



Asset and Enterprise Committee

Agenda

Part One

Council Chamber - Town Hall

Wednesday, 18 February 2015 at 7.00 pm

Membership (Quorum – 3)

Councillors

Cllrs Quirk (Chair), Sapwell (Vice-Chair), Aspinell, Clark, Cloke, Mrs Coe, Hirst, Kerslake, Morrissey and Sleep

Committee Co-ordinator: Claire Hayden (01277 312 741)

Additional Information:

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Substitutes for quasi judicial Committees must be drawn from members who have received training in quasi-judicial decision making. If a casual vacancy occurs on a quasi judicial Committee it will not be filled until the nominated member has been trained.

Rights to attend and speak

Any Member may attend any body to which Council Procedure Rules apply.

A Member who is not a member of the committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a member will be allowed to speak on a ward matter.

Point of Order/Personal explanation/Point of Information

8.3.14 Point of order

A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the point of order will be final.

8.3.15 Personal explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Chair on the admissibility of a personal explanation will be final.

8.3.16 Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Chair. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Chair gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Chair on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

You have the right to attend all meetings of the Council and its Boards and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.brentwood.gov.uk or from Democratic Services (01277 312739).

Webcasts

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

Private Sessions

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Board or Committee does so, you will be asked to leave the meeting.

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Access

There is wheelchair access to the Town Hall from the Main Entrance. There is an induction loop in the Council Chamber.

Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

Part I

(During consideration of these items the meeting is likely to be open to the press and public)

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4	Urgent Business An item of business may only be considered where the Chair is of the opinion that, by reason of special circumstances, which shall be specified in the Minutes, the item should be considered as a matter of urgency.		
5	Local Government Act 1972 - Exclusion of Press and Public		



Acting Chief Executive

Town Hall
Brentwood, Essex
10.02.2015

Minutes

Asset and Enterprise Committee Wednesday, 21st January, 2015

Attendance

Cllr Quirk (Chair)	Cllr Mrs Coe
Cllr Sapwell (Vice-Chair)	Cllr Hirst
Cllr Aspinell	Cllr Kerlake
Cllr Clark	Cllr Sleep
Cllr Cloke	

Apologies

Substitute Present

Cllr Lloyd (substituting for Morrissey)

Also Present

Cllr Chilvers	
Cllr Mrs Hones	
Cllr Mynott	
Cllr Mrs Murphy	
Cllr Kingsford	Herongate and Ingrave Parish Council

Officers Present

Claire Hayden	Governance and Member Support Officer
John Parling	Strategic Asset Manager
Chris Potter	Monitoring Officer & Head of Support Service
Adrian Tidbury	Asset and Technical Manager
Chris Leslie	Financial Services Manager

395. Apologies for Absence

Apologies for absence were received by Cllr Morrissey.

396. Minutes of the previous meeting

The minutes of the Asset and Enterprise Committee held on 18th November 2014 were signed by the Chair as a correct record.

397. Verbal update by Chair

Cllr Quirk gave updates on the following:

Herongate and Ingrave Village Hall – Public Meeting to take place shortly to with local residents. Cllr Alan Kingsford, Chair of Herongate and Ingrave Parish Council suggested a venue. Details of this meeting will be published in the Parish Council Newsletter. Demolition cost will range between £15,000 to £20,000.

Hutton Community Centre – An extra Asset and Enterprise Meeting to take place on 18th February 2015. It was agreed at the last meeting that Community Groups will be invited to show interest in the running of the venue.

Bell Mead – Planning application has been submitted. Contracts were exchanged in October 2014. Ward Members have concerns over the design style that it remains in keeping with the village.

Hallsford Bridge – meeting with Planners and Buyers has taken place. Cllr Aspinell reflected the view of the Stondon Massey Parish Council with their wishes for this site to be residential.

Town Hall – Top of floors of the Town Hall are now vacant, apart from Planning. Next step will be for the design to be developed, the terms of the commercial let to be reviewed and the expression of interest received from groups in using the foyer area to be progressed.

William Hunter Way – The William Hunter Way Working Group met on 19.1.2015 from this meeting it was evident that the original planning brief was not adhered to. 17 specific principles have been identified to be addressed in the new planning brief.

Lease/Rent Review – Lease renewals and outstanding rent reviews continue to be progressed.

Committee Date – two extra meetings on 18.2.2015 to discuss Hutton Community and another on 19.3.2015 to discuss items of progress.

398. Old House - Surveys and Procurement

The report outlined the procurement process leading to the conversion of the Old House from a community Centre to 6 residential units.

Update for Ordinary Council on 10th December 2014. Quotations for Architectural Services for the project they due back on Monday 2nd February 2015. Quotes sourced for Bats & Damp Survey and an Asbestos report before project commencing.

A motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to receive the recommendation set out in the report.

RESOLVED UNANIMOUSLY to:

2.1 To note the report and progress made to date.

399. Multi-Storey Car Park

This is effectively an 8 storey concrete framed purpose built multi-storey car park which was constructed in the 1970's. The car park is divided into two sections, with split levels and interconnecting ramps, providing 17 levels of car parking.

This report examines the scope for the redevelopment of the current structure to provide better use for the site and the potential to provide a capital receipt and or improved revenue stream to the Council.

After a full discussion, a motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to receive the recommendations set out in the report.

Voting took place by a show of hands and in accordance with Rule 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the motion was **CARRIED**.

2.1 That further investigations are carried out into the viability of the redevelopment of the Multi-Storey Car Park and the preferred options are presented tot he next Asset and Enterprise Committee with recommendations as to how it should be progressed.

2.2 That a budget of up to £25,000 is allocated to meet the costs of the further investigations and any consultants fees to progress the project.

400. Westbury Road

The report presents the options for development of the Westbury Road site which was presented to the Asset & Enterprise Committee on the 18 November 2014.

The Committee resolved "That further investigations should be undertaken to determine the viability of this site for development and that the preferred option are presented to the next Asset & Enterprise Committee with recommendations as to how it should be progressed.

A further option, Option 3, has been developed to provide two blocks. Block A comprises 2 x 3 bedroom units and Block B comprises 3 x 1 bedroom units 6 x 2 bedroom units. Retail units are to be provided on the ground floor providing 3,000sf of accommodation. 54 car parking spaces are included in the scheme, 32 of which could be public.

A motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to receive the recommendations subject to an amendment to 2.1 and removal of 2.2 by the mover.

A Ward Member expressed the concerns of local residents on the proposed development of the site.

Voting took place by a show of hands and in accordance with Rule 9.2 of the Council Procedure Rules, the Chair exercised his casting vote and the motion was **CARRIED**.

2.1 To appoint an architect and other consultants to progress the design of the Option 3 scheme up to a cost of £50,000.

401. Asset Action Plan Update

The Asset Management Strategy 2014/15 was approved by the Asset & Enterprise Committee on the 15 July 2014 - the report set out the aims and objectives for the forthcoming year for the Councils property asset portfolio. Action Plan Update (Appendix A) sets out the progress achieved on the more significant work flows.

The Strategy highlighted the entrepreneurial approach to the Councils management of its assets and this objective is being adopted as opportunities arise.

A motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to receive the recommendation set out in the report.

RESOLVED UNANIMOUSLY to:

2.1 That this report be noted.

402. Asset Acquisition, General Disposal and Disposals at less than Best Consideration Policies

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sapwell to defer this item to a future meeting, to due the current revision of the Constitution

RESOLVED UNANIMOUSLY.

403. Property Acquisition Fund Policy & Procedure

A motion was MOVED by Cllr Quirk and SECONDED by Cllr Sapwell to defer this item to a future meeting, to due the current revision of the Constitution.

RESOLVED UNANIMOUSLY.

404. Vaughan William Way/Tower Hill

A report was submitted to the Environment Committee on the 16 September 2014 by the Head of Street Scene which related to an alley way at Tower Hill and a verge along Vaughan Williams Way. The former is a private alley way and the latter is an area of soft landscaping which was transferred to the Council with a commuted sum by the original developers.

1.2 The Environment Committee resolved to:-

- Invite members to consider taking on the maintenance at Vaughan Williams Way and the alley way at Tower Hill, with both being the subject of budget bids for 2015/16 onwards.
- Agree that all future requests to adopt, or purchase, private land are referred to the Assets & Enterprise Committee for discussion.

1.3 The Chair also requested that an investigation be undertaken by the Asset and Enterprise Committee on the pockets of land within the Borough that have no acknowledged ownership.

1.4 It is recommended that the Environment Committee is advised that any proposal or request to consider the acquisition of land not in the Councils should be consistent with the Asset Acquisition Policy. Also, that unless the land provides either a revenue stream or is regarded as a strategic acquisition the purchase/adoption of the subject land is unlikely to be supported.

A motion was **MOVED** by Cllr Quirk and **SECONDED** by Cllr Sapwell to received the recommendations as set out in the reports subject to an alteration by the mover after a full decision.

RESOLVED UNANIMOUSLY to:

- 2.1 That the Environment Committee is advised that any requests for the Asset & Enterprise Committee to consider acquisition or adoption of land should follow the process as set out in the Asset Acquisition Policy.**
- 2.2 Any costs relating to the maintenance or the protection of the verge at Vaughan William Way should be consider as met by a budget bid or Essex County Council are approach with the potential of funding from C.I.F (Community Initiative Fund) .**

405. Urgent Business

There were no items of Urgent Business.

406. Local Government Act 1972 - Exclusion of Press and Public

Not applicable.

18 February 2015

Asset and Enterprise Committee

Hutton Community Centre - New Lease

Report of: *Adrian J Tidbury Estates and Valuation Surveyor*

Wards Affected: *Hutton North*

This report is: *Public*

1. Executive Summary

- 1.1 This report considers the response to the expressions of interest received from organisations interested in taking a medium term lease on the Hutton Community Centre.

2. Recommendation(s)

- 2.1 That officers enter into negotiations with those bidders selected by the Committee to seek best value for the Council.**
- 2.2 To report the findings of those negotiations to the next Committee.**

3. Introduction and Background

- 3.1 Members will recall the decision of 5 June 2103 Community Services Committee where members considered a phased approach to the reopening of the Centre. Those phases were:
- Phase 1 - Building repaired/rebuilt (if a cheaper and better option) open and being run by the Council
 - Phase 2 - Development of a community based organisation to run the Centre
 - Phase 3 - Lease of the Centre to an independent organisation

- 3.2 Criteria set out before Members consisted of the following:
- That the primary usage will be a balance between community and sports use
 - That there should also be a balance between fee paying and drop-in use (to be looked at as part of the process of developing the business case)
 - A café will be provided and space will be made available to provide a limited bar facility but the views of the public will be sought on this
 - The Centre needs to be sustainable in each phase
 - Facilities Management arrangements will need to be put in place.
 - That the Council will look after the structure and exterior of the building whilst it is running the Centre.
- 3.3 The 6 November 2013 Performance and Resources Board agreed to accept the tender for the renovation works to the Centre. The Committee requested a detailed budget, to include a summary narrative for approval by the Community Services Committee.
- 3.4 The 26 February 2014 Community Services Committee considered the report concerning the detailed budget and business plan from the Community Group working with the Council. Members reaffirmed that the Community Centre was a community based facility which the Council in partnership with the local community would manage for the first year as part of the phased approach to the community running the Centre independent of the Council. In addition, reassurance was given that Council Members would form part of the management committee supported by officers and that the Council would monitor the Centre's finances closely.
- 3.5 The Committee on 18 November 2014 considered the current use of the Centre and set out the parameters for any future lease on the property which are repeated here for clarity.
- 3.6 In order for the Council to consider best value for the Centre the Council would need to seek bids for the site and for the Council to therefore maximise its income on the asset.
- 3.7 For any lease on the property the Council will need to consider the basis upon which a new lease will be entered into. Any lease greater than 7 years will need to be on a best consideration basis to satisfy section 123 of the Local Government Act 1972 (s123(2)) "Except with the consent of the Secretary of State, a council shall not dispose of land under this section, otherwise than by way of a short tenancy, for a consideration less than the best that can be reasonably obtained". A short tenancy is defined in section 123(7) of that Act if it consists "... (a) of the grant of a term not exceeding seven years, or (b) of the assignment of a term which at the date of the assignment has not more than seven years to run..." .

- 3.8 In order to gain best value the Council would need place the property on the market and seek bids from prospective organisations and provide a lease with the person or organisation that provides both the best rental income.
- 3.9 To ensure compliance with the best value requirement any lease on the property should be subject to yearly rent reviews increased utilising the Retail Price Index at the relevant time.
- 3.10 In order to provide a lease of less than best consideration the Council would need to follow the advice given in Circular 06/03 Local Government Act 1972 General Disposal Consent (England) 2003 - disposal of land for less than the best consideration that can be reasonably received. In such cases a valuation of the property by a chartered surveyor will need to be obtained taking into account the requirements of the RICS Appraisal and Valuation Standards (Fifth Edition). Leases in this respect would be seven years or less than 7 years duration.

4. Issue, Options and Analysis of Options

- 4.1 In line with the Committee's instructions, the Council placed a public notice in the Brentwood Weekly News and also wrote to all existing users of the Hutton Community Centre as well as those organisations known to have an interest in the Centre.
- 4.2 The Public Notice was placed in the press during the week beginning 26 January 2015 and direct emails to all users of the centre were sent out on 29 January 2015 as well as known interested parties.
- 4.3 Expressions of interest have been received which are detailed in the Appendices to this report, listed in order of receipt and summarised.
- 4.4 **The Essex Boys and Girls Clubs** is a registered charity and their proposal is a significant departure from the Council's original objective for the Centre as the Club envisage a three year lease at a peppercorn rent and that during the term there be an option to purchase the freehold of the premises for a nominal consideration (£100) upon condition that the proposed development is carried out and completed.
- 4.5 The proposed redevelopment would consist of retaining the existing halls and redeveloping the remaining buildings to provide a dedicated boxing club for under 25's of between 3000 and 4000 square feet of offices, storage and changing rooms, ancillary facilities for the existing halls for a youth club, community club meetings and gatherings, the full detail of the proposal is contained in the Appendices to this report.
- 4.6 In consideration of this proposal, Members will need to consider the Councils wish for a disposal of the property, which has not been

considered in the past and as to how this meets the objects of the original charity that still remain.

- 4.7 Members will need to consider any conflicts of interest that may become apparent between the proposed uses of the premises and how well the different uses will marry together.
- 4.8 Members will be aware of the change in the use of the Centre prior to it being surrendered to the Council in January 2013 and of what avenues would be open to the Council to rectify and return the property to full community use should a similar situation occur again. Should Members agree to any proposed sale, control of the use of the Centre could not be controlled as the property would be in private ownership.
- 4.9 **Purple Puddles Childcare** is a commercial organisation who originally sent in their proposal on 5 February 2015 and revised that proposal by email on 9 February 2015.
- 4.10 Their original offer was to take a rental on the small hall and two other rooms in the premises which does not meet with the terms requested by the Council of securing a lease with a community organisation rather than a rental.
- 4.11 The revised proposal is for a higher bid for all of the premises. This proposal is assumed to still be on a rental basis as they request the retention of the existing centre manager.
- 4.12 **The Hope Community Church** is a registered charity and have declined to provide a rental figure. There was insufficient information provided and the Church would be willing to negotiate a competitive rental once more detailed accounts, usage analysis and information pertaining to any necessary repairs on the building is provided. Members will be aware that the Centre since being brought back into operation has not yet had a full year and therefore this information is not yet available, although budget and income so far received was made available.
- 4.13 Whilst being a religious organisation, they have indicated that they do not intend to try to make the Centre into a church building but rather use their resources and skills to help it become an effective community resource- thus fulfilling the intention of the previous committee decisions of the Council.
- 4.14 In addition the Church have outlined that their hope is that with investment and partnership with other local organisations the Centre can be more than just a space for hire but can become a community hub catering for the needs of the local community. They see a need in Hutton for communal resources to develop social cohesion (e.g. mother and toddler groups, cafes, clubs, etc.) and also for resources to tackle some of the social problems in the area (debt counselling, youth activities, skills

workshops, etc.) The Church intends to see the community centre to be a place where such activities and resources can find a home.

- 4.15 **Building a Better Hutton** have presented their proposal for a 7 year lease but would prefer to secure a longer lease, 25 years, in order that security of tenure can be provided to financial backers, many of which require a longer than 7 year term and who already have agreements in principle in place.
- 4.16 The Group have raised an issue regarding legislation under the Community Right to Buy. However, properties considered under this legislation would need first to be placed on the Register of Assets of Community Value. Should the property be placed on the open market, properties on this register are provided with two moratorium periods enabling time for community groups to raise funds. As the Council has neither placed the property on the register nor proposed to sell the property, this would not apply.
- 4.17 The Group have also asked if the Council would transfer the asset to the Group enabling them to attract funding to undertake further improvements to the property.
- 4.18 The Group has also considered the 'Right to Bid' scheme where they would acquire the property as a community asset on a covenanted purchase basis.
- 4.19 Members will be aware that at the outset of the rejuvenation of the property as a community centre, the Group presented to the 26 February 2014 Community Services Committee a detailed budget and business Plan. It is this business plan that is currently successfully being used to map the direction of the Centre back into community use.
- 4.20 In addition, the Group have indicated their development of the Centre in that the Group believes that it should be a place for cultural, recreational and sporting pastimes. But importantly with the concept of being a hub whereby people can drop in to socialise, individuals can find useful information and meet with their community representatives when the occasion allows. In addition, a community café would be key in both social and income generation.
- 4.21 The Group have indicated that they are made up of local individuals with a collective 200 years' of local knowledge between the Group.
- 4.22 The proposal from the Group provides significant detail of the intentions of the Group towards the Hutton area utilising the community centre and the partners they have started to work with during this first year to the reopening of the Centre.

5. Consultation

- 5.1 No formal consultation has been undertaken specifically regarding the proposed lease. Public engagement has taken place through public meetings during the early stages in the renovation of the project. It was from these public meetings that the working party working alongside the Council in leading the project was brought together.
- 5.2 The Council has placed a public notice regarding its intention to seek expressions of interest and also has written to current users of the Centre along with those groups that it was aware had an interest in the Centre. Members will therefore need to satisfy themselves that the level of circulation is sufficient for the process to be determined or whether to extend the period and seek interest in the site from elsewhere.

6. References to Corporate Plan

- 6.1 Value for Money: policies that invest in key services to create opportunity for all, provide better value for Brentwood's taxpayers and enhance the Borough's infrastructure whilst modernising and transforming Brentwood Borough Council. We will re-prioritise and focus our resources and be innovative in our approach.
- 6.2 Our Borough: Policies which promote our environment, support sustainable growth, and safeguard our high quality environment including heritage and countryside. We will provide responsive, accessible and forward thinking services for vulnerable residents, supporting people back into work and providing good quality housing making Brentwood our residents' Borough of Choice.

7. Implications

Financial Implications

Name & Title: Jo-Anne Ireland, Acting Chief Executive

Tel & Email 01277 312712 / jo-anne.ireland@brentwood.gov.uk

- 7.1 During the presentations, Members will need to take note that the financial implications will vary between the proposals. The current budgeted costs for the first year of operation at HCC are estimated at £35,000. A full financial evaluation of the proposals will form part of the report to this Committee in March.

Legal Implications

Name & Title: Christopher Potter, Monitoring Officer and Head of Support Services

Tel & Email 01277 312860 / christopher.potter@brentwood .gov.uk

- 7.2 The Council is under a fiduciary duty to its council taxpayers.
- 7.3 The Council is required to comply with section 123 of the Local Government Act 1972.
- 7.4 Because of the history of this matter officers have sought advice from the Charity Commission who advised as follows:

“The Charity Commission’s findings

Having undertaken a review of all relevant information, I would summarise the key points in this case as follows:

- the charity leased premises from Brentwood Borough Council (the Council) in 1971 for 60 years
- the charity had been unable to maintain the premises and , over time, the premises lapsed into a state of disrepair and the charity was unable to further its charitable objects effectively
- the charity took the decision to enter into a Deed of Surrender with the Council (signed on 24th January 2013 by Mr Ian Oval an behalf of the charity), which served to surrender its remaining interest in the premises back to the Council.
- the surrender of the remainder of the lease (approximately 18 years) constituted a disposal of charity property
- the disposal may have required the Commission's authorisation (by Order), as you are of the view that the charity did not comply with the provisions of section 119 (1) of the Charities Act 2011
- Mr Oval notified the Council in March 2014 that the association had been disbanded along with any charitable status and our register of charities reflects that the charity had not filed Annual returns/accounts from 2009 onwards, therefore it could be argued that the charity no longer exists
- The Commission is pleased to note that the Council is now taking action to get its premises back on a proper footing and proposes to advertise for expressions of interest from local charities, to reconstitute the premises for the local community

Next steps

- In conclusion, the Commission is content for the Council to take the lead in matters at present and proceed with its proposals as outlined above, without our further involvement.

- We would however appreciate it if you provide us with a progress update in due course, to enable us to establish if we have any regulatory or other role to play at that point”
- Therefore any final choice by the Committee should be expressed as subject to the approval of the Charity Commission if it involves a significant departure from the original charitable objects.”

7.5 Whilst the Committee’s terms of reference on page 32 of the Constitution includes the power of disposal, the Committee cannot make any decision as to disposal without being in possession of all relevant information, including financial information. Moreover, as expressions of interest were invited on a particular basis i.e. as regards a lease, it would be inappropriate for any decision to be taken at the present time on a freehold disposition whether or not “expressed as subject to the approval of the Charity Commission”.

8. Background Papers (include their location and identify whether any are exempt or protected by copyright)

All Committee papers relating to Hutton Community Centre are available on the Council’s website.

9. Appendices to this report

Appendix A Expressions of interest received (Exempt)

Appendix B Summary of the expressions of interest received (Exempt)

Report Author Contact Details:

Name: Adrian J Tidbury

Telephone: 01277 312678

E-mail: adrian.tidbury@brentwood.gov.uk

Appendix A

Appendix contains exempt information and is therefore not publicly available.

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Appendix B

Appendix contains exempt information and is therefore not publicly available.

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Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Asset and Enterprise Committee Terms of Reference

General Powers of Committees

This scheme of delegation sets out the functions of the Council to be discharged by its Committees and Sub- Committees and includes the terms of reference of statutory and non statutory bodies set up by the Council.

Each committee or sub committee will have the following general powers and duties:

- (a) To carry out the duties and powers of the Council within current legislation;
- (b) To comply with the Council's standing orders and financial regulations;
- (c) To operate within the budget allocated to the committee by the Council.
- (d) To guide the Council in setting its policy objectives and priorities including new initiatives, and where appropriate make recommendations to Council
- (e) To develop, approve and monitor the relevant policies and strategies relating to the Terms of Reference of the Committee;
- (f) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (g) To consider and approve relevant service plans;
- (h) To determine fees and charges relevant to the Committee;

Asset and Enterprise Committee

The functions within the remit of the Asset and Enterprise Committee are :

- 1) To manage any lands or property of the Council and provide strategic property advice relating to the Council's Housing Stock

The Council's Asset Management Plan

- 1) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.

- 2) The granting variation renewal review management and termination of leases licenses dedications and easements
- 3) Promoting the use of Council owned assets by the local community and other interested parties.
- 4) To manage any lands or property of the Council;
- 5) To include properties within the Council's Asset Management Portfolio including Halls etc.
- 6) To take a strategic approach to asset management, ensuring that the use of all of the Council' s Property assets achieves Value for Money and supports the achievement of the Councils corporate priorities.
- 7) To review the Corporate Asset Management Plan annually.
- 8) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
- 9) Disposal of land (including by lease) surplus to the requirements of any Panel or Committee.
- 10)Appropriation of land surplus to the requirements of a Committee.
- 11)Promote the use of Council owned assets by the local community and other interested parties where appropriate
- 12)Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.

Enterprise

- 1) To take a strategic approach to commercial activity, both existing and new, ensuring the council realizes revenue generation opportunities and supports the achievement of the Council's corporate priorities.
- 2) Promoting a culture of entrepreneurialism and building the required skills and capacity.
- 3) To consider, and approve, business cases and commercial business plans for commercial activity.