

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Asset Management Forum held at Council Chamber, Blackdown House, Honiton on 2 September 2019**

#### **Attendance list at end of document**

The meeting started at 9.30 am and ended at 12.29 pm

#### **11 Public speaking**

There were no public speakers.

#### **12 Minutes from the previous meeting**

The minutes from the previous meeting held on the 13 June 2019 were confirmed as a true record.

#### **13 Declarations of interest**

#### **14 Matters of urgency**

There was one matter of urgency, agreed by the Chairman to be taken at the meeting. An emergency replacement of the boiler at Sidmouth Swimming Pool was currently underway to prevent closure of the pool. £29,354 would come from the maintenance reserve to cover this cost.

The Chairman commented that the expenditure was necessary and noted that the work was underway.

#### **15 Confidential/exempt item(s)**

There was one item classified in this way and agreed to be considered in private session.

#### **16 Performance dashboard**

The performance dashboard as at end of August 2019 was presented to the Forum. The Senior Manager for Property and Estates highlighted in particular:

- Increase rent roll from let property – this had increased due to recent letting of the café at Phear Park, reviewing the rent of the Savoy Cinema, and further letting from the Business Centre;
- The drop in minor/reactive maintenance activities was due to an inflated figure in the previous report that included a backlog of work;
- Within the Other Key Projects – Service Development section of the dashboard, the 'Incorporate use of Uniform across other key services' project is showing red as progress is stalled pending review of other possible software.

The Chairman explained the continued work to build a comprehensive asset database, which still had no completion date due to a lack of resource, both in officer time and budget.

The Forum noted the performance dashboard.

## 17 **Property Matters Newsletter**

The Senior Estates Surveyor highlighted the successes and general updates in the recently published "Property Matters", including, to name a few:

- Rent review reports
- Manstone workshop unit let to the Countryside Team
- Swift moving of unauthorised camping on Allhallows Playing Fields in July.

The Forum noted the newsletter.

## 18 **Community Asset Transfer Policy**

The Forum debated the development of a Community Asset Devolution Policy that first reviews the purpose, use and cost of all assets owned by the Council. This review would equip the Council with the information required to:

- Identify those assets required by the Council to discharge its statutory functions;
- Those assets best owned and managed by the Council to deliver the aims of the Council Plan;
- Those assets that may deliver greatest community benefit through ownership and management by the communities in which they lie.

The Forum then considered the draft procedure for requests for asset transfer.

The Chairman explained the dual approach to developing the policy alongside the procedure, in order to clarify to consultees both the Council's direction of travel but also what the process would look like.

The procedure set out clear objectives, the decision making approach, and expected timeframe. The policy would go out to own and parish councils as consultees, with the feedback taken into account before putting the policy before Cabinet and Council for approval.

The intention was to give as much flexibility as possible to the local community on how the asset can be managed, including if they can generate an income from it. The Council would need to protect the public uses but at same time ensure that others were given the freedom to make those assets work for them. It was envisaged that assets might often be grouped within a locality.

The pilot with Beer Parish Council had helped shape the procedure, using this as a test bed, with a view to applying the approach to other communities.

It was noted that Newton Poppleford Parish Council were also examining how the toilet block and car park could be better managed under their control.

Discussion from the Forum included:

- How prepared, and what resource, town and parish councils had to prepare their submission for an asset transfer, including a clear business case;
- Availability of complete data on assets was key, and there was still outstanding work on pulling together data sets on the assets;
- Basic information on assets was known, but less so on future cost liabilities;

- Need to make clear that assets would not be considered piecemeal – that a community needed to have a holistic approach to their area and the assets contained in it;
- Some elements, such as grounds maintenance, may be contracted back to the Council;
- The policy did not provide the opportunity for local communities to “cherry pick” assets; those that provided an income to the Council would remain in Council ownership;
- Assets would be transferred in a working order, but not necessarily in a refurbished state; however the intention of the policy was not to offload poor assets;
- Producing a definitive asset list at this stage would mean that focus would fall on individual assets, rather than the purpose of the policy or a holistic approach managing assets;
- Assets would be transferred as leasehold or freehold and include consideration of long term retention of the asset. No transfer would take place unless there was confidence that the business case was robust and the local community could deliver it;
- Economies of scale were being considered and taken into account; however once an asset had been transferred, there was a limited ability for the Council to have influence over that asset, such as a standard of décor, unless included in the terms of transfer;
- It was key to have robust, clear criteria and decision making process so all parties are clear what the outcome will look like.

**RECOMMEND to Cabinet** that the Community Asset Transfer Policy approach and the Community Asset Transfer Procedure be endorsed in principle, and the consultation with town and parish councils commence.

**RESOLVED** Report back to the Forum the consultation feedback and any subsequent revision for debate.

19

### **Asset Devolution Programme Pilot: Beer Parish Council**

Councillor Susie Bond took the role of Chairman for this item.

Beer Parish Council had submitted a proposal to the Council that seeks the transfer of responsibility for land and property assets to their council. The proposal alongside being a project in its own right is also a pilot project in order to assist the Council in considering the potential to roll out an asset devolution programme across the District, subject to Cabinet approval.

The assets for transfer were highlighted on a map to show their location to the Forum. These assets were:

- Beer Head Car Park (southern strip and central areas only)
- Star Bank
- Play area above Pumping Station along with possibly the Underleys play area (HRA still to be consulted and will be subject to separate decision making)
- Jubilee Gardens PC's
- Jubilee Gardens Access ' Hardstanding view point – includes income received currently of £700 per annum from RNLI

- Jubilee Gardens
- Charlies Yard
- Beach Court Car Park

Areas to be retained by the Council include:

- Beach – due to complexities around day-to-day management and because of regularisation of agreements being needed
- Cliff – Parish Council are not prepared to accept this liability. This is a concern to EDDC, has been worked through at length and has now been accepted by Officers as part of this wider asset transfer
- Majority of Beer Head Car Park
- Bottom section of Beach Access Road
- Central Car Park

The Forum had received detail of the market values of the assets to be transferred, and the consequences of transferring was explained. The business case, prepared by Beer Parish Council, was explained in detail by Councillor Pook, including the rational and elements of the plan that would deliver savings to the District Council by year ten of £288,838.

Councillor Pook also outlined some of the future uses of the assets, subject to transfer, in delivering a number of improvements to the village that had been requested by both the local community and visitors to the area.

Considerable negotiations had taken place, including taking into account the fixed costs for the StreetScene service. The business case was now felt to be robust and now needed approval to proceed. There was still further detail to work through for the final agreement between parties, so a recommendation would go forward to delegate this work to the Deputy Chief Executive.

**RESOLVED** that a report be presented to Cabinet for approval to:

- a. Transfer assets as identified, to Beer Parish Council for nil consideration;
- b. Responsibility for agreeing detailed terms and conditions for the freehold/ long leasehold transfers to be delegated to the Deputy Chief Executive.

## 20 **Commercial Investment update**

The Forum received a report giving an update on current work streams on commercial investments, in accordance with the adopted Commercial Investment Framework.

The Forum were reminded of the background to the framework, and the robust decision process within it. The Chairman also echoed the process behind the framework and the need to act swiftly in the commercial market if the opportunity arose. Any decision on spend up to £5m was made by the Deputy Chief Executive after consultation with Leader and 3 identified Portfolio Holders.

In response to questions, the framework was confirmed as looking to invest within the boundaries of the District, with more straightforward investment to begin with, before

considering if partnership investment opportunities warranted investigation. If investments within District are not forthcoming then possibly looking further afield.

**RESOLVED** that the update on commercial investments be noted.

21 **Review of Business Rate Liability**

The Forum received a report on engaging a consultant to undertake a targeted review of business rate liabilities, including appeals where savings are envisaged. The consultant fees will be met from the relevant budget for those properties where savings are achieved.

**RECOMMENDED** that Cabinet approve an exemption to contract standing orders and appoint Val Williams as consultants to act on the Council's behalf in assessing and appealing (where appropriate) Business Rate Assessments.

22 **Seaton Workshops**

The Forum received an update on the project review, which had concluded that a wider strategic review into options and proposals for the land was required.

**RESOLVED** that the update be noted, with further update to the next scheduled meeting of the Forum.

**Attendance List**

**Councillors present:**

G Pook (Chairman)

S Bond

K Blakey

**Councillors also present (for some or all the meeting)**

J Bailey

J Rowland

**Officers in attendance:**

Tim Child, Senior Manager Property and Estates

Matthew Dickins, Planning Policy Manager

Rob Harrison, Senior Estates Surveyor

Colin Whitehead, Principal Building Surveyor

Debbie Meakin, Democratic Services Officer

Andrew Champion, Development Delivery Project Manager

Richard Cohen, Deputy Chief Executive

**Councillor apologies:**

I Thomas

Chairman .....

Date: .....