

Minutes of the **EXTRAORDINARY MEETING** of the  
Swanage Town Council held at the Town Hall, Swanage on  
**FRIDAY, 30<sup>th</sup> MAY 2008** at 9.30 a.m.

PRESENT:-

Councillor M.W. Pratt (Town Mayor) - Chairman

Councillor B. Audley  
Councillor C.R. Bright  
Councillor Mrs. C. Gainsborough JP  
Councillor L. Gloyn-Cox  
Councillor M. Hadley  
Councillor Mrs. G.A. Marsh  
Councillor Mrs. A. Patrick  
Councillor S. Poultney  
Councillor G.M. Suttle  
Councillor W.S. Trite

**Public Participation Time**

No members of the public attended the Meeting.

1. **APOLOGIES**

Apologies for his inability to attend the Meeting was received from Councillor M. Whitwam .

2. **EXCLUSION OF PRESS AND PUBLIC**

Proposed by the Town Mayor, seconded by Councillor Mrs. Gainsborough, and RESOLVED:-

That, as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public be excluded from the Meeting during consideration of the following matters.

3. **AUDIT COMMISSION – LEGAL CHALLENGE**

The Clerk referred to the Advice received from Counsel. Reference to Counsel's Advice was made during consideration of this matter at the Special Meeting held to discuss Policy & Planning matters on Monday 19<sup>th</sup> May 2008. Reference was also made to the meeting held 9<sup>th</sup> May 2008 in Chambers between the District Auditor and legal representatives of the Audit Commission and the Town Council with Cllr Suttle, Town Mayor, Town Clerk and Audit Manager of the Audit Commission also in attendance.

Full consideration was given to the potential legal challenge by the Audit Commission concerning the powers that the Council could seek to rely on with regards to caravan sales and the consequences of an application for a declaration in the High Court brought by the District Auditor. Consideration was also given to observations made by the District Auditor concerning the Options Appraisal as adopted by the Town Council at its Extraordinary Meeting held 14<sup>th</sup> January 2008 (Minute No.3 refers).

Detailed consideration was then given to the valuation report commissioned by the Town Council in formulating its Options Appraisal and to the expressions of interest received following a subsequent informal tender exercise. Due regard was given to the present value in relation to alternative investment returns in respect of either freehold disposal or leasing of the Park. Members discussed these alternative options in the context of a potential legal challenge by the Audit Commission. Discussions included an option to dispose of a portion of the site for housing development. Acknowledgement was given to the circumstances prevailing regarding the stringent planning policies preventing such alternative uses.

Consideration was then given to the appointment of Charles F. Jones to undertake a supplementary Options Appraisal. Recognition was given to their capacity as specialist advisors to the Council, having provided the initial Options Appraisal valuation.

Whereupon it was proposed by the Town Mayor and seconded by Councillor Suttle:-

That the Council appoint Charles F. Jones to undertake a financial Options Appraisal within terms of reference to be determined and agreed by the Town Mayor, Cllrs Gloyn-Cox and Suttle, and the Town Clerk.

An AMENDMENT was moved by Cllr Gloyn-Cox and seconded by Councillor Bright:-

That the Terms of Reference seek to examine the options to either sell or lease out the Caravan Park.

The AMENDMENT was put to the Meeting and RESOLVED UNANIMOUSLY.

The following proposition was then put forward as a SUBSTANTIVE MOTION and RESOLVED UNANIMOUSLY:

That the Council appoint Charles F. Jones to undertake a financial Options Appraisal within terms of reference to be determined and agreed by the Town Mayor, Cllrs Gloyn-Cox and Suttle and the Town Clerk, and that the Terms of Reference seek to examine the options to either sell or lease out the Caravan Park.

It was then proposed by the Town Mayor, seconded by Councillor Bright, and RESOLVED UNANIMOUSLY:-

That the Town Clerk be instructed to communicate the Council's decision to the District Auditor.

The meeting concluded at 10.30 a.m.

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