

COMMERCIAL AND INVESTMENT COMMITTEE: MINUTES

Date: Friday 27th April 2018

Venue: Room 128, Shire Hall, Cambridge

Time: 10.00am –12.35pm

Present: Councillors I Bates, A Hay (Vice Chairman), D Jenkins, L Jones, L Nethsingha, P Raynes, T Rogers, J Schumann (Chairman), M Shellens and T Wotherspoon

Apologies: None

103. DECLARATIONS OF INTEREST

There were no declarations of interest.

104. MINUTES AND ACTION LOG OF THE COMMERCIAL AND INVESTMENT COMMITTEE HELD 23RD MARCH 2018

The Committee resolved to approve the minutes of the Committee meeting held on 23rd March 2018.

Members noted the following updates to the Action Log:

Item 58 (4) – ESPO Trading Company – updates would be provided at the appropriate time.

Item 68 – County Farms Member Working Group meetings had been diarised.

Item 83 – second valuation – this would be progressed.

Item 95 (4) – the checklist had been completed

It was resolved to note the Action Log.

It was noted that the Disposals report had been removed from the agenda.

A Member challenged why the Shire Hall decision needed to be taken in confidential session. Officers advised that a number of matters had not been resolved, and that they were still in commercial discussions with two landowners. The Member commented that no particular contractual arrangements were being discussed, just the choice between the two options. It was concluded that to discuss those matters in public would weaken the Council's position, and impact on the commercial negotiations. In addition there were detailed financial figures in the reports presented. It was further

suggested that the decision would need to remain confidential until negotiations had been concluded i.e. until contracts had been exchanged with the landowner, because until that stage, things could change. Moreover, the two submissions presented by the landowners had been made available to the Committee in full, but no checks had been made with those landowners as to whether they were happy for that information to go in public domain – doing so may weaken their position. It was confirmed that any decision would be “subject to commercial discussions”.

Councillor Jones advised that she had submitted comments prior to the meeting, expressing concerns on the weightings, methodology, etc, used in the Shire Hall relocation report. She also expressed concerns that the methodology and approach of the reports opened up the Council to potential issues around Freedom of Information, public accountability and reputational risk.

105. EXCLUSION OF PRESS AND PUBLIC

It was resolved, by a majority, that the press and public be excluded from the meeting for the following two items on the grounds that they contained exempt information under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed information relating to any individual, and information relating to the financial or business affairs of any particular person (including the authority holding that information).

106. LOCATION OF NEW COUNCIL HEADQUARTERS

A report was presented on two proposals for the location of the Council’s new hub building.

It was resolved:

by a majority, to:

a) agree the preferred location;

unanimously, to:

b) recommend the preferred location to full Council for ratification.

107. PROGRAMME HIGHLIGHT REPORT – PROGRESS OF SALES TO THIS LAND

The Committee considered the progress of sales to This Land. Members' attention was drawn to a table showing a detailed breakdown for each site.

It was resolved unanimously to:

- a) note the content of the Programme Highlight Report;
- b) defer the sale of the Rampton Road, Cottenham site, until the outcome of the appeal was known;
- c) defer the sale of the Clear Farm, Bassingbourn site until the access issues were resolved;
- d) note the offer from Papworth Parish Council but failing a full valuation offer as assessed by Savills (£600,000) from the Parish Council, the Committee delegate to the Deputy Section 151 officer, in consultation with the Chairman/Vice Chairman of the Committee, authority to agree final terms and associated financing arrangements for the sale to This Land. If the Parish Council make the full valuation offer by 11 May 2018 will be brought back to committee for a final decision.

(the meeting moved back in to public session)

108. CAMBRIDGESHIRE 2020 GOVERNANCE

The Committee considered a report on the project governance for Cambridgeshire 2020.

Members were reminded that the cross-party Shire Hall Working group had overseen the development and consideration of the business case that was approved by the Committee in December 2017. There had been some confusion around Working Group Members' role, e.g. whether they were expected to share information with their respective Groups, and what authority or decision making powers the Group had. The report presented set out a clear decision making hierarchy for decisions related to Cambridgeshire 2020.

The Chairman asked for his thanks to be put on record to the Deputy Chief Executive for turning around this very clear and well laid out report so quickly.

A Member suggested that a lot of responsibility rested with a small group of people, and expressed concern specifically about the way in which the hub and spoke model worked in terms of civic function, suggested that a larger number of Councillors needed to be involved. Other Members supported this view, and the Chairman suggested that "Civic function" needed to be added to

“Tier 1”. The Deputy Chief Executive welcomed this, but added that the items assigned to each tier were intended to be indicative rather than exhaustive, and it was hoped that the Working Group could shape what those decisions were on an ongoing basis. An effective Member engagement and communication strategy was crucial, as this needed to be a Member driven process. At the same time, the pace of the project needed to be kept up, and the tiering of decision making was important in terms of keeping up the pace.

Another Member suggested that communications were key, and had been lacking to some extent, e.g. between the Working Group and the Committee, e.g. recording the Working Group meetings through thorough action notes would be helpful.

It was resolved to:

1. approve the governance structure as set out in paragraph 2.2.2 of the report;
2. delegate all decisions that were not deemed as ‘tier 1’ decisions as identified within paragraph 2.2.2 of the report, as amended, to the Deputy Chief Executive in consultation with the Chairman of the Committee, or Chairman of the Working Group.

109. FINANCE AND PERFORMANCE REPORT – FEBRUARY 2018

The Committee considered a report on the financial and performance information relating to the areas within the Commercial and Investment Committee’s remit, for February 2018.

It was noted that the overspend predicted had improved slightly (by £54K) from January to February.

In response to a Member question, it was noted “over recovery” represented a surplus in income terms, whilst “under recovery” meant that less income had been generated than projected.

Noting that Performance Indicators had not yet been set for the Committee, it was agreed that the Committee needed to have a session to agree these.

Action required.

It was unanimously resolved to:

1. review, note and comment upon the report in the appendix.

110. COMMITTEE AGENDA PLAN AND APPOINTMENTS TO OUTSIDE BODIES

Members considered the forward agenda plan for Commercial & Investment Committee.

Members were reminded that possible quarterly dates had been circulated for provision Commercial & Investment Committee training slots. It was agreed that dates would be identified quarterly, rolling forward, to pencil in the Training Plan and Committee Members' diaries.

A Member requested that all reports should be available for the Chairs'/Lead Members' briefing.

It was resolved to:

- (i) note the Agenda Plan, including the updates provided orally at the meeting;
- (ii) note the Training Plan.

111. EXCLUSION OF PRESS AND PUBLIC

Members debated whether to move in to private session for the following item. The Chairman advised that there were matters relating to how the business operates that needed to be discussed, so the report was commercially sensitive by default. A number of other Members disagreed, and felt that as politicians, Councillors should be encouraging companies to be open and transparent. The Deputy Chief Executive and Chief Finance Officer commented that ideally, formal resolutions would be published in advance of the This Land AGM, and the intention was to timetable that in next year.

It was noted that the Committee's decision would be taken on a block basis i.e. individual decisions of individual Committee Members would not be recorded.

It was resolved, by a majority, that the press and public be excluded from the meeting for the following item on the grounds that it contained exempt information under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and that it would not be in the public interest for this information to be disclosed information relating to any individual, and information relating to the financial or business affairs of any particular person (including the authority holding that information).

112. RESOLUTIONS FOR THIS LAND AGM

It was resolved:

- a) to consider the resolutions proposed;
- b) to agree the resolutions proposed for putting to the Annual General Meeting of This Land as set out in Appendix A to the report, as amended.