

EXECUTIVE SUB-COMMITTEE FOR PROPERTY

A meeting of the Executive Sub-Committee for Property was held on 23 January 2019.

PRESENT: Councillors C Rooney (Chair); Councillors Brunton Dobson, Carr, Rostron, Thompson, N Walker and and L Young.

PRESENT AS OBSERVERS: Councillors Goodchild and McGloin.

ALSO IN ATTENDANCE: A Metcalfe (Local Democracy Reporter).

OFFICIALS: S Bonner and A Carr.

APOLOGIES FOR ABSENCE: Councillor D Rooney

DECLARATIONS OF INTERESTS

Name of Member	Type of Interest	Item/Nature of Interest
Councillor C Rooney.	Non-Pecuniary.	Application relevant to Ward.
Councillor J Brunton Dobson.	Non-Pecuniary.	Application relevant to Ward.
Councillor M Carr.	Non-Pecuniary.	Application relevant to Ward.
Councillor J Rostron.	Non-Pecuniary.	Application relevant to Ward.
Councillor M Thompson.	Non-Pecuniary.	Application relevant to Ward.
Councillor N Walker.	Non-Pecuniary.	Application relevant to Ward.
Councillor L Young.	Non-Pecuniary.	Application relevant to Ward.

19/20 **MINUTES OF THE EXECUTIVE SUB-COMMITTEE FOR PROPERTY MEETING HELD ON 19 DECEMBER 2018**

The minutes of the Executive Sub-Committee for Property held on 19 December 2018 were submitted and approved as a true record.

19/21 **DISCOVERY SPECIAL ACADEMY – SALE OF LAND AT SANDY FLATTS LANE**

The Executive Member for Education and Skills, the Executive Member for Finance and Governance, the Executive Director of Children's Services and the Strategic Director of Finance, Governance and Support submitted a report, the purpose of which was to consider the proposal to dispose of part of the Council's freehold interest in land at Sandy Flatts Lane, and to seek approval to proceed with the sale of the property to enable the construction of a new school for pupils with special educational needs.

The school would be operated by Tees Valley Education (TVEd), following the successful application to the Government's Free School Programme, and would cater for up to 84 children, aged 4-11, with complex and significant learning, communication, physical and medical needs.

The report set out the financial, legal and strategic benefits to the Council of facilitating the establishment of the school, and the benefits to students and their families. The school would provide more local places to meet increasing demand, thereby avoiding having to commission out-of-area places with increased placement and transport costs.

The Executive Sub-Committee, at the meeting held on 13 June 2018, agreed that the site would be made available for disposal via private treaty, as the only means available of achieving the establishment of the school.

The report outlined the background to the establishment of the Discovery Special Academy and a description of the site, which comprised of a vacant parcel of grassed land, previously used as recreational open space within the former Nature's World site, situated immediately to the north. The land measured approximately 4.50 hectares and had its own access from, as

well as significant frontage to, Sandy Flatts Lane.

In terms of stakeholder engagement, officers had engaged with Friends of Nature's World, the group of volunteers that currently maintained the adjoining Nature's World gardens, and feedback had been positive. Members would be consulted further on any subsequent proposal made as part of the usual planning process.

Other potential decisions and why these had not been recommended

Re-use for operational purposes

No Council operational service requirement had been identified.

Other uses

Although the site was capable of being used for other purposes, future use for the development of a special school was preferred.

Use of the subject land for any other purpose would leave the Discovery Special Academy with no site on which to develop a permanent school building.

Do nothing

The property would remain in its present state.

Whilst the subject land would be retained for potential Council use in the future, the liability and responsibility for maintaining and holding the property would remain with the Council in the interim.

ORDERED:

1. **That the sale of land at Sandy Flatts Lane, for the sum of £727,600 (plus fees), to enable the construction of a new school for pupils with special educational needs be approved.**
2. **That delegated authority be given to the Strategic Director of Finance, Governance and Support to authorise any variation from the above price, in accordance with the Council's Asset Disposal Policy.**

REASONS

The decisions were supported for the following reasons:

1. **In order to meet the Council's requirements to generate capital receipts and bring a vacant, unused parcel of land into far more beneficial use in the future.**
2. **The disposal would facilitate the construction of the Discovery Special Academy, creating additional special school capacity to assist the Council in its statutory duty to ensure there were sufficient places to meet rising demand.**
3. **Without an appropriate site on which to locate the new school, its delivery would not be possible. TVEd was currently the only trust with the Secretary of State's approval to establish a new special school in Middlesbrough.**
4. **The proposal supports delivery of the Council's Medium Term Financial Plan.**

19/22

UPDATE OF ASSET DISPOSAL POLICY

The Strategic Director of Finance, Governance and Support and the Executive Member for Finance and Governance submitted a report, the purpose of which was to update the Asset Disposal Policy adopted in December 2016, in order to clarify the distinction between pipeline and active disposals under the policy.

The Asset Disposal Policy set the framework for the governance of the disposal of Council

assets including the appropriate delegations for decision making. Any amendments to this policy required a decision by the Executive Sub-Committee for Property.

As part of the work of External Audit on the 2017/18 accounts, which resulted in an unqualified opinion on the Value for Money statement, the Council's auditors recommended that the Council should consider amending the Asset Disposal Policy to improve the clarity around when disposals should be classified as pipeline, and when they became active.

The update made it clear that a disposal would become active at the point that the Asset Disposal Business Case was approved, and that ahead of this approval, any discussions about a potential disposal would be treated as pipeline. Those discussions would be updated on the Asset Disposal Control Sheet for completeness and transparency but were, by their nature, less advanced and would not necessarily have all of the documentation that would be expected for an active disposal.

Other potential decisions and why these had not been recommended

That Executive decide not to update the policy. This had not been recommended because it would be contrary to the External Audit recommendation, which suggested a sensible approach to improving clarity.

ORDERED that the updates to the Asset Disposal Policy, intended to clarify the distinction between pipeline and active disposals, be approved.

REASON

The decision was supported because in line with the recommendations of External Audit, it was desirable that additional guidance was added to be clear about which disposals were pipeline and which were active.

19/23

MEMBERS SMALL SCHEME ALLOCATION

The Director of Environment and Commercial Services and the Executive Member for Finance and Governance submitted a report, the purpose of which was for Members to consider the schemes set out in the report and either approve, decline or defer funding in respect of the Members Small Scheme Allocation.

Members had previously approved funding within the capital programme for the Members Small Scheme Allocation with an allocation of £56,000 in respect of 2018/19, which was inclusive of uncommitted funds from previous years.

Members were invited on 5 November 2018 to submit bids by no later than 26 November 2018. The report contained details of a total of 16 compliant bids received within the bidding timeframe, totalling £167,000.

Based on the outcome of the scoring panel and additional match funding from the services, a total of nine of the schemes submitted could be funded from the current 2018/19 allocation of £56,000. This would take up £55,000 of the £56,000 available from the current scheme, leaving a balance of £1,000 to be carried forward to the 2019/20 allocation, which would result in £61,000 being available for the next round of bidding.

Members considered the remaining schemes as to whether they should be considered at a future meeting of the Sub Committee, to decide whether each scheme shall be potentially funded from the 2019/20 allocation (£61,000), or rejected at this stage.

OPTIONS

Other potential decisions and why these had not been recommended

Members could defer all of the schemes until 2019/20 when a further £60,000 would be available, which would allow the possibility of all the schemes being funded in some form or

other.

Members could fully fund only the highest scoring schemes, however, this would result in only a limited number of schemes funded from the current £56,000 allocation.

ORDERED

1. That the following schemes be funded from the 2018/19 allocation of funding:

- **Cllr L Lewis, Play Equipment, Saltwells Play Area, Score 65, £5,000 from scheme and £5,000 from service.**
- **Cllr D McCabe, CCTV Camera, Playground Blue Bell Beck, Score 65, £5,000 from scheme.**
- **Cllr J Mohan, Play Equipment, Sandringham Road Play Park, Score 65, £5,000 from scheme and £5,000 from service.**
- **Cllr J Walker, Pedestrian Crossing, Southdean Drive, Score 61, £10,000 from scheme and £10,000 from service.**
- **Cllr A Hellaoui, Play Equipment, Ayresome Gardens / Park, Score 61, £5,000 from scheme and £4,600 from service.**
- **Cllr J Goodchild, Pedestrian Crossing, The Derby, Score 57, £10,000 from scheme and £10,000 from service.**
- **Cllr L McGloin, Play Equipment, Avenue Play Area Nunthorpe, Score 55, £5,000 from scheme and £5,000 from service.**
- **Cllr T Higgins, Play Equipment, Landsdowne Road Park, Score 55, £5,000 from scheme and £5,000 from service.**
- **Cllr D Davison / T Mawston, Speed Activated Sign, Cypress Road, Score 54, £5,000 from scheme.**

2. That five of the seven remaining applications be considered at a future meeting of the Sub Committee to decide whether each scheme should be potentially funded from the 2019/20 allocation (£61,000). These five schemes were as follows:

- **Cllr E Dryden, Refurbish Walkway, Neptune Centre £12,000, Score 54.**
- **Cllr L Young, Dropped Kerbs, Beaumont Road, £15,000, Score 48.**
- **Cllr G Purvis, Off Road Parking, Rainsford Crescent, Birkhall Road, Barrington Crescent £5000, Score 41.**
- **Cllr M Walters, Parking Bays, Norwich Road, £15,000, Score 41.**
- **Cllr R Arundale, Fencing, Acklam Road, £8,600, Score 39.**

3. That the two remaining applications, not be considered at a future meeting of the Sub Committee. These were as follows:

- **Cllr J McTigue, Resurface Footpath, Beechwood & Easterside Club, £? Score 15.**
- **Cllrs Hobson, Planters / Barriers, Opposite Captain Cook School, £15,000, Score 12.**

REASONS

The decisions were supported for the following reasons:

The schemes recommended for funding in 2018/19 had received the highest scores when evaluated by an officer panel. The schemes were evaluated against the following criteria:

- **Strength of links to the agreed Mayor's Vision and Council Priorities.**
- **Output Benefits and Social Value.**

- **Savings Payback Achieved and Value for Money.**
- **Project Risks.**

19/24 **EXCLUSION OF THE PRESS AND PUBLIC**

ORDERED that the press and public be excluded from the meeting for the following item on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

19/25 **CONFIDENTIAL - SURRENDER OF LEASEHOLD BY CAMP HILL TRUST FOR LAND AT LARCHFIELD COMMUNITY**

The Executive Director for Growth and Place and the Executive Member for Economic Development and Infrastructure submitted an exempt report, the purpose of which was to agree the settlement negotiated with the Camp Hill Trust.

ORDERED

That the recommendations of the report be approved.

REASONS

The decision was supported for the following reasons:

For reasons outlined in the report.

The decision(s) will come into force after five working days following the day the decision(s) was published unless the decision becomes subject to the call in procedures.