

24 September 2007	
Delegated Decision	
SALE OF THE GATEWAY SOUTH SITE (THE FORMER ST.CHAD'S SITE)	
Portfolio Holder: Cllr Mike Revell, Children's Services	
Report Author: Mike Singleton, Strategic Leader – Assets, Access and Services for Schools	
Accountable Head of Service: Stuart Freel, Head of Resources and Life Long Learning	
Accountable Director: Julien Kramer, Interim Director, Children's Services	
Purpose: To seek urgent delegated decision for the sale of the former St. Chad's site.	
Wards affected: Tilbury	Key decision: Yes
This report has been made public as an anonymised version of a report exempt under Part V, Schedule 12A of the Local Government Act 1972	

1. RECOMMENDATIONS:

- 1.1 That the Leader of the Council approve the sale of the Gateway South site (former known as the St. Chad's School site).**

2. BACKGROUND:

- 2.1 The Site is currently occupied by the Gateway Academy and will become surplus to requirements when the Academy move to the new building in Marshfoot Road which is anticipated in April 2008.
- 2.2 Cabinet agreed on 22 March 2006 that the Head of Resources (CEF), on the advice of the Head of Legal Services, be authorised to agree the arrangements to procure the new build with the Department for Education and Skills (DfES). The report in sections 3.6 and 4.45 refers to the sale of the former St. Chad's site.
- 2.3 The intention as outlined in the Cabinet report of 22 March 2006 was to gain funding towards the whole Academy package by disposing of the built footprint of the school. However, there is no Cabinet resolution about the sale.

- 2.4 The Council's Constitutions under, Part 3.8: Cabinet Members: Portfolios and scheme of Delegation, Part B – The Leader – Delegated Powers states, "Urgent decisions
- a) To make any decision on an Executive Function that would be a decision for the Cabinet or a Cabinet committee to take, where the decision is urgent and:
 - i. A Cabinet Meeting is not scheduled within 15 Days; and
 - ii. The Deputy Leader and the relevant Cabinet Member(s) has/have been consulted: and
 - iii. The relevant procedure has been followed."
- 2.5 The conditions outlined above and the relevant procedure is set out in Part 2.1 Rule 10 Key Decisions – Special Urgency, have and will be satisfied through the circulation of this report.
- 2.6 There is a need to proceed urgently with the sale as the prospective buyer is looking to withdraw from the purchase unless the exchange of contracts happens immediately. If this sale falls through there is no guarantee or indication that this price will be achieved in the future and the Council could therefore lose the receipt.
- 2.7 In order for the exchange of contracts to take place formal approval for the sale must be given. The Leader of the Council is therefore requested to approve the sale of the Gateway Academy south site using delegated powers set out in Thurrock Council's Constitution.

RELEVANT POLICIES
FINANCIAL IMPLICATIONS (Prepared by: Andrew Hardingham 01375 6552412 e-mail: ahardingham@thurrock.gov.uk)
As set out above, it is now necessary to conclude the sale of this site to enable this to happen within the time parameters agreed. The Council does not have this amount of capital receipts or other capital resources surplus to requirements to fulfil its obligations.
LEGAL IMPLICATIONS (Prepared by: Rosemary Lyon 01375 6525822 e-mail: rlyon@thurrock.gov.uk)
I consider that this is an appropriate use of the urgency powers in the Constitution as set out in the body of the report. As this is a key decision which needs to be taken urgently it should be exempted from the call-in provisions Paragraph 16.1 of Section 2.5 of the Constitution (Overview and Scrutiny Rules) states that the call in procedure shall not apply where the Executive Decision being taken is urgent.

DIVERSITY & EQUALITY IMPLICATIONS

(Prepared by: Samson De Alyn

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There are no specific diversity or equality implications in this report.

OTHER IMPLICATIONS

BACKGROUND PAPERS

None

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