

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH SCRUTINY COMMITTEE
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL ON 31 MARCH 2010**

- Present:** Councillors M Fletcher (Chairman), S Allen (Vice-Chairman), D Day, S Day, S Lane and G Murphy and P Winslade
- Also Present:** Councillor D Seaton – Cabinet Member for Resources
Councillor J Goodwin – Ward Councillor for Orton Longueville
- Officers Present:** Andrew Edwards – Acting Head of Delivery
Carrie Denness – Principal Lawyer
Louise Tyers – Scrutiny Manager

1. Apologies for Absence

An apology for absence was received from Councillor Peach. Councillor Winslade was acting as substitute.

2. Declarations of Interest and Whipping Declarations

Councillors Goodwin, Murphy and Winslade declared personal interests as they were the ward councillors.

3. Exclusion of Press and Public

RESOLVED that in accordance with Standing Orders, Appendix 3 of agenda item 4 – Request for Call-in: Disposal of the former Lady Lodge Arts Centre site was exempt and the press and public would be excluded from the meeting if it was discussed.

4. Request for Call-In of an Executive Decision: Disposal of the Former Lady Lodge Arts Centre Site

On 16 March 2010, the Cabinet Member for Resources made an executive decision relating to the disposal of the former Lady Lodge Arts Centre site. In accordance with the Constitution this decision was published on 17 March 2010. On 22 March 2010, Councillors Goldspink and Murphy submitted a request to call-in this decision on the following grounds:

- (i) The decision did not follow the principles of good decision making as set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:
- (a) Act for a proper purpose and in the interests of the public.

Councillor Murphy advised that the reasons for the request were clear from the call-in form. In support of the request Councillor Goldspink made the following points:

- There needed to be some way of recompensing the community for the loss of an asset.
- The Cabinet and Cabinet Member should acknowledge the loss of a community asset by compensating the community by amending the capital programme.
- The loss to the community had not been considered when the decision had been made.

In response to the request, Councillor Seaton made the following comments:

- A case could not be made that the decision did not follow the principles of good decision making.
- The building on the site had been in decline for many years and was subject to crime and anti-social behaviour and in February 2009 had been demolished.
- Everybody agrees that it was right to dispose of the site.
- It did not remove a community asset as that had been lost long ago.
- The previous decision notice selling the site had not been called in.
- The Council was committed to improving community facilities for everybody.
- He had an open door to listen to all councillors about what they needed in their wards.
- The Asset Management Plan did not allocate funding to specific projects.
- The Committee should endorse the decision to dispose of the site.

Councillor Murphy clarified that it was the methodology for the dispersal of the receipt that he disagreed with and not disposing of the site.

At the request of the Chairman, the Principal Lawyer confirmed that the decision to be made tonight was to either support or not to support the disposal of the Lady Lodge site as the decision taken was for disposal of the site by Councillor Seaton. That the current Asset Management Policy did not permit sale proceeds to be allocated to specific projects as such could not be taken into consideration.

Councillor Goodwin advised that the site was being abused and should be sold and developed as soon as possible. The offer on the table would improve the situation and would bring £25,000 of Section 106 monies into the ward. The Acting Head of Delivery confirmed that no retail offers had been received for the site.

Councillor Murphy reiterated that the Council needed to look to reinvest the money received from the sale into the local community. If this could not be done within existing policy then the policy needed to be looked at.

Councillor Seaton confirmed that the loss to the community had occurred a number of years ago and that Councillor Murphy had supported the disposal when the decision notice was being consulted on. Councillor Murphy advised that he had not supported the decision notice.

Councillor Lane stated that he was not prepared to listen to any more arguments when the principle of the disposal had been agreed by everybody.

On being put to the vote, there were 6 votes for and 1 against not calling in the decision.

RESOLVED not to call in the decision relating to the disposal of the former Lady Lodge Arts Centre site and therefore the decision could now be implemented.

CHAIRMAN
7.00 - 7.30 pm