

Strategy and Resources Scrutiny Committee8 December 2008
4.00pm – 6.05pm

Present: Councillors Bick, Blackhurst, Dryden, Ellis-Miller, Herbert, Howell, Shah, Taylor (Chair) and Ward

Also Present:

The Leader: Councillor Ian Nimmo-Smith

Executive Councillor for Customer Services and Resources: Rod Cantrill

For the Information of the Council**08/SR/75 Additional Item: Declarations of Interest**

Councillor Ward: As Member of the Conservators of the River Cam

Councillor Nimmo-Smith: As Member of the Conservators of the River Cam

Councillor Nimmo-Smith confirmed that he was not in attendance as a Member of the Committee but in his capacity as an Executive Councillor.

08/SR/76 Quayside Property Matters

The Head of Property and Building Services introduced the report. The Council were currently seeking to register land ownership at Quayside with the Land Registry and were involved with other associated ownership disputes and litigation with interested parties. As this was subject to sensitive negotiations the appendix to the report, including recommendations, background and implications, was deemed confidential.

A compromise had been provisionally agreed between all parties which addressed the land ownership issues, health and safety, public access and safe use of the River. If agreed it was hoped that this would provide the long-term formal solution that had not previously existed.

In response to questions from Members, the Head of Property and Building Services and the Head of Legal Services confirmed that full public consultation was made difficult due to the complex legal issues and that confidentiality was a key aspect of litigation.

The Executive Councillor confirmed that numerous discussions on this issue had taken place with all of the interested parties.

In response to questions from Members it was stated that the Conservators of the River Cam had not been specifically consulted but had been involved in a lot of the preliminary discussions on the topic. It was felt that their main role would be to ensure the River Cam Conservancy Act 1922 was adhered to.

08/SR/77 Exclusion of the press and public

Before considering the next item the Chair asked that members of the public be excluded from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by Categories 1, 2, 3 and 5 as defined in the Local Government (Access to Information) (Variation) Order 2006.

08/SR/78 Quayside Property Matters: Appendix A and B

The Head of Property and Building Services introduced this item to Members and highlighted the recommendations. The Head of Legal Services gave an update on the advice received from the external firm of solicitors and stated that, whilst the Council had a good chance of success through the courts, litigation was very hard to judge. A large amount of public money could be at risk by pursuing this course of action.

Members discussed in detail the financial implications for the Council of continuing with legal proceedings and concern was raised regarding the proposed compromise agreement. A number of members felt that a better financial agreement could be sought with interested parties but were advised by the Executive Councillor and Officers that negotiations had been exhausted and the next step would be to tackle the issue through the courts.

Councillor Herbert proposed and Councillor Howell seconded the following amendment:

that the proposed settlement be rejected and that Scudamores be informed that the Council would only be prepared to consider settlement on the basis of terms substantially more advantageous to the Council.

On a show of hands the amendment was lost by 4 votes to 3.

In response to a question regarding the market testing of rental potential the Head of Property and Building Services confirmed that research had been conducted in Oxford and rents were cheaper, but the two sites were not comparable in terms of position. In general it was felt that comparable data of this sort was not available.

The Committee supported the recommendations set out in the Officer's report by 4 votes to 3.

The Executive Councillor for Customer Services and Resources approved the recommendations.

It was confirmed that further discussions would take place between Officers and Members regarding the dissemination of this information into the public domain.

The Meeting closed at 6.05pm

CHAIR