

L 2 L 19/6/19

MINUTES of the MEETING of the LEASES & LEGAL SUB-COMMITTEE held at THE COUNCIL OFFICES, THE GROVE, SWANSCOMBE on TUESDAY 11 JUNE 2019 at 11.30

PRESENT: Councillor Sue Butterfill – Chairman
Councillor Ann Duke – Vice Chairman
Councillor Anita Barham (substituting for Councillor Jay Shah)
Councillor Peter Harman
Councillor Maurice Weet

ALSO PRESENT: Graham Blew – Town Clerk
Martin Harding – Assistant Town Clerk/RFO

ABSENT: There were none

51/19-20. ARRANGEMENTS AND CONSTRAINTS REGARDING FILMING OR RECORDING THE MEETING.

The Chairman explained the arrangements and constraints relating to the filming or recording of the meeting.

52/19-20. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors' John Hayes and Jay Shah.

53/19-20. SUBSTITUTES.

Councillor Anita Barham substituted for Councillor Jay Shah.

54/19-20. DECLARATIONS OF INTEREST IN ITEMS ON THE AGENDA.

Councillor Ann Duke declared a prejudicial interest in item 7 – Further Request from Walk Tall, as she is the Chief Executive of Walk Tall.

The Chairman gave the opportunity for the meeting to be adjourned at this point to accept questions from the public.

55/19-20. ITEMS AS DEEMED URGENT BY THE CHAIRMAN / MATTERS ARISING FROM PREVIOUS MINUTES.

There were none.

56/19-20. TO CONFIRM AND SIGN THE MINUTES OF THE MEETING HELD ON 21 MARCH 2019.

Recommended: The Minutes of the meeting held on 21 March 2019 were confirmed and signed.

57/19-20. EXCLUSION OF PRESS AND PUBLIC.

MOVED BY Councillor Peter Harman and seconded by Councillor Maurice Weet.

RESOLVED:

That, pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, that because of the confidential nature of the business to be transacted, the public and press leave the meeting during consideration of the following item(s).

No members of the press or public were present during discussion of the following item of business.

Having already declared a prejudicial interest Councillor Ann Duke left the chamber and took no part in the discussion or decision of the following item.

58/19-20. FURTHER REQUEST FROM WALK TALL.

Further to minutes 366/18-19 (Town Council 13 December 2018) and 492/18-19 (Town Council 14 February 2019) Members discussed at length the merits and rationale behind the proposed Heads of Terms provided following the meeting held on 15 May 2019 between Senior Officers and Walk Tall.

Members felt that it would be appropriate for Walk Tall to be invited to a meeting of the Sub-Committee for them to qualify the proposals contained in the draft Heads of Terms and to seek clarification on what their intentions are as it was felt that this would enable the Sub-Committee to then formalise a recommendation to the Town Council.

Members acknowledged the hard work undertaken by Officers in dealing with a complex and challenging situation and their efforts in trying to bring about a favourable outcome for both the community as a whole and a charitable organisation.

Recommended: That Walk Tall be invited to a meeting of the Leases & Legal Sub-Committee, to discuss the proposed Heads of Terms, to enable a recommendation to be made to the Town Council.

There being no further business, the Meeting closed at 12.30pm

Signed: _____ Date: _____
(Chairman)



366/18-19. FURTHER REQUEST FROM WALK TALL.

Walk Tall had submitted a further request to use an alternative Town Council facility and had supplied a copy of their proposed Heads of Terms.

To assist members the following information was provided:

- A. Request from Walk Tall;
- B. Walk Tall's proposed Heads of Terms;
- C. Terms of Reference of the Leases & Legal Sub-Committee.

After a lengthy discussion regarding the information provided, members raised questions over the proposed continued use, under the current terms, of one of the Town Councils facilities.

Members agreed to this request, in principle, but felt both facilities in question should be independently valued by the Town Council and that these valuations would help to determine the review of the proposed Heads of Terms supplied by Walk Tall.

The valuations would also determine the level of charge to be levied in order for the continued use of the Town Councils facility currently in use.

RESOLVED:

1. That the Town Council seek an independent valuation for both facilities referred to in the proposal, to determine appropriate values for agreement.
2. That the independent valuation of the facility currently in use be used to determine the ongoing cost required to be paid for its continued occupancy.
3. That the Town Council agree, in principle, to the proposed request, and that Senior Officers be delegated to negotiate further, using the results of the valuations, regarding the Heads of Terms.

EXTRACT OF MINUTES

TOWN COUNCIL
14 FEBRUARY 2019

491/18-19. EXCLUSION OF PRESS AND PUBLIC

MOVED BY Councillor R J Lees and seconded by Councillor K G Basson.

RESOLVED:

That, pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, that because of the confidential nature of the business to be transacted, the public and press leave the meeting during consideration of the following item(s).

No members of the press or public were present during discussion of the following items of business.

492/18-19. FURTHER REQUEST FROM WALK TALL (p).

Further to minute 366/18-19 Walk Tall had provided a response to the Town Council.

Members discussed the response received from Walk Tall, dated 7 February 2019, and also the independent valuations obtained for both facilities.

Members thanked officers for keeping them up to date on this issue and agreed that officers ensure that the resolution of the current use of the Town Councils facility did not incur a prolonged delay.

RESOLVED:

That the item be noted.

There being no further business to transact the Meeting closed at 8.00 pm.

Signed: _____ Date:- _____
(Chairman)

58/19-20. **FURTHER REQUEST FROM WALK TALL.**

Further to minutes 366/18-19 (Town Council 13 December 2018) and 492/18-19 (Town Council 14 February 2019) Members discussed at length the merits and rationale behind the proposed Heads of Terms provided following the meeting held on 15 May 2019 between Senior Officers and Walk Tall.

Members felt that it would be appropriate for Walk Tall to be invited to a meeting of the Sub-Committee for them to qualify the proposals contained in the draft Heads of Terms and to seek clarification on what their intentions are as it was felt that this would enable the Sub-Committee to then formalise a recommendation to the Town Council.

Members acknowledged the hard work undertaken by Officers in dealing with a complex and challenging situation and their efforts in trying to bring about a favourable outcome for both the community as a whole and a charitable organisation.

Recommended:

That Walk Tall be invited to a meeting of the Leases & Legal Sub-Committee, to discuss the proposed Heads of Terms, to enable a recommendation to be made to the Town Council.

There being no further business, the Meeting closed at 12.30pm

Signed: _____

(Chairman)

Date: _____

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