

**MINUTE EXTRACT FROM OVERVIEW & SCRUTINY COMMITTEE ON WEDNESDAY,
22 JULY 2009 WITH RESPONSES PROVIDED**

AUDIT COMMISSION FINAL REPORT: MANAGEMENT OF THE GREEN BELT

The following comments/ issues were then raised on the report:

- (a) Councillor Dey raised queries on the following sections of the report:
- (i) **para 9** – the involvement of councillors representing wards within the Green Belt in the review process. Roy Anklesaria advised that ward councillors were not consulted as part of the review process. The Leader of the Council and Chairman of Overview & Scrutiny Committee had been involved along with a wide range of officers.

The decision who was to be interviewed was one made by the Audit Commission. Understandably it would be wrong for the party under investigation (namely the Council) to be able to determine who should and who should not be interviewed. When one submits oneself to an independent third party for investigation one has to accede to its requests and comply with its processes.

- (ii) **para 12** – the action proposed to quantify the outstanding losses from the previous failure to charge appropriate business rates for assets on the Green Belt, particularly in relation to St Johns School.

The losses (which are the Government's and not the Council's) were set out in full in the report issued by Finance to cabinet of 15 July 2009

- (iii) **Recommendation 2** – this was strongly supported as an action for the Council.

Noted

- (iv) **paras 29-31** – whilst recognising that the issue had been addressed, concern was expressed about the delay in quantifying the losses arising from the failure to charge business rates for St Johns School.

- (iv) **Recommendation 6** – the need for a consistent approach in terms of the policy for implementing rent increases was supported as a principle, although further details were requested on how this would be applied. Roy Anklesaria advised that this approach would need to be underpinned by the recommendation to maintain a programme of ongoing valuations. It would still be possible to address individual circumstances within this approach but this would need to be in a way that only applied to the specific asset.

Property have applied a consistent policy to rent increases across the property portfolios. Compliance with this policy and its effects on occupation rates were examined by "Star Chamber" of 07 July and 01 September, as a consequence of this no decision has been made by the

Cabinet member or by Cabinet to alter rent review and lease renewal programme

- (v) **para 37** – details were sought on the progress made in locating missing documentation relating to asset management on the Green Belt.

Property have worked with Knight Frank to obtain missing documentation, sometimes it has been necessary to approach tenants to complete the files.

- (vii) **para 41** – details were sought on the progress made in addressing issues involving the relationship with the Duchy of Lancaster and specific assets including South and North Barvin Farm and Water Tower.

Negotiations have recently been concluded with the Duchy, subject to contract and Portfolio Holder approval

- (b) the following issues were raised by Councillor Giladi:
- (i) **para 18** – the perception that fewer meetings of the Green Belt Forum would be required was challenged. She reported that attendees at the last Forum had, if anything, called for more regular meetings. In addition the need to appoint a permanent Forum chairman was highlighted. Roy Anklesaria highlighted the important role of the Forum in terms of discussing issues relating to management of the Green Belt and as a consultation mechanism for any changes to the Council's Green Belt Strategy and Policy.

Noted

- (ii) **para 20** – it was felt reference also needed to be included to the arrangements for officers, as well as councillors, to be clear about their interests, roles and responsibilities in relation to the Green Belt.

Noted

- (c) **Concerns were raised by Councillor Hayward, relating to para 34** in the report, about the need for the Council to ensure Value for Money in relation to its management of the Green Belt. As an example he highlighted the short notice provided for the recent sub letting of two properties in the Green Belt.

North Lodge & Holly Hill Farm is a single let farm owned jointly by Hertfordshire County Council and LB Enfield.

An opportunity arose to negotiate a surrender of a secure and protected Agricultural tenancy, on behalf of both Landlords, and these negotiations took a considerable time. Only after the surrender terms were agreed with the Tenant and their agent for simultaneous surrender and new letting could a full marketing campaign commence.

This took place with large "To Let" boards alongside The Ridgeway and either side of the M25, advertisements in the local Newspaper and the

national farming press. Local agricultural advisors were also made aware of the opportunity.

The marketing produced a number of viewings and seven bids which were assessed in accordance with a pre-agreed evaluation process and the best overall offer was accepted.

The result produced a significant increase in rent and much improved tenancy terms for the letting of the farm.

- (d) Councillor Prescott advised that the recommendation (3) to include the review of a random sample of property disposals within the Annual Scrutiny Work Programme would be considered and requested that an update on progress against the Action Plan and response to the issues raised be provided for a future meeting.

Property are liaising with Scrutiny to agree the programme