

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH CABINET** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Friday, 17 March 2023

### **PRESENT:**

Councillor: John Ward (Chair)

Councillors: Jan Osborne  
David Busby  
Elisabeth Malvisi  
Mary McLaren  
Clive Arthey  
Jane Gould  
Alastair McCraw

### **In attendance:**

Councillor(s): Alison Owen  
Adrian Osborne  
Guest(s): Mark Leonard - Studley Capital Ltd.

Officers: Chief Executive (AC)  
Director - Law and Governance & Monitoring Officer (IA)  
Director - Economic Growth and Climate Change (FD)  
Regeneration and Capital Projects Manager (LC)  
Assistant Manager – Governance (HH)

### **Apologies:**

None.

### **114 DECLARATION OF INTERESTS BY COUNCILLORS**

Councillor Osborne declared an Other Registrable Interest in respect of report BCa/22/52 due to being a member of Sudbury Town Council. However, the item under discussion did not directly relate to the finances or wellbeing of that interest or affect the finances or wellbeing of that interest to a greater extent than the majority of inhabitants. Therefore, Councillor Osborne was not prevented from participating in the debate and vote in respect of this item.

### **115 BCA/22/51 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 6 MARCH 2023**

**It was Resolved:-**

**That the minutes of the meeting held on the 6 March 2023 be confirmed and signed as a correct record of the meeting.**

**116 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

None received.

**117 QUESTIONS BY COUNCILLORS**

None received.

**118 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

There were no matters referred from the Overview and Scrutiny or the Joint Audit and Standards Committees.

**119 FORTHCOMING DECISIONS LIST**

There were no comments made for the Forthcoming Decisions List.

**120 BCA/22/52 REGENERATION OF BELLE VUE SITE IN SUDBURY**

122.1 The Chair, Councillor Ward read a statement received from the clerk of Sudbury Town Council to Members:

*'Thank you for the update on the sale of Belle Vue House. I have contacted as many members of the Town Council's Belle Vue Working Group as possible given the short time available and the main points that they would like you to put to the Cabinet before they consider the sale of Belle Vue House are;*

*The Town Council are concerned that;*

- Belle Vue House is in a derelict state because it was not maintained over recent years, what is the guarantee that the new owner will do better?*
- Further lack of maintenance could lead to the new owner demolishing the house.*
- Concern that an unconditional sale gives no guarantee of the outcome and no influence for the council.*
- The sale price of XXXX is far too low for this site without it being linked to agreed development terms (e.g. restoration and occupation of the house within 2 years).*

*The Town Council's recommendation – Do not sell Belle Vue House now without legally enforceable conditions on how the house will be restored and used. Reconsider the sale after the elections.'*

122.2 Councillor Osborne referred to the letter from Sudbury Town Council and

the concerns raised regarding the restoration of the house and the Director for Economic Growth and Climate Change responded that the marketing for the house did not specify any further conditions including planning. The offers received were all unconditional offers to purchase the house outright.

- 122.3 Councillor McLaren question if there had been a minimum price included in the marketing offer and the Director for Economic Growth and Climate change advised Members that it had been an informal tender and open marketing process, and that in order not to restrict the number of bids, there not been a minimum price set for the house.
- 122.4 Councillor Arthey referred to the Option 2.1 in the report and queried that if the preferred bidder withdrew, would the Council then be able to move forward with the project detailed in Options 2.1. The Regeneration and Capital Projects Officer responded that consideration could be given to alternative bids, as detailed in the recommendation 3.3 in the report.
- 122.5 In response to Councillor Owen's question relating to the evidence of previous work undertaken by the preferred bidder, it was confirmed by the Director for Economic Growth and Climate Change, that it was part of the evaluation criteria that evidence of similar types of schemes was provided and that the preferred bidder had provided this.
- 122.6 During the debate Councillor Malvisi considered the options in the report and that doing nothing, was not an option she felt the Council could take. She stated that it was preferable to sell the house to those who provided a structured and detailed plan rather than those who seemed to provide a wish list with no structure or timeline.
- 122.7 Councillor Osborne stated that it was clear that the preferred bidder had provided sufficient details of respect for this iconic building in Sudbury and that emergency repairs would be undertaken including security prior to the planning process within a set timeframe. She was also confident that the preferred bidder aligned most of the concerns raised by Sudbury Town Council. She thought the decision had to be right for both Babergh and Sudbury, as Belle Vue House was an significant historic house and was important for people in Sudbury. It was difficult decision to make, however she believed that the preferred bidder had provided evidence of deliverability of the scheme and would develop the project appropriately to the surrounding park land and put it back to economic use for all the people in Sudbury.
- 122.8 Councillor Ward concurred with Council Osborne.
- 122.9 Councillor McCraw stated that there had been a thorough questioning of the issues and he **PROPOSED** the recommendations, as detailed in the report. He felt that the evaluation process set out in paragraph 4.14 was robust and that this project was not just about the price but also about quality. The evaluation bid scoring had been undertaken using a panel of five people, consisting of two Cabinet Members, two officers and an

external consultant to evaluate the information supplied. The preferred bidder had clearly provided a high quality of work, timely processes, financial capacity and realistic timescales to delivery and complete the project.

- 122.10 Councillor Malvisi **SECONDED** the recommendations.
- 122.11 Councillor Arthey agreed with both Councillor Malvisi and Councillor McCraw and that it was not an option to do nothing. He further stated that it was not an option for the Council to keep the house. He referred to the evidence matrix and the scores themselves and he felt that there was good reason to go with the preferred bidder and he was supportive of the proposed recommendations.
- 122.12 Councillor Busby considered the options in the letter from Sudbury Town Council and that the offer of sale had gone out and that bids had been received, which were compliant with the information requested. He stated that that the Council could not go back on the offer, which in additions would also delay the development. If the sale of the house was delayed to after the local elections, then the state of the house would deteriorate further. As specified by Sudbury Town Council, the house was derelict and falling down and delays would only contribute to further deterioration of the house. He hoped that Sudbury Town Council understood that the Council was doing its best for Sudbury.
- 122.13 Councillor Ward advised that there had been a very thorough debate both in the closed and in the open session, and he hope that Councillor Owen was assured that the decision had been taken in an open and thorough way and that she would report back to Sudbury Town Council.**It was Resolved:**
- 1.1 **That the preferred recommended proposal including the financial bid outlined in confidential Appendix B attached to this report be approved.**
  - 1.2 **That delegated authority be given to the Director for Economic Growth and Climate Change, in consultation with the Cabinet Member for Economy and Cabinet Member for Assets and Investments, to progress and conclude any legal processes and agreements in respect of the recommended proposal.**
  - 1.3 **That should the preferred bidder withdraw or otherwise not proceed on the terms proposed that, prior to any binding agreement, the Director for Economic Growth and Climate Change be given delegated authority to proceed to negotiate with an alternative bidder or to agree amended terms for the disposal provided that best consideration reasonably obtainable is achieved and that the Council's wider regeneration priorities for the site and wider town are delivered.**

## **REASON FOR DECISION**

1. The site has been unused for several years and forms a gateway to the town centre so bringing it back into economic use is a key part of the regeneration plans for the Sudbury Vision.
2. If the preferred bidder drops out or otherwise does not progress on terms proposed, the Council will be able to move forward with an alternative proposal or terms provided it meets best value requirements.

## **121 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

120.1 The Chair, Councillor Ward, introduced Mark Leonard from Studley Capital Ltd, who was the agent for the project. He then suggested that the meeting began by considering the Part 2 of the agenda.

120.2 Councillor Osborne proposed that the public and press be excluded, which was seconded by Councillor McCraw.

By a unanimous vote.

**It was RESOLVED:**

**That pursuant to Part 1 of Schedule 12A of the Local Government Act 1972 the public be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information.**

## **122 BCA/22/52 - CONFIDENTIAL APPENDIX B**

The business of the meeting was concluded at 11.16 am.

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Chair