

Response to Audit Commission's recommendations on the Old Gaol

Audit Commission's recommendations	Council's response
<p>R1 The Council should ensure that in so far as this contract has not yet become unconditional it does all that it can to safeguard itself against the possibility of further challenge and in particular it should:</p>	
<ul style="list-style-type: none"> • obtain a valuation of the site for the purposes of demonstrating that it has achieved the best consideration in accordance with S123 LGA1972 	<p>Property services has requested a valuation of the site for the purposes of demonstrating that it has achieved best consideration in accordance with S123 LGA1972 and this valuation will be received by 30 June 2009.</p>
<ul style="list-style-type: none"> • obtain a retrospective legal opinion on its contractual position under the existing contract at the time before it entered into negotiations on revising the terms of this contract to document its position in case of future challenge 	<p>Legal services will obtain a retrospective legal opinion on its contractual position under the existing contract at the time before it entered into negotiations on revising the terms of this contract to document its position in case of future challenge. This legal opinion will be received by 9 July 2009.</p>
<ul style="list-style-type: none"> • consider any issues that this might raise. 	<p>The council will consider any issues that the valuation and retrospective legal opinion may raise and address them in a proportionate and prompt manner.</p>
<p>R2 In any future disposals the Council should:</p>	
<ul style="list-style-type: none"> • ensure that it has clearly set out what it expects from its property advisors 	<p>Property services will provide specific instructions to its property advisors when using them for a disposal.</p>
<ul style="list-style-type: none"> • ensure that its advisors are properly appointed in accordance with financial regulations and standing orders 	<p>Property services will ensure that its property advisors are properly appointed in accordance with financial regulations and standing orders. Property services started a procurement exercise for the provision of strategic property advice in April 2009 and a recommendation on the appointment of preferred advisors will be considered by the executive on 2 October 2009</p>
<ul style="list-style-type: none"> • document and retain any valuation advice 	<p>Property services will document and retain any valuation advice.</p>
<ul style="list-style-type: none"> • consider the need for a formal site valuation before proceeding 	<p>Property services will secure best consideration in each disposal and consider the need for a formal site valuation before proceeding.</p>
<ul style="list-style-type: none"> • ensure that any significant legal 	<p>The council will ensure that significant legal</p>

considerations are reported	considerations are included in reports to decision makers.
<ul style="list-style-type: none"> • set up a review process to consider whether the terms of its legal documents fully protect the Council's interests. 	Legal services will ensure that the terms of its legal documents fully protect the council's interests, taking external legal advice where appropriate.
<ul style="list-style-type: none"> • ensure that any reports to members are as clearly written as possible. 	The council will ensure that any reports to councillors are written as clearly as possible.