to negotiate a variation to the lease to reflect the replacement of the CLC with a stakeholder group, and for the revised documentation to be brought back to Scrutiny Committee for pre-scrutiny by the Committee with a view to providing recommendations to Cabinet before the documentation is legally executed, and this was approved unanimously.

Resolved

That the Chief Executive liaise with the Town Council and the new Monitoring Officer to negotiate a variation to the lease to reflect the replacement of the CLC with a stakeholder group, and for the revised documentation to be brought back to Scrutiny Committee for pre-scrutiny by the Committee with a view to providing recommendations to Cabinet before the documentation is legally executed, and this was approved unanimously.

The meeting closed at 7.15 pm.

Chairman

Date