

From: Breslin, Michael
Sent: 08 May 2015 08:22
To: Walsh, Dick
Cc: Macintyre, Robert; Blair, Gordon; Strong, Isobel; Marshall, Bruce
Subject: Castle Toward

I understand that there may be an offer either in or imminent for the estate. Can you confirm please Cllr Walsh that any offers will be put before the Bute and Cowal Area Committee as per the constitution?

Thank you

Michael Breslin
Independent Councillor, Ward 7 Dunoon

From: Walsh, Dick
Sent: 12 May 2015 12:37
To: Breslin, Michael
Subject: RE: Castle Toward [OFFICIAL]

Classification: OFFICIAL

The timing of your communication suffice it to say is indeed interesting. Not wishing to be personally drawn into another debate on process with you and not having any executive authority I took advice prior to responding to your communication. Following the supply of that advice my understanding therefore is that this is a matter which has been dealt with by the Council direct for many years. The most recent decision is that officers should pursue the marketing of the property is being actioned, and that a report from officers on the exercise of their delegation will come back to the Council in due course.

I trust this clarifies matters for you.

Regards

I replied as follows on Tuesday 12 May, as follows, having had to copy back in the other councillors I wished to share this with:

Thank you for your reply. When I copy others into correspondence with you I would appreciate you replying to them all.

The timing may indeed be interesting but I have no idea why you should make such a comment. More importantly, the advice you were given appears to me to be incorrect. There was a commitment in the new political management arrangements that there would be increased powers for area committees. On page 64 of the constitution the following words appear:

The requirement that any decision taken by an Area Committee regarding the disposal, by sale, or by lease for a period of three or more years of surplus property at less than market value is subject to the approval of the Council.

On page 68 the following words appear with reference to the powers of the Policy & Resources Committee:

To consider the acquisition and disposal of the Council's assets, in so far as not delegated to area committees.

In page 3 of the constitution, the following words appear:

four decentralised Area Committees with delegated authority to make decisions affecting local communities, to lead local community engagement, to lead Local Area Community Planning Groups involving Community Planning partners, to bring decision making closer to local people;

In page 56, the following words appear:

The Council accepts the principle that in the discharge of its statutory functions, decisions should be made at the lowest and the most local level consistent with the nature of the issues involved.

I would be grateful if you will now go back to whoever gave you the advice Cllr Walsh and query why, in the light of the above, this matter should go to the full council other than if the area committee decides to sell at less than market value?

I have copied in Mr Hendry for a reason. Douglas, can you let us know please how many council properties have been sold since the new constitution was agreed and how many of these were dealt with by the area committees or P&R or by the full council.

Thank you

Michael Breslin
Independent Councillor, Ward 7 Dunoon