

Proposed Disposal of 18 Albert Street: Call-In of Cabinet Decision

Extraordinary OSP	8 July 2021
Report Author	Bob Porter (Director of Housing and Planning)
Portfolio Holder	Cllr Jill Bayford (Cabinet Member for Housing)
Status	For Recommendation
Classification:	Unrestricted
Key Decision	No
Reasons for Key	N/A
Previously Considered by	Cabinet - 17 June 2021
Ward:	Central Harbour Ward

Executive Summary:

Cabinet considered a report entitled Evaluation of Retention or Disposal Options for 18 Albert Street, Ramsgate, CT11 9HD at its meeting held on 17 June 2021.

The Cabinet report is attached at Annex 1.

The Cabinet agreed the recommendations that:

1. The Council owned property, 18 Albert Street is disposed of through auction.
2. The proceeds of sale are reinvested in the council's HRA capital programme.

This report provides the Overview and Scrutiny Panel with the opportunity to scrutinise this decision.

Recommendation(s):

Members of the Overview and Scrutiny Panel are invited to scrutinise the decision made by the Cabinet on 17 June 2021, and can either:

1. Agree that no further action should be taken and to confirm the Cabinet decision, or
2. Refer the report back to Cabinet for reconsideration setting out the nature of the Panel's concerns.

Corporate Implications

Financial and Value for Money

The financial implications of the original decision are set out in the attached report.

18 Albert Street is an HRA property and as such any disposal proceeds are ring-fenced for reinvestment into the HRA only. For this property to have been considered as part of the

Ramsgate Levelling Up bid the General Fund would have to acquire the site from the HRA at fair value, which has been estimated at £115,000 by an independent valuer. There is no approved budget in the General Capital Programme to facilitate this purchase. Moreover it should be noted that the Levelling Up bid was approved on the provision that there would not be a cash contribution from the authority, nor an expectation that the Council would be underwriting any financial contributions referenced by 10% match in the governments narrative that are required from the private sector.

Any alternative courses of action would need to have the financial implications considered and presented to Cabinet for their consideration.

Legal

The legal implications of the original decision are set out in the attached report. Any alternative courses of action would need to have the legal implications considered and presented to Cabinet for their consideration.

The Overview and Scrutiny Procedure Rules in the Constitution state that call-in should only be used in exceptional circumstances, for example, where members of the Overview & Scrutiny Panel have evidence which suggests that the Cabinet did not take the decision in accordance with the principles set out in Article 13 (Decision Making).

Corporate

The corporate implications of the original decision are set out in the attached report. Any alternative courses of action would need to have the corporate implications considered and presented to Cabinet for their consideration.

The dwelling at 18 Albert Street, Ramsgate is in a poor condition and delay in reaching a decision about the future of the building is likely to lead to further deterioration in its condition.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are to:

- (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,
- (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

The equalities implications of the original decision are set out in the attached report. Any alternative courses of action would need to have the equalities implications considered and presented to Cabinet for their consideration.

CORPORATE PRIORITIES

This report relates to the following corporate priorities: -

- *Communities*

1.0 Introduction and Background

- 1.1 *The background to the decision taken by Cabinet at its meeting on 17 June 2021, in relation to 18 Albert Street, Ramsgate, is set out in the original report, attached at Annex 1.*

2.0 The Current Situation

- 2.1 In the current absence of a Chair (who will be appointed at the meeting), the Vice Chair of OSP received a number of requests to call in this report, but not the necessary individual letters. The Vice Chair, therefore took a decision to call the matter in for discussion.

- 2.2 The reason for requesting the call in is:

‘to consider whether due process was followed in excluding the building from any of the bids submitted to the Government for Ramsgate improvements. It does not appear as though any consideration was given to the possibility of including this building. If that is the case members feel they ought to have an explanation as to why it was not considered. If it was considered and not regarded, members feel there should be a set of minutes or notes to explain the decision.’

3.0 Options

- 3.1 Members of the OSP can either:

1. Agreed that no further action should be taken, or
2. Agree recommendations for the Cabinet to consider.

Contact Officer: Bob Porter (Director of Housing and Planning)

Reporting to: Tim Willis (Deputy Chief Executive (S151 Officer))

Annex List

Annex 1: Original Cabinet report and annexes from the Cabinet meeting of 17 June 2021.

Background Papers

None

Corporate Consultation

Finance: Chris Blundell (Director of Finance)

Legal: Estelle Culligan (Director of Law and Democracy)