

## Appendix B – External Property Review Action Plan

Ref	Observation/Risk	Recommendation	Management response	Specific Action	Owner	Timescale & responsibility
1	<p>Section 4.2</p> <p>If the Council is going to operate a corporate Landlord model, then this delegation in the constitution needs to be reviewed, accordingly, it is recommended that the delegated authority with regard to the management of land be amended to reflect the corporate nature of the asset.</p>	<p>That the delegated authority about the management of land be amended to reflect the corporate nature of the asset</p>	<p>We have completed the internal engagement on the Corporate Property Model.</p> <p>The Management case for senior approval, will be completed March 23</p> <p>This will align with the cabinet approval of the Asset Management Plan, allowing for swift implementation, subject to cabinet approval.</p> <p>The Management Case will inform the constitutional changes that may be required</p>	<p>To work with legal on the draft Management Case to outline the constitutional changes and what decision making processes will be required.</p>	<p>Corporate property model Jonathan Kirby</p> <p>Constitutional changes Fiona Alderman</p>	<p>Sept 2023</p>
2	<p>Section 4.4 &amp; 4.6</p> <p>All decisions including those relating to property, and those made by the Leader are required to follow a protocol which is contained in section D and</p>	<p>To review the Circumstances in which the leader can exercise powers personally</p>	<p>The Asset Management Plan action plans, which will be brought to cabinet in April 2023, identifies full review of property related processes.</p>	<p>Property and legal to review Part 5 and Section D in the context of the council's leadership model</p>	<p>Property Process Review Jonathan Kirby</p>	<p>30<sup>th</sup> of June Standards</p> <p>17<sup>th</sup> of July Full Council</p>

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	part 5 of the Constitution and was last updated in 2014.		<p>This review will inform any required updates to section D and part 5 of the constitution, from a service perspective</p> <p>In parallel a joint review, between property and legal on the current parts and sections of the constitution to take place, in the context of the councils Leadership model</p>	Property to review and recommend updates that are required to the current property processes	Constitutional review Fiona Alderman	<p>October 23 Standards</p> <p>November 23 Full Council</p>
3	<p>Section 4.10</p> <p>However, in all papers, the inference is that the board is making the decision to agree a particular action when constitutionally none of the boards exist and the matter is constitutionally delegated to a chief officer.</p>	That the Council review the status of boards as to whether they should have decision making responsibilities or whether as at present that responsibility rests with named chief officers for the letting of contracts or the acquisition or disposal of land valued below £500,000	<p>A review is already underway of the councils Governance structures, as part of good practice and annual review.</p> <p>The recommendation from this audit, will inform future amends</p>	Project Management Offices to incorporate this recommendation into their current review	Jonathan Kirby	April 23
4	<p>Section 4.13</p> <p>There needs to be a balance struck between</p>	That any housing scheme with a value above £10 million or over 30 units that has achieved	Housing colleagues will make these amendments to their programme reporting	Programme lead to work with Head of Finance & Chief	Robbie Erbmman	April 23

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	<p>reporting every single small site scheme (such as Winchelsea Road) and not reporting separately on schemes worth £114m (Ashley Road depot). Similarly, there needs to be a distinction between those schemes that are only at feasibility level and may not proceed to those schemes that have achieved planning and are viable. There also needs to be a balance between the ability to exercise scrutiny and transparency by Councillors and overload.</p>	<p>planning approval should be separately detailed in the budget and the regular reports on the housing delivery programme include details on these larger schemes showing progress against an agreed programme, any reasons for delay, and spend against budget</p>	<p>and work with finance on reflecting this in the budget</p>	<p>Accountant on implementing this recommendation</p>	<p>Kaycee Ikegwu</p>	
5	<p><i>Section 4.14</i></p> <p>There is normally a reference in the body of this report to proposed new schemes and a plan showing the location of the potential development. At</p>	<p>That the housing delivery update report include an</p>	<p>The programme templates and trackers will be amended</p>	<p>Programme lead to review and implement the change in reporting</p>	<p>Robbie Erbmann</p>	<p>April 23</p>

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	<p>this stage, the scheme is very much embryonic and will not have undergone financial viability and planning tests. At either of these two stages schemes may be recommended for deletion from the programme. This, however, does not always happen and some schemes such as that relating to the West Indian Cultural centre are theoretically still in the programme despite the fact that redevelopment is unlikely to happen for housing in the near future.</p>	<p>appendix showing in a single line the status of each scheme</p>				
6	<p><i>Section 5.5.</i> the Council should review its processes, procedures, and guidance. Accordingly, the Council is recommended to take several actions to reduce the risk of any suspicious</p>	<p>That both Officers and members of the Council are reminded that any information contained in a restricted Cabinet paper should not be passed onto a third party and that any breach of that is a breach of the Employees</p>	<p>Guidance is being reviewed and officers and members will be reminded of these processes, procedures and guidance.</p>	<p>Review of the existing process, procedures and guidance, resulting in changes being implemented</p>	<p>Fiona Alderman</p>	<p>30<sup>th</sup> of June Standards 17<sup>th</sup> of July Full Council October Standards</p>

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	activities of this nature in the future	disciplinary code or the Members code of conduct.	<p>We will introduce training for members and officers relating to this area</p> <p>We will look to bring in having a Signed declaration of having read new guidance.</p>			November 23 Full Council
7	<p><i>Section 5.5.</i></p> <p>the Council should review its processes, procedures, and guidance. Accordingly, the Council is recommended to take several actions to reduce the risk of any suspicious activities of this nature in the future</p>	<p>That when the Council is considering developing sites it either owns or intends to acquire or sell that both Officers and Members be advised that the consideration of those matters is commercially in confidence to the Council and that passing on this information could again be a breach of the Employees disciplinary code or the Members code of conduct.</p>	<p>Guidance is being reviewed and officers and members will be reminded of these processes, procedures and guidance.</p> <p>This will be in alignment with the recommendation above and reflected in the to be amended property process documents, as per recommendation 2</p> <p>We will introduce training for members and officers relating to this area</p>	<p>Review of the existing process, procedures and guidance, resulting in changes being implemented</p>	<p>Fiona Alderman</p>	<p>30<sup>th</sup> of June Standards</p> <p>17<sup>th</sup> of July Full Council</p> <p>October Standards</p> <p>November 23 Full Council</p> <p>Dec 23 for updated property process</p>

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			We will look to bring in having a Signed declaration of having read new guidance.			
8	<p><i>Section 5.5</i></p> <p>the Council should review its processes, procedures, and guidance. Accordingly, the Council is recommended to take several actions to reduce the risk of any suspicious activities of this nature in the future</p>	<p>That when marketing sites in future, that disposals be on an open market disposal basis, rather than on a “special purchaser” basis, except for when there is a clear obligation to deal with as a special purchaser e.g., a leaseholder who may have a right to acquire a freehold.</p>	<p>This will be reflected in the new property processes</p>	<p>This has been implemented for any marketing of sites.</p>	Jonathan Kirby	April 23
9	<p>Section 5.14</p> <p>it is probable that there are other examples where properties are either not being used in line with the original lease, or that leases have not been reviewed or obligations are not being met</p>	<p>That the Council complete by the end of July 2023 a full review of properties leased to the voluntary sector to ensure that properties are used in line with the purpose for which the lease was granted and that both parties are meeting their tenancy obligations. Following the review action should be</p>	<p>The SAMPIP has a specific action plan for commercial portfolio review and are looking to recommend to members a Voluntary Community Services Leasing Process (VCS). This review of existing leases will form part of that</p>	<p>Review of existing leases and information held on Techforge, which will result in a report being taken through the councils property governance structure and required</p>	Jonathan Kirby	July 23

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		taken to regularise arrangements on all voluntary sector use of Council property		recommendations will be brought to cabinet as required.		
10	<i>Section 5.14</i>	That the Council issue additional guidance on the role of Council appointees to voluntary sector organisations, reminding them of their role as stewards of public funds and assets	Existing guidance will be reviewed and new guidance or amendments as required will be implemented  We will introduce training for members and officers relating to this area  We will look to bring in having a Signed declaration of having read new guidance.	Review of existing guidance to inform the changes and additional guidance that are required.	Fiona Alderman	30 <sup>th</sup> of June Standards 17 <sup>th</sup> of July Full Council October Standards November 23 Full Council
11	<i>Section 5.18</i>  The Council has had a mixed record on the four sites in question referred to above. There are, however, several lessons to be learnt.	That, when valuation briefs are drafted, they should be comprehensive and cover the whole range of potential options for the site both in respect of sales and purchases and that the Council reviews	This will be reflected in the new property processes	Review of currently commissioned valuations	Jonathan Kirby	April 23

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		the cost and timescales involved in the use of CPO powers for sites, so that members are able to take a rounded view on the cost benefit of negotiating for a site versus the use of statutory powers				
12	<p><i>Section 5.21</i></p> <p>The Council's arrangements for decision making as set out in the constitution are quite clear. Any decision by an individual member needs to be based on officer advice and the decision needs to be made in writing. However, the arrangements are less clear cut when it comes to member interaction with members of the public or firms involved in either</p>	That the Council review guidance to councillors meeting with landowners, contractors etc when not in their capacity as ward councillors.	<p>Existing guidance will be reviewed and new guidance or amendments as required will be implemented</p> <p>We will introduce training for members and officers relating to this area</p> <p>We will look to bring in having a Signed declaration of having read new guidance.</p>	Review of existing guidance to inform the changes and additional guidance that are required.	Fiona Alderman	<p>30<sup>th</sup> of June Standards</p> <p>17<sup>th</sup> of July Full Council</p> <p>October Standards</p> <p>November 23 Full Council</p>



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	contract letting, land purchase or sale.					