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MINUTES OF A CABINET MEETING Council Chamber - Town Hall Wednesday, 17 August 2011 (7.30 - 7.55 pm)

Present:

Councillor Michael White (Leader of the Council), Chairman

Councillor Robert Benham

Councillor Andrew Curtin

Councillor Lesley Kelly

Councillor Steven Kelly (Vice-Chair)

Councillor Roger Ramsey

Councillor Paul Rochford

Councillor Geoffrey Starns

Councillor Barry Tebbutt

Cabinet Member responsibility:

Community Empowerment

Culture, Towns & Communities

Housing

(Deputy Leader) Individuals

Value

Children & Learning

Community Safety

Environment

An apology was received for the absence of Councillor Michael Armstrong.

Councillors Clarence Barrett, Dennis Bull, Gillian Ford, Linda Hawthorn and Keith Wells also attended.

One member of the public and a representative of the Press were present.

The decisions were agreed with no vote against.

15 **MINUTES**

The minutes of the meeting of Cabinet held on 13 July 2011 were agreed as a correct record and signed by the Chairman.

16 **THE COUNCIL'S FINANCIAL STRATEGY**

The report explained that all the Council's Overview and Scrutiny Committees (OSCs) met in joint session on 28 July where they were presented with the report which had been agreed by Cabinet at its meeting in February. A draft minute of that meeting was presented which set out budget savings in the light of the Government's Comprehensive Spending Review and the subsequent Local Government Financial Settlement. The report also contained summaries of the issues raised by each Committee as set out in the committees' draft minutes.

Members present thanked officers for providing detailed responses to the issues raised at the joint OSC meeting in July.

Cabinet RESOLVED:

To note the matters raised in the minutes of the Overview and Scrutiny Committees shown in the appendix to the report.

17 STUBBERS ADVENTURE CENTRE

The report before Cabinet referred to the Council's ownership of the Stubbers Adventure Centre. It was noted that a previous report concluded that no essential need existed for the Council to continue to own and control the property and that it should be offered for sale.

It was reported that the Council had a fiduciary duty to obtain best price when disposing of assets. The Council had been advised that the property should be openly marketed to ascertain its true value and that the existing tenant be encouraged to bid competitively in this process. The marketing had now concluded and the report made a recommendation that the property be sold to the Essex Youth Trust (who financially support the Centre and have a mutual trustee with Stubbers Adventure Centre charity) on the terms set out in the exempt part of the report before members.

It was noted that the proposed purchase would be funded and entered into by the Essex Youth Trust, who would then make suitable arrangements with the Stubbers Adventure Centre Limited to enable the existing operation as a charitable adventure centre to continue in perpetuity.

Reasons for the decision:

It had been concluded that Stubbers was not a property that the Council must continue to own and had agreed in principle to its disposal so as to permit sufficient tenure for a new owner to make the substantial investment required in the site to ensure its long term sustainability.

Other options considered:

- 1) Retain the property and let the existing lease run to expiry and at that point review the rent and retain as an investment for the Council or sell to the market as an investment at that time. This would not allow an occupier to now invest in the premises as is operationally required, due to insufficient tenure.
- 2) To negotiate to sell the premises only to the existing tenant. The Council was under no obligation to deal exclusively with the existing tenant. The Council's primary fiduciary obligation is to obtain best price for the asset. Without undertaking a marketing process it would be difficult to establish that the best price is being achieved as these types of property only occasionally come to the market and it is difficult to accurately gauge value without open marketing.

Cabinet RESOLVED:

- 1) To agree the disposal of the Council's freehold interest in the Stubbers Adventure Centre to the Essex Youth Trust on behalf of the Lessee on the terms set out in the exempt part of the report.
- 2) That the Property Strategy Manger be authorised to deal with all matters arising and thereafter to complete the disposal of the site.

18 **EXCLUSION OF THE PUBLIC**

Cabinet decided on the motion of the Chairman that the public should be excluded from the remainder of the meeting on the ground that it was likely that, in view of the nature of the business to be transacted, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972 and it was not in the public interest to publish the information.

19 **STUBBERS ADVENTURE CENTRE - EXEMPT INFORMATION**

Cabinet received a report (containing exempt information and not available to the press or public) setting out in detail aspects of the proposals referred to in minute 17 preceding.

Cabinet decided to proceed with the proposals as recommended in the report submitted. The details of those decisions are set out in the Appendix to these minutes containing exempt information (and not available to the press or public)

Chairman

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