

Recommendations from the additional Corporate Performance Panel held on the 9<sup>th</sup> February 2026

CP90

**Call In - Adoption of Property Disposal Policy**

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The Panel dealt with the call-in in accordance with Standing Order 15.33.

**Submissions of Proposer and Supporters**

The Proposer of the call-in, Councillor Kemp, addressed the Panel about the call-in and why it should be upheld. She read out her statement as included in the agenda and commented the Cabinet recommendation reversed the recommendation put forward by the Regeneration and Development Panel. She highlighted to Members, part 5b, point 94 of the Constitution which outlined Senior Officers must keep Members informed of matters affecting their wards. She added Members from the Council and commented on the social value some properties hold and expressed her concern of some land being sold.

The Chair invited the supporters of the call-in to address the Panel. Councillor Devulapalli and Ryves spoke as supports of the call-in. Councillor Devulapalli expressed her concern Ward Members would not be informed and commented on the broadness of the recommendation.

Councillor Ryves highlighted his support for the call-in as the recommendation made by Cabinet undermined the decision made by the Regeneration and Development Panel. In addition, he commented it was counterproductive and questioned the benefit of the amendment.

**Response from Portfolio Holder and Officers**

The Chair invited the relevant Portfolio Holder, Councillor Ring, to address the Panel. Councillor Ring expressed his support for the call-in and commented the wording was rushed and agreed further wording needed to be considered by the Panel. He reminded Members sales of assets were required to go through Cabinet or Council in which Members had opportunity to input on decisions. He highlighted to Members the importance of Social Value to Cabinet when decisions were being made.

The Assistant Director for Property echoed Councillor Ring comments

**Submissions from Members present under Standing Order 34**

The Chair invited Members present under Standing Order 34 to address the Panel.

Councillor Parish, as the Chair of Regeneration and Development Panel commented he did not appreciate the additional wording being added following the recommendation of the Panel and explained the caveat added by the Panel. He referred to section 8, paragraph 4 which referred to social value and highlighted there

was a discrepancy. He questioned commercial sensitivity in relation to asset disposal and commented assets under £250,000 were able to be sold by the Assistant Director for Property.

The Chief of Staff and Monitoring Officer highlighted Officer Decision were also subject to the call-in process. She reminder Members had right of access but there were occasions which were commercially sensitive which not only related to price.

Councillor Bone commented on the wording added by Cabinet and suggested this was removed but wording be added to include commercial sensitivity.

Councillor Joyce highlighted the term commercially sensitive needed to be determined and commented Members held knowledge of their ward and therefore should be consulted on assets within their areas.

Councillor Beales reminded Members there was no current asset disposal policy and therefore introducing this would strengthen Members rights. He referred to the constitution, Article 2, section 2.05 to 2.06 which outlined Councillors must not give out information which was given to them in confidence to anyone not entitled to have it. He added wording needed to be added in relation to discretion being applied.

### Panel Debate

The Chair invited the Panel to debate the call-in.

Councillor Bearshaw commented the Panel and Cabinet Members were in agreement and proposed the call-in was upheld and a recommendation was formulated. Councillor Osborne seconded the proposal. The Panel agreed this unanimously.

Councillor Osborne asked the Assistant Director for Property to outline the operational process in relation to the sale of assets.

The Assistant Director for Property explained that asset disposal processes typically take at least six weeks, allowing sufficient time for consultation with ward members and parish councils. He noted that the process involves due diligence, market testing, and decision-making stages, during which confidentiality may be necessary, but consultation with relevant parties is standard practice.

The Chief of Staff and Monitoring Officer explained introducing a property disposal policy was best practice and provided assurance Officers would discuss with Ward Members at the best time during the process.

In response to Councillor Jones the Assistant Director for Property explained there would be a consultation for community land. He commented the process included testing the market and there were occasions in which confidentiality was relied on.

Councillor Bearshaw commented on the practicality of the process as the Parish Councils only met once a month. He proposed the meeting go into exempt session to assist with the debate.

Councillor Bearshaw's proposal was seconded by Councillor Spikings.

The Chief of Staff and Monitoring Officer explained discussions were able to be had in the public meeting and provided clarification on commercial sensitivity. She reminded Members, the Portfolio Holder, Councillor Ring had agreed with the call-in and suggested the Panel discussed the additional wording to be removed. She highlighted the Constitution outlined and defined commercial sensitivity clearly.

The Portfolio Holder, Councillor Ring agreed the additional wording be removed.

Councillor Bhondi proposed the following wording to be added to section 10, governance arrangements and oversight; 'During potential asset disposals portfolio holders, ward members, parish councils and other community representatives may have confidential / commercial information shared with them, it is important that the status of such documentation is respected and not shared wider.'

Councillor Jones seconded Councillor Bhondi's proposal.

Councillor Dickinson expressed her concern of potential conflicts of community groups which are not consultees and consultees such as parish councils and potential buyers of the asset as this provided advantages. She provided examples of local football clubs and other groups who could be potential buyers.

The Chief of Staff and Monitoring Officer explained that the code of conduct and register of interests would address potential conflicts, especially if parish councils or community groups are potential buyers. She explained that officers would manage such situations on a case-by-case basis, and the committee discussed the need to ensure transparency and fairness in these scenarios.

In response to Councillor Kemp's query on consultations, the Chief of Staff and Monitoring Officer by stating that assets of community value are outside the scope of the current asset disposal policy and are managed under a separate policy framework.

The committee agreed to uphold the call-in and to formulate a counter recommendation with removal of the additional wording added and revised wording to ensure early and transparent consultation while respecting confidentiality.

Councillor Bearshaw voted against the proposal.

**RESOLVED:** The Panel voted to uphold the call-in and formulated an amendment to recommendation:

Paragraph 3, section 9 to read: Potential disposals should be discussed with the portfolio holder, ward members, parish councils and any other community representatives, relevant to where the land property is located at an early stage.

Paragraph 4, section 8 to read: They provide no real social value to the Borough Community at large whilst it only provides a benefit that is disproportionate to the opportunity cost of the capital tied up in the asset.

To be added to section 10, governance arrangements and oversight: 'During potential asset disposals portfolio holders, ward members, parish councils and other community representatives may have confidential / commercial information shared with them, it is important that the status of such documentation is respected and not shared wider.'