

## **Cabinet – Meeting held on Wednesday, 2nd November, 2022.**

**Present:-** Councillors Swindlehurst (Chair), Mann (Vice-Chair), Ajaib, Akram, Bains, Hulme, Nazir and Pantelic (from 6.46pm)

**Also present:-** Councillors Ali, Gahir, Hussain, Smith and Strutton

**Apologies for Absence:-** Councillor Anderson

### **PART 1**

#### **60. Declarations of Interest**

No declarations were made.

#### **61. Montem Site Appropriation**

The Cabinet considered a further report regarding the appropriation land at the Montem Lane site.

The background was noted in that on 18th July 2022 Cabinet had resolved to recommend to full Council that officers be authorised to take all necessary steps to appropriate the Montem site (shown edged red on the plan in Appendix 5 of that report) for planning purposes to facilitate the carrying out of development, redevelopment or improvement on or in relation to that land.

On 22 September Council resolved to appropriate the Montem site to planning (shown edged red in the plan at Appendix 1) under section 226 of the Town and Country Planning Act 1990 on the grounds that the acquisition would facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, and the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the whole, or any part, of their area.

The plan of the land to be appropriated for development attached to both the Cabinet and the Council reports mistakenly referred to the land shown edged red on the plan, whereas in fact the proper extent of the land to be appropriated is the land shown edged orange on the plan attached at Appendix B of the report in the supplementary agenda II. The land shown edged red on the plan attached to the Cabinet and the Council reports was the footprint of the larger Montem site, and includes land that was not being appropriated. The Cabinet was therefore asked to retake the decision with the correct map.

Councillors Smith and Strutton addressed the Cabinet and expressed concern about the errors in the previous reports and asked about any impacts on the public rights of way. The Leader of the Council responded that this was a technical decision in relation to the appropriation of the land and did not in any

## **Cabinet - 02.11.22**

way change the plans for the site as per the planning approval. The development would enhance the public space in the area with a developer contribution of circa £500,000.

At the conclusion of the discussion the recommendations set out in Supplementary Agenda II were agreed.

### **Resolved –**

- (a) Noted that the plan of the land to be appropriated for development attached to both the Cabinet and the Council reports mistakenly referred to the land shown edged red on the plan, whereas in fact the proper extent of the land to be appropriated is the land shown edged orange on the plan attached at Appendix B of the report in the supplementary agenda II. The land shown edged red on the plan attached to the earlier reports is the footprint of the larger Montem site, and includes land that is not being appropriated.
- (b) Agreed to appropriate the Montem site to planning (shown edged orange on the plan attached at Appendix B of the report in the supplementary agenda II) under section 226 of the Town and Country Planning Act 1990 on the grounds that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land, and the proposed development, redevelopment or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the whole, or any part, of their area.
- (c) Agreed that officers be authorised to take all necessary steps to appropriate the site (shown edged orange on the plan attached at Appendix B of this report) for planning purposes to facilitate the carrying out of development, redevelopment or improvement on or in relation to that land.
- (d) Agreed to recommend to full Council to revoke its resolution of 22 September 2022.

## **62. Disposal of Council Asset - Former Akzo Nobel site**

The Leader of the Council introduced a report that sought approval for the disposal of the former Akzo Nobel site. The early disposal of this asset was a key element in the Council's Corporate Plan and the capital receipt would make a significant contribution to reducing the Council's future financial commitments, borrowing and Minimum Revenue Provision costs.

The Council had purchased the site in 2021 for £38.5m and at that time had envisaged a residential development of up to 1,000 dwellings. The Leader summarised the disposal process undertaken and stated that fourteen bids had been received with a best and final bidding process for the final two bidders resulting in an agreed sale price that would be a very beneficial

## Cabinet - 02.11.22

transaction for the Council. Details of the preferred bidder and sale price were included in the Part II appendices which contained exempt information.

Heads of Terms had been agreed and the Special Cabinet had been convened so that the sale could be completed by the end of November 2022, subject to Cabinet approval. It was noted that the bidders were mainly for industrial and commercial uses and the site would not be developed for housing.

*(Councillor Pantelic joined the meeting)*

The proposed sale had been subject to a due diligence process and reflected best consideration reasonably obtainable for the disposal of the asset in accordance with the relevant legislation.

Councillors Hussain, Smith and Strutton addressed the Cabinet and asked a number of questions. Councillor Hussain highlighted the high level of housing need in Slough and asked how this would be provided if the potential 1,000 units planned for this site did not come forward. The Leader and the Lead Member for Housing & Planning responded and highlighted there were several other major sites and developments coming forward in the central area such as the former Thames Valley University site and the Slough Central development that would have more residential provision than had previously been expected. The Council was not in a position to develop the site itself and should seek to secure the best consideration through the sale process.

Councillor Smith raised concern about the loss of affordable and Council housing planned for the site and highlighted that the report made clear the Council had no funded plan for the housing development when it acquired it in 2021. The Leader responded by explaining the background to the acquisition and highlighted that the Council's purchase gave it control over such an important and valuable site. The financial situation of the Council had fundamentally changed since the Section 114 notice was issued in July 2021 and disposal was now clearly the best option. The proposed disposal reflected an excellent deal for the Council that would have a significant beneficial impact on its financial position. In response to a question it was confirmed the Council would not be subject to any further unspecified demolition costs associated with the development as it was an unconditional bid that had been received. Councillor Strutton asked about the valuations to which the Leader provided assurance that a very recent valuation had been carried out to ensure it reflected current market conditions.

The Cabinet agreed to exclude the press and public to consider the exempt information in the appendices before reconvening in public to take the decisions.

It was noted that in view of the need to urgently move forward to complete the transaction the Chair of the Overview & Scrutiny Committee had agreed to waive the call-in procedure.

## **Cabinet - 02.11.22**

The Cabinet agreed the recommendations to dispose of the site and asked that an update be provided to the Cabinet Committee for Asset Disposals at the earliest opportunity at which it was hoped more detailed information could be made public.

### **Resolved –**

- (a) Agreed to the disposal of the former Akzo Nobel site and to delegate authority to the Executive Director of Property and Housing, in consultation with the Lead Member for Financial Oversight and Council Assets and the Executive Director of Finance and Commercial, to negotiate the terms of and enter into the contract and other legal documentation in connection with the disposal in accordance with the Heads of Terms appended at Confidential Appendix 5 and delegate authority to the Executive Director of Property and Housing, in consultation with the Lead Member for Financial Oversight and Council Assets and the Executive Director of Finance and Commercial, to agree any adjustment to the contract sum in the agreed final contract terms.
- (b) Agreed that the Cabinet Committee for Asset Disposals receive a report with a report on the progress of the disposal.

### **63. Exclusion of Press and Public**

**Resolved –** That the matters in Part II of the agenda be considered and resolved during Part I, without disclosing any of the exempt information, but that the Part II reports remain restricted as they involved the likely disclosure of exempt information relating to the financial and business affairs of any particular person (including the authority holding that information) as defined in Paragraph 3 of Part 1 the Schedule 12A the Local Government Act 1972.

The following is a summary of the matters considered during Part II of the agenda:

### **64. Disposal of Council Asset - Former Akzo Nobel site - Appendices 4-6**

The Part II Appendices (including Appendix 3 in the supplementary agenda) was considered in Part II prior to the Cabinet re-convening in Part I to make the decisions set out in Minute Item 62.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 7.28 pm)