

Scrutiny Review of the Disposal Of the Former St. Anne's School Site, Lewes – Action Plan		
Scrutiny Recommendation	Director's Response And Action Plan	Timescale
R1	<p>When establishing any future similar steering group to consider a community asset transfer, the Council should:</p> <p>a) ensure that all local Members in the vicinity, and not just the Member in whose division the facility lies, are invited to become involved in the discussions.</p> <p>b) encourage any future equivalent 'steering group', early in the process and as an ongoing exercise, to actively consider the extent to which it is fully representative of the community and to take necessary steps to ensure that all appropriate bodies have been invited to take part.</p>	<p>When establishing any future similar steering group to consider a community asset transfer, the Council will:</p> <p>a) contact any neighbouring Members whose ward may be affected by such a transfer.</p> <p>b) where appropriate encourage the creation of a steering group and promote community representation within that group, but will ensure the group acts independently of the Council.</p>
		Immediate

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R2	<p>In respect of future transactions of this nature, Property Management should:</p> <p>a) keep a filed record of all informal conversations between officers and bidder representatives to provide a full and accurate audit trail of advice and information provided to bidders;</p> <p>b) ensure that where discussions with one bidder could lead to a potential change in the scope, conditions or physical extent of the asset under consideration, then such advice should be made available to all other bidders;</p> <p>c) offer to give unsuccessful bidders the opportunity of feedback at the earliest opportunity.</p>	<p>In respect of future transactions of this nature, Estates will:</p> <p>a) reinforce to all officers that they continue to take notes (both formal and informal) of conversations with bidding parties are recorded and where officers are leaving the Council's employment, Estates will ensure a thorough handover of the case is undertaken.</p> <p>b) With regards to fair practice, continue to ensure that, where scope, conditions or physical extent change during the pre-purchase phases, all bidders are kept informed of any changes. However, it would be unfair to provide advice to one party following another party's own investigations.</p> <p>c) Feedback will be offered at the earliest opportunity, though will not be provided prior to exchange and/or completion of sale/lease. Should the matter become protracted, Estates will notify all unsuccessful bidders (who have requested feedback) of said delays.</p>	Immediate

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R3	<p>The County Council should ensure that in respect of future community asset transfers:</p> <p>a) Any winning bidder should be required to provide, and demonstrate a commitment to, an equal opportunities policy that is comparable with the County Council's equal opportunities policy in respect of the services or community facilities it intends to provide. If none is in place at the outset, then the organisation must demonstrate a firm commitment to working closely with the Council to develop one.</p> <p>b) The Council must be satisfied that the equal opportunities commitment of a bidder would be respected before the asset transfer can be approved.</p> <p>c) All officers involved in community asset transfers must ensure they are fully aware of the requirements of the Equality Act 2010 as they apply to the County Council and bidders, and that they seek the advice of the Policy Manager (Equalities) as appropriate as part of the process.</p>	<p>The County Council will ensure:</p> <p>a) Winning bidders have provided/confirmed a commitment to an equal opportunities policy that is compatible with the County Council's Equality of Opportunity and Diversity Policy Statement. Assessment of such a policy will form part of the pre-sale process.</p> <p>b) As above.</p> <p>c) The Council currently provides training to officers as well as employment induction modules focusing on the Equality Act 2010. We will ensure that officers dealing with asset transfers have received appropriate training on equalities issues. Advice can be sought from the Policy Manager (Equalities), where appropriate and where additional support is needed.</p>	Immediate
R4	<p>The bid assessment form in respect of future community asset transfers should contain an additional category of 'achievability' or 'feasibility'.</p>	<p>Each bid assessment form needs to be tailored to each individual community asset transfer. Feasibility is a significant aspect of each bid and would ordinarily be sub-divided in to categories around purchaser funding, business case viability and planning viability. In future, the Council will ensure feasibility is more clearly assessed.</p>	Immediate

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R5	In the context of future community asset transfers, the Council should aim to make it clear that its assessment of 'best value' is not confined to, and may, within limits, even disregard the notion of achieving maximum price.	Published Lead Member reports require specific legal wording. In order to better illustrate that Council's decisions have not focused solely on value the Council will use clearer wording in press releases to convey what factors had been considered when assessing 'best consideration'.	Immediate
R6	The Council should offer advice and support (for example by the Council's Head of Communications and Third Sector Policy Officer) to assist Subud with the development of an effective community engagement and equalities strategy.	The Council will look to set up a Community Use Advisory Group, whose members are to be confirmed, but will be attended by the Council's Head of Communications Third Sector Policy Officer. This group will assist SUBUD with community engagement.	Immediate
R7	Any non-confidential elements within a community asset transfer lease should be made public, in particular: the extent of any requirement for continued use by the general public and how the Council intends to monitor and enforce the key terms of the lease relating to community use	In future negotiations the Council will seek to reserve a provision for the sharing of any non-confidential elements of the lease to any party at their request.	Immediate
R8	Subud should be asked to provide the Council and public with information at regular intervals about the general community use of the St Anne's site.	Tying in with the formation of the Community Use Advisory Group, the Council is looking to set up the ability to obtain SUBUD's schedule of bookings for any given period via a lease provision. As the lease is currently in draft form, we cannot yet advise further the form of this provision.	Lease to be agreed on receipt of satisfactory planning permission – estimated end of 2015

LEAD MEMBER FOR RESOURCES' COMMENT

The scrutiny review was a thorough and fair process which has identified recommendations that have been welcomed by officers. As Lead Member Resources, I note the outcomes and recommendations of the scrutiny review board, and endorse the director's proposed actions against the recommendations. I thank the review board for their diligence and commitment.

Lead Member for Resources: Councillor David Elkin

5 March 2015