

## MENDIP DISTRICT COUNCIL

Minutes of the meeting of the Asset Management Group held on Wednesday 24 November 2021 in the Council Chamber, Mendip District Council, Shepton 290`109, commencing at 4 pm.

**PRESENT:** Councillors Ros Wyke (Chair), Tom Killen, Liz Leyshon and Richard Pinnock

### OFFICERS PRESENT:

Helen Bowen  
Claire Dicken

Democratic Services Officer  
Democratic Services Officer

### OFFICERS PRESENT (REMOTE):

Lucille Ainsworth  
Ian Munday  
Keith Pennyfather

Senior Property Officer  
Senior Property Team Co-ordinator  
Property Team Leader

Agenda Item	Subject	Actioned by
1	<b>Chair's Announcements</b>  The Chair welcomed everyone to the meeting and introduced herself. She apologised for the late start which was caused by technical difficulties with the equipment in the Council Chamber. These unfortunately had not been resolved so the meeting could not be live streamed.  She confirmed the Members and Officers in the room and remotely.	
2	<b>Apologies for Absence</b>  Apologies for absence were received from Councillor Barry O'Leary.	
3	<b>Declarations of Interest</b>  None	
4	<b>Public Participation</b>  a) <b>Items on the agenda</b> - None b) <b>Items not on the agenda</b> - None	

<p><b>5</b></p>	<p><b>Previous Open Minutes</b></p> <p>The open Minutes of the meeting held on 27 October 2021 were reviewed.</p> <p>Councillor Leyshon noted a mistake on Agenda Item 9 on page 3 for which referenced Frome instead of Shepton Mallet. The Committee Officer confirmed that the Minutes would be amended accordingly.</p> <p>It was moved by Councillor Pinnock, seconded by Councillor Leyshon and</p> <p><b>RESOLVED:</b></p> <p>That the open Minutes for the meeting held on 27 October 2021 be approved as an accurate record, with the correction as detailed above.</p>	<p><b>Helen Bowen</b></p>
<p><b>6</b></p>	<p><b>Exclusion of the Press and Public</b></p> <p>It was moved by Councillor Pinnock, seconded by Councillor Leyshon and</p> <p><b>RESOLVED:</b></p> <p>That the press and public be excluded from the meeting for the consideration of items 7 to 12 of the agenda, on the grounds that exempt information (as defined in Schedule 12A Local Government Act 1972) relating to the financial or business affairs of any particular person (including those of the Council) would be disclosed. (Category 3).</p> <p>Councillor Dunk then left the meeting. The Chair confirmed that in future any Members who wished to attend the meeting must do so in person in the room.</p>	
<p><b>7</b></p>	<p><b>Previous Confidential Minutes</b></p> <p>The confidential Minutes of the meeting held on 27 October 2021 were reviewed.</p> <p>It was moved by Councillor Leyshon seconded by Councillor Pinnock and</p> <p><b>RESOLVED:</b></p> <p>That the confidential Minutes for the meeting held on 27 October 2021 be approved as an accurate record.</p>	<p><b>Helen Bowen</b></p>

<p><b>8</b></p>	<p><b>Land in Frome</b></p> <p>The Senior Property Officer had provided a Report which said that an approach had been made by Frome Town Council (FTC) seeking transfer of responsibility for a site in Frome in order to facilitate community uses.</p> <p>The Report continued that the Council had an obligation to seek to use its assets effectively or to dispose of them taking into account of Best Consideration.</p> <p>The Report had considered a range of alternative options in respect of the long-term future of the site. The options were evaluated within the Report.</p> <p>In the discussion that followed, Members were complimentary to the Senior Property Officer for the thoroughness of her Report. They discussed the various options for the land including potential disposal and the social and environment benefits that might be achieved at the site.</p> <p>It was proposed by Councillor Leyshon and seconded by Councillor Pinnock and resolved to approve the recommendations within the report.</p>	<p><b>Lucille Ainsworth</b></p>
<p><b>9</b></p>	<p><b>Disposal of land in Croscombe</b></p> <p>The Senior Property Team Co-ordinator had provided a Report which said that Croscombe Parish Council (CPC) had identified a site it would like to take under its direct control prior to any restrictions that may come into place as a result of the implementation of Unitary Authority.</p> <p>The Report said that the site was currently leased to CPC.</p> <p>It continued that the initial due diligence conducted by a Senior Property Lawyer concluded there were no matters which would materially impact any proposed disposal to Croscombe Parish Council.</p> <p>Councillor Ros Wyke added that the land in question had a very clear use and that the Council would want to see it retained for this used and asked the Senior Property Team Co-ordinator to let her know once the disposal had taken place.</p> <p>It was proposed by Councillor Leyshon and seconded by Councillor Pinnock to approve in line with the Officers recommendation. A vote was taken and carried unanimously.</p>	<p><b>Ian Munday</b></p>

<p><b>10</b></p>	<p><b>Disposal of Three Sites to Wells City Council</b></p> <p>The Senior Property Team Co-ordinator had provided a Report which said that Wells City Council (WCC) had identified three sites that they would like to take direct control of to be able to manage them on a more local level. This would be prior to any restrictions that may come into place as a result of the implementation of the Unitary Authority.</p> <p><b>Site 1</b></p> <p>The Senior Property Team Co-ordinator said that there were many covenants in place that covered the first site which would give WCC very little opportunity to do anything with the land. He said that the Council did have a title absolute and assumed that the present use would continue. There was a query whether the land was subject to a trust and this would need to be resolved if the council were to move forward with the disposal. WCC had confirmed that they would be happy to take on the sites.</p> <p>In the discussion which followed one Member commented that the Report did not include enough detail on the options considered but the Chair was content that, although brief, there was sufficient detail in the Report to enable a decision to be made.</p> <p>It was proposed by Councillor Richard Pinnock and seconded by Councillor Liz Leyshon and agreed unanimously to dispose of the first site.</p> <p><b>Site 2</b></p> <p>The Senior Property Team Co-ordinator advised in his Report that the second site was currently being managed by Wells City Council (WCC).</p> <p>In the discussion that followed, Councillor Killen said that the Council needed to demonstrate that all possible options had been considered. The Chair, Councillor Ros Wyke advised that this was not a disposal without value and consideration. However, she agreed that the Report did need further details about the options considered and requested these, along with a statement regarding the social and environmental contribution that the site delivered to the community. She asked that this information be provided at a subsequent meeting of the AMG.</p>	<p><b>Ian Munday</b></p>
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	<p>All agreed to defer the paper until further details were supplied.</p> <p><b>Site 3</b></p> <p>The Senior Property Team Co-ordinator advised in his Report that Mendip District Council had freehold ownership of this site and that there was a lease between the Council and a charitable Trust.</p> <p>The Trust would be given first refusal if the Council decided to dispose of the land. If the terms were not acceptable to the Trust, then the offer would be made to WCC. He added that the land had a number of covenants and restrictions on it.</p> <p>In the discussion that followed Members were concerned that the Trust may not have sufficient funds to make the purchase and requested that the Senior Property Team Co-ordinator gain more insight in respect of this and bring the paper back to a subsequent meeting of the AMG if the Trust are not in a position / or wish to acquire the Freehold.</p>	
11	<p><b>Disposal of Four Sites to Street Parish Council</b></p> <p>The Senior Property Team Co-ordinator had provided a Report which said that Street Parish Council (SPC) had identified 4 sites which it would like to take direct control of prior to any restrictions that may come into place as a result of the implementation of the Unitary Authority. However, as of November 17, SPC had confirmed the withdrawal of interest in sites 1, 2 and 3.</p> <p><b>Site 4</b></p> <p>The Report noted that there were covenants in place which meant that the area had to be kept as recreational space for use by the public. As a result of the covenants there was little opportunity for the Council to do anything with this land other than to maintain as is.</p> <p>He said that it was a piece of land that everyone understood had a community value but was heavily restricted by covenants. SPC would like to take back control to manage it for the benefit for the Street Community.</p> <p>Members recognised this and the Chair suggested that to enable a decision to be made, Members would need to see the legal report from the Locum Senior Property Solicitor. Members agreed to approve the disposal as per</p>	Ian Munday

	the Officers recommendations with the caveat that the legal report was distributed to Members for review with a 1-week call in.	
<b>12</b>	<b>Urgent Business</b>  None	

The meeting closed at approximately 6.30 pm

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