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<b>Committee</b>	<b>FRESHNEY PLACE CABINET COMMITTEE</b>
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<b>Author</b>	SDJ

# Freshney Place Cabinet Committee

## Terms of Reference

### Final Version

## **Preamble:**

The Council acquired Freshney Place to act as a catalyst to regeneration and to underpin wider economic strategy. With the widely accepted challenges around the retail sector, the Council realises that to present an attractive proposal, to increase footfall, user must be mixed and diverse encompassing aspects of leisure, community, recreation, retail etc.

This Cabinet Sub Committee has been formed pursuant to a decision of Cabinet (19<sup>th</sup> October 2022) and will act in accordance with Article 7 of the Constitution. The Committee will be concerned with the strategic aspects of Freshney Place (as more particularly articulated within these terms of reference) galvanising the position of leaving the day to day running and operational aspects to professionals and having an “arms-length” arrangement in place but recognising accepted local government principles of good open and transparent governance.

### **1. Purpose & Aim of the Committee**

The Committee will have an especial regard to Freshney Place and its position within the town centre and wider borough and the role that it can play in acting as a catalyst to regeneration and underpinning existing and future economic strategies.

The Committee is a decision-making forum, being the platform upon which key decisions (as defined in the Constitution) will be made.

### **2. Role and Responsibilities of the Committee**

The principal roles and responsibilities of the Committee will be:

- To oversee wider town centre and borough wide economic and regeneration strategy with an especial focus on Freshney Place acting as an enabler, catalyst and intrinsic part of such strategies with a view to increasing a more diverse town centre offer so as to underpin economic growth.
- Consideration and approval of annual business plan.
- Consideration of significant levels of capital expenditure in connection with Freshney Place and its environs.
- Consideration of capital investment into Freshney Place.
- Approval of annual budget in connection with Freshney Place, acknowledging the exclusive role of Council in annual budget setting.
- Consideration of significant letting and occupancy proposals.
- Monitoring of overall performance and making referrals to Economy Scrutiny Panel.
- To ensure that the Audit and Governance Committee are appropriately informed and updated as to governance arrangements.
- Procurements/commissioning as appropriate.

Such other responsibilities (in the spirit of the above) which the Committee shall decide from time to time.

Matters of significance are shaped by the constitutional definition of “key decisions” in terms of quantum and impact.

### **3. Committee Membership**

The Committee shall comprise of:

- Leader of the Council and Portfolio Holder for Economy, Net Zero, Skills and Housing
- Portfolio Holder for Finance, Resources and Assets
- Portfolio Holder for Safer and Stronger Communities

The Leader and Portfolio Holder for Economy, Net Zero, Skills and Housing shall act as the Chair of the Committee and the Portfolio Holder for Finance, Resources and Assets will act as the Deputy Chair.

The Committee shall be supported by appropriate officers of the Council as may be required from time to time.

### **4. Quorum and Voting**

The quorum of the Committee is three and if quoracy is not achieved the meeting shall stand immediately adjourned to the next scheduled meeting, or special meeting as arranged, if earlier.

Any Constitutional reference to “meeting” shall be interpreted as a scheduled meeting, special meeting or any other meeting of the Committee as otherwise convened.

All members of the Committee shall have an equal vote and in the event of any tie, the Chair shall have a second casting vote. The Committee shall reasonably strive to operate on the basis of unanimity.

### **5. Frequency and Administration of the Committee**

The Committee shall meet on a quarterly basis. Meetings shall be in a public setting (save items of business falling within statutory exemptions) following publication of an agenda and minutes of the previous meeting.

The meeting shall be split into Part A – those matters that can be dealt with in a public setting, and Part B – those matters falling into closed session, likely to be under the auspices of paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended) being matters of commercial sensitivity.

Any key decisions to be taken by the Committee shall be subject to usual advance publication requirements (Forward Plan).

The Committee accepts that in a challenging economic landscape there may well be a need to make urgent decisions between ordinary scheduled meetings. In matters of urgency the Chair may agree to call a special meeting at any time (but subject to constitutional and regulatory restraints). The Committee shall be able to invoke the urgency provisions of the Constitution (special urgency and general exception).

In exceptional circumstances and in matters of extreme urgency, upon the recommendation of the Executive Director Environment, Economy and Resources, a key decision may be made by way of Officer Decision Record.

All decisions shall be published in the usual fashion via Democratic Services.

The Committee notes that decisions may be subject to call-in in accordance with the provisions of the Constitution, and the arbiter shall be the Economy Scrutiny Panel. Any urgent decisions made with the support of the Chair of the Economy Scrutiny Panel shall not be subject to call-in.

The Committee meetings shall be supported by Democratic Services in the usual fashion.

## **6. Accountability and Reporting**

The Committee acts as a sub-committee of Cabinet and as such may (at its discretion) update Cabinet as deemed fit.

On an annual basis the Committee shall ensure that:

- The Audit & Governance Committee receive a report as to governance arrangements around Freshney Place generally; and
- The Economy Scrutiny Panel receive a report as to day-to-day operational issues and overall performance.

The Committee shall receive reports and recommendations from the Freshney Place Oversight Group from time to time.

## **7. Conflict of Interest/Vested Interest**

Members of the Committee will be required at the start of each meeting to make any declarations as may be appropriate.

Any Officer advising the meeting or bringing any recommendation that may have a conflict of interest shall seek advice and guidance from the Monitoring Officer.

Any declared conflicts of interests shall be reviewed periodically.

## **8. Review**

These terms of reference shall be reviewed at least every two years or at such other times as the Committee shall agree.

As above, the Committee accepts that governance generally in connection with Freshney Place shall be reviewed annually by the Audit and Governance Committee and any significant variation to these terms of reference or overall governance arrangements shall be referred to the Audit and Governance Committee.

