



Haverling

L O N D O N B O R O U G H

VALUE OVERVIEW & SCRUTINY COMMITTEE AGENDA (SPECIAL MEETING)

7.30 pm

Wednesday
20 August 2014

Town Hall, Main Road,
Romford

Members 9: Quorum 4

COUNCILLORS:

**Conservative
(4)**

**Residents'
(3)**

**UKIP
(1)**

**Independent
Residents
(1)**

Philippa Crowder
(Vice-Chair)
John Crowder
Steven Kelly
Robby Misir

Clarence Barrett
(Chairman)
Barbara Matthews
Barry Mugglestone

David Johnson

Graham Williamson

For information about the meeting please contact:
Richard Cursons 01708 432430
richard.cursons@onesource.co.uk

What is Overview & Scrutiny?

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

They have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns of the public.

The committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations.

Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research and site visits. Once the topic group has finished its work it will send a report to the Committee that created it and it will often suggest recommendations to the executive.

Terms of Reference

The areas scrutinised by the Committee are:

- Customer access
- E-government and ICT
- Finance (although each committee is responsible for budget processes that affect its area of oversight)
- Human resources
- Asset Management
- Property resources
- Facilities Management
- Communications
- Democratic Services
- Social inclusion
- Councillor Call for Action

AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive.

3 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.

4 CALL- IN OF A NON-KEY EXECUTIVE DECISION - KEATS AVENUE, HAROLD HILL (Pages 1 - 10)

Report attached.

5 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specific in the minutes that the item should be considered at the meeting as a matter of urgency.

Andrew Beesley
Committee Administration
Manager

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VALUE OVERVIEW & SCRUTINY COMMITTEE

20 August 2014 (Special)

Subject Heading:	Requisition of Non-Key Executive Decision regarding Land at Keats Avenue, Harold Hill
CMT Lead:	Andrew Blake-Herbert Joint Managing Director - oneSource
Report Author and contact details:	Richard Cursons Committee Officer richard.cursons@onesource.co.uk
Policy context:	The criteria for retaining ownership of land and property assets is set out in the Corporate Asset Management Plan

In accordance with Paragraph 17 of the Overview and Scrutiny Committee Rules, a requisition signed by two members representing more than one Group (Councillors Keith Darvill and Ray Morgon) have called in an executive decision dated 22 July 2014. The text of the requisition appears at the end of this report:

CABINET MEMBER'S DECISION

To approve the open market disposal of the land at Keats Avenue (as shown on the attached plan).

The Property Strategy Manager – in consultation with the Head of Legal Services – will be authorised to deal with all matters arising and thereafter to complete the disposal of the land.

REASONS FOR REQUISITION

The reasons for the requisition were detailed on the formal notification and were detailed as follows:

1. If the land is to be sold and developed for housing it should be for affordable housing; and
2. The existing public and private rights of way and access from Keats Avenue to Risebridge Golf Course should be preserved in perpetuity.

RECOMMENDATION

That the Committee considers the requisition of the decision of the Cabinet Member and determine whether to uphold it.

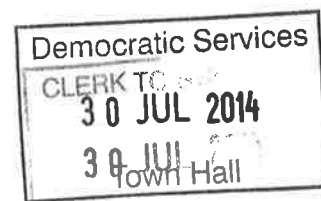
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Land at Keats Avenue, Harold Hill – Notice of Non Key Executive Decision dated 17th July 2014.

We the undersigned members of the Council “call in” the decision to approve open market disposal of the land attached to the decision notice for the following reasons:-

- 1) If the land is to be sold and developed for housing it should be for affordable housing; and
- 2) The existing public and private rights of way and access from Keats Avenue to Risebridge Golf Course should be preserved in perpetuity.

Councillor Keith Darvill



Councillor RAY MORRISON



30th July 2014

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Notice of Non-key Executive Decision

Subject Heading:	Land at Keats Avenue, Harold Hill
Cabinet Member:	Councillor Roger Ramsey
CMT Lead:	Andrew Blake-Herbert
Report Author and contact details:	Garry Green Property Strategy Manager E: garry.green@onesource.co.uk T: 01708 432566
Policy context:	The criteria for retaining ownership of land and property assets is set out in the Corporate Asset Management Plan
Financial summary:	The disposal of the property identified in this report will generate a capital receipt that would accrue interest until it is used to deliver the capital programme.
Relevant OSC:	Value
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Ensuring a clean, safe and green borough	<input type="checkbox"/>
Championing education and learning for all	<input type="checkbox"/>
Providing economic, social and cultural activity in thriving towns and villages	<input type="checkbox"/>
Valuing and enhancing the lives of our residents	<input type="checkbox"/>
Delivering high customer satisfaction and a stable council tax	<input checked="" type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the open market disposal of the land at Keats Avenue (as shown edged red on the attached plan).

The Property Strategy Manager – in consultation with the Head of Legal Services – will be authorised to deal with all matters arising and thereafter to complete the disposal of the land.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, para 2.5 (t) of the Council's Constitution – 'The Cabinet Member for Value [has authority] to approve the 'in principle' decision of the Council disposing of an interest in property or land where the disposal or acquisition receipt is not considered likely to exceed £1,000,000.

STATEMENT OF THE REASONS FOR THE DECISION

The Council owns land at Keats Avenue. The land was formerly used as a garage site but this use ceased and the garages were subsequently demolished. As such, the site consists of a hard-standing area and an access road which is used as an informal pedestrian right of way for accessing Risebridge Golf Course.

An authority to dispose of the land was first obtained by Cabinet on 16 September 2009. The authority related to a number of garage sites across the borough and commenced the process of procuring a development partner for the provision of new affordable housing. Agreement could not be reached with the affordable housing provider on account of adverse possession claims in respect of access to adjoining privately owned land. An open market sale was proposed as an alternative.

A planning consent for a 3 bedroom bungalow on the site has now been obtained (subject to completion of a s106 agreement) and the property is now to be offered for open market disposal. Whilst disposal was previously approved, it was in the context of a sale to a Registered Provider. The purpose of this decision is to document the revised course of action.

Negotiations have taken place on a possible disposal of the land or grant of access rights with the parties claiming access rights but it has not been possible to reach an agreement. It is proposed, therefore, that the property is sold at auction where these disputes will be disclosed.

The Property Strategy Manager – in consultation with the Head of Legal Services – will be authorised to deal with all matters arising and thereafter to complete the disposal of the site.

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Section 123 Local Government Act 1972 requires the Local Authority to achieve the best price for the land that can be reasonably obtained and this duty would be satisfied by offering it for sale on the open market. Accordingly there are minimal legal risks in agreeing the disposal.

Legal advice and assistance will be provided as necessary through the sale process.

Stephen Doye – Legal Manager (Litigation)

FINANCIAL IMPLICATIONS AND RISKS

The decision will result in the Council receiving a capital receipt. Eligible disposal costs will be met from the sale proceeds. The receipt will therefore become available to fund capital expenditure and will generate interest earnings for the benefit of the general fund until such time that the resources are fully spent.

The Council will no longer be responsible for the maintenance of the site, although this will not generate a significant saving.

Mike Board – Corporate Finance Manager

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

Not applicable.

Geraldine Minchin – HR Business Partner

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

Not applicable.

BACKGROUND PAPERS

None

Non-key Executive Decision

OTHER OPTIONS CONSIDERED AND REJECTED

Pursuing a disposal for Affordable Housing has been considered and abandoned previously on account of the difficulties resolving claims over the land.

The site has formerly consisted of garages but these were under-utilised and were subsequently demolished.

Retaining the site in Council ownership is not a favoured option because its retention would not resolve existing difficulties and the site would remain vacant and unproductive.

The land is surplus to requirements and the Council will obtain a capital receipt from the disposal.

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Garry Green

Designation: Property Strategy Manager

Signature: 

Date: 17th July 2014

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: Councillor Roger Ramsey

Cabinet Portfolio held: Lead Member for Value

Date: 22.7.14

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley,, Committee Administration Manager, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 23/7/14

Signed A. H. M.

Strategic Property Services

 Tollgate House
 96-98 Market Place
 Romford
 RM1 3ER

Telephone: 01708 434343

 Email: propertyservices@havering.gov.uk
 Internet: www.havering.gov.uk

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All Dimensions (where stated) are to be checked on site prior to commencement of work & any discrepancies reported to Strategic Property Services.

No	Revisions	Int	Date
A	Right of Way to Risebridge Golf Course Shown	nt	08/01/14


 Job Title:
Keats Avenue

 Romford
 RM3 7AU

 Drawing Title:
Disposal Plan

 Drawn By:
 nt

 Scale:
 1:1250 @ A4

 Date:
 January 2014 Revision

 Drawing Number:
 sps1734/A
