

## **Policy and Resources Committee**

**Minutes of the Meeting Held on 26 September 2016**

**10:00am Edwards Room, County Hall, Norwich**

**Present:**

Mr C Jordan (Chairman)

Mr T Coke  
Mrs H Cox  
Mr A Dearnley  
Mrs J Leggett  
Mr I Mackie  
Mr I Monson  
Mr S Morpew

Mr G Nobbs  
Mr A Proctor  
Mr D Roper  
Mr B Spratt  
Mr B Stone  
Dr M Strong  
Mrs A Thomas

**Substitute Member Present:**

Mr B Bremner for Mr M Castle  
Mr J Joyce for Dr M Strong  
Mr R Parkinson-Hare for Mr M Baker

**Also Present:**

Mr B Borrett  
Mrs M Dewsbury  
Mr R Smith

Ms S Whitaker  
Mr M Wilby

**1. Apologies for Absence**

- 1.1 Apologies for absence were received from Mr M Baker, Mr M Castle and Dr M Strong.

**2 Minutes**

- 2.1 The minutes of the previous meeting held on 18 July 2016 were confirmed by the Committee and signed by the Chairman subject to it being recorded that Mr Roper had expressed his disappointment at the number of Committee Chairmen who were unable to attend the meeting.

**3 Declarations of Interest**

- 3.1 Mr S Morpew declared an "other interest" in that his wife chaired the Garage in Norwich.

Mr I Mackie declared an "other interest" in that he was a Director of the Norse

Group.

**4.1 Item of Urgent Business: Syrian Refugee Update**

4.2 The Chairman asked the Managing Director to provide the Committee with an update on the Syrian refugee issue.

4.3 The Managing Director said that the County Council and its partners were working collectively on meeting the needs of the first Syrian refugees arriving in the county from the end of January 2017 onwards. Extensive plans were in place to accept 50 vulnerable Syrian refugees in the Norwich area on a staged basis.

4.4 Mr B Bremner, speaking as the Vice-Chair of the Norwich Asylum Seekers and Refugee Crisis, said that he welcomed the part that Norfolk was playing in the national response to this emergency and looked forward to the families settling here in the New Year. He said that many local residents, faith groups and voluntary organisations had offered their help to resettle families and the extensive work that was being done would give the scheme every chance of success.

**5 Public Question Time**

5.1 There were two public questions that related to the freehold of the Sewell Barn Theatre site. The public questions (together with the answers) can be found at Appendix A to these minutes.

5.2 With the permission of the Chairman, Mr Mark Gidney on behalf of Mr Stephen Gidney (a member of the public who had put forward one of the public questions but was unable to attend today's meeting) spoke of the concerns that the Trustees of the Sewell Barn Theatre had with the proposal to declare the Sewell Barn Theatre site as "surplus to the requirements of the County Council."

5.3 In reply, the Chairman said that he was well aware of the concerns of the Trustees and added that the County Council had no intention of selling the freehold of the Sewell Barn Theatre site on the open market. (Note by Committee Clerk: see also minute 16.6).

**6 Local Member Issues**

6.1 There were two local member issues which together with the answers can be found at Appendix B to these minutes.

***Section A – Items for Discussion and Decision/Action***

**7 Finance Monitoring Period 4, July 2016**

7.1 The annexed report (7) by Executive Director of Finance was received.

7.2 The Committee received a report by the Executive Director of Finance that gave details of the forecast position for the 2016-17 Revenue and Capital Budgets, General Balances, and the forecast Reserves at 31 March 2017, together with related financial information. The report also provided a brief commentary on Resources and Finance budgets which were the responsibility of this Committee.

- 7.3 The Committee discussed the finance specific risks, for example the financial risks associated with the Norwich Northern Distributor Road, the overspends in Adults (purchase of care and hired transport) and Children's Services (the number of looked after children placements and the cost of agency placements). The Executive Director of Finance said that officers were working on such actions and as such it was expected that the overall forecast overspend would reduce as we moved further through the year. The budget figures set out in the report were based on an assumption that planned budget savings for 2016-17 and future years would be delivered. It was therefore highly important that the achievement of the current year budget plans remained a key priority for the remainder of the financial year. The forecast General Balances were currently slightly above that which could be expected of a high performing Local Authority and within 5% of the net budget.
- 7.4 The Managing Director added that some of the savings that had been identified by the Council in February 2016 were taking longer to achieve than had been anticipated. Any shortfall or anticipated non-deliverability would be reported to this Committee.
- 7.5 The Executive Director of Finance said officers would be bringing to this Committee's October meeting (for consideration alongside the proposals from other Committees) fully developed savings proposals that would contribute to the delivery of a balanced budget for 2017-18.

7.6 **RESOLVED:**

That the Policy and Resources Committee note:

1. the period 4 forecast Revenue overspend of £21.404m;
2. the £21.333m forecast use of reserves in 2016-17, including:
  - a. use of £10.655m reserves anticipated as part of the budget approved at February County Council
  - b. full use of the £10.678m business risk reserve as approved at the July meeting;
3. the forecast General Balances at 31 March 2017 of £19.252m, before taking into account any over/under spends;
4. the forecast financial information in respect of Resources and Finance budgets which are the responsibility of this Committee, as set out in Appendix 2 to the report;
5. the revised expenditure and funding of the 2016-20 capital programme as set out in Appendix 3 to the report.

8 **Delivering Financial Savings 2016-17**

- 8.1 The annexed report (8) by the Executive Director of Finance was received.
- 8.2 The Committee received a report by the Executive Director of Finance that

provided details of the forecast outturn position in respect of the delivery of the 2016-17 savings agreed by the County Council at its meeting on 22 February 2016.

8.3 With reference to paragraph 3.1.2 of the report it was noted that the savings from transport for adults were taking longer to achieve than had originally been anticipated due to lack of capacity in the locality teams. Steps were being taken to address this issue from within the staffing resources that were available to the Council. In response to a question it was pointed out that no decision had been taken as to whether to seek the support of an external consultant. Should this become necessary then the terms of reference for the external consultant would be shared with Members of the Committee.

8.4 With reference to paragraph 3.1.6 of the report it was noted that the delivery plans for achieving the savings from transport for children with special education needs were currently being worked upon and would be reported to the Committee in October 2016.

8.5 Mrs Thomas moved, duly seconded:

That as a matter of immediate concern, officers take action to ensure that service departments stay focused on remaining within their budgetary targets for 2016-17.

This was agreed by the Committee and **RESOLVED accordingly.**

8.4 The Committee also **RESOLVED** to note:

1. the forecast total shortfall of £9.464m in 2016-17, which amounts to 23% of total savings, and for which alternative savings need to be identified;
2. the budgeted value of 2016-17 savings projects rated as RED of £11.483m, of which £2.089m are now forecast to be delivered; and the forecast savings shortfall on AMBER rated projects of £0.070.

## 9 **Performance and Risk**

### 9.1.1. **Performance Management**

#### 9.1.a **a. Resources and Finance vital signs performance management report**

9.1.a.1 The annexed report (9.1.a) by the Executive Director of Finance was received.

9.1.a.2 The Committee received a report by the Executive Director of Finance that presented current performance against this Committee's performance indicators (for Resources and Finance services).

9.1.a.3 In discussing the performance data contained in the report, Members drew attention to the measures that needed to be taken to tackle short term illness and long-term sickness, the corporate actions that were being taken to support

managers in tackling sickness absence, the robustness of the appraisal system, the measures that were being taken to prevent serious breaches of the Data Protection Act and the measures taken to prevent successful legal challenges against the County Council. Members also spoke about the need for Committee reports to be sent out with the first circulation of the agenda and for this performance measure to identify which Committees were having reports marked “to follow”.

9.1.a.4 **RESOLVED:**

That the Policy and Resources Committee note the performance data, information and analysis presented in the vital sign report cards and agree that the recommended actions identified are appropriate.

9.1.b. **b. Corporately significant vital signs performance management report**

9.1.b.1 The annexed report (9.1.b) by the Head of Business Intelligence and Corporate Planning was received.

9.1.b.2 The Committee received a report by the Head of Business Intelligence and Performance Service that explained the Council’s vital signs remained under review in the light of significant ongoing changes and challenges, and that committees would continue to be involved in discussions and decisions about ensuring that the Council’s indicators and performance management arrangements addressed Norfolk’s most important issues and outcomes, and supported improved accountability.

9.1.b.3 It was suggested that the information contained in appendix 2a of the report about the delays in the transfer of care from hospital that were attributable to adult social services needed to be updated and include more details. The delay in transfer of care was seen as due more to a lack of home care in some areas of the county than it was to a lack of residential beds. This measure was being reviewed as part of the Better Care Fund monitoring and would be reported to the Committee in December 2016.

9.1.b.4 **RESOLVED:**

That the Policy and Resources Committee note the performance data, information and analysis presented in the vital sign report cards.

9.2 **Risk Management Report**

9.2.1 The annexed report (9.2) by the Executive Director of Finance was received.

9.2.2 The Committee noted the new risk proposal that had been added by the Chief Internal Auditor following the Audit report on the estate management of County Farms. The Executive Director of Finance was monitoring the progress with the audit recommendations via an officer County Farms Improvement Board. A follow up of those audits was included in the 2015-16 Annual Internal Audit Plan, with the

assistance of an external firm of auditors.

- 9.2.3 In reply to questions it was pointed out that there were significant monthly changes in the numbers of SEN children requiring out of county transport and in the distances travelled to access alternative specialist provision. The Executive Director of Finance said that in the interests of greater transparency regarding this risk, information would be made available to Members about the distances travelled, the travel times and the costs involved in providing out of county transport.

9.2.4 **RESOLVED:**

That the Policy and Resources Committee note:

1. The changes to the corporate risk register (Appendices A and B to the report ), and the progress with mitigating the risks; and
2. The scrutiny options for managing corporate risks, presented in Appendix C to the report.

10 **National Policy Context**

- 10.1 The annexed report (10) by the Executive Director of Finance and the Head of Business Intelligence and Corporate Planning was received.

- 10.2 The Committee received a report by the Executive Director of Finance and the Head of Business Intelligence and Performance Service & Corporate Planning & Partnerships Service that set out some of the national strategic issues facing public services which influenced the operating context for the Council's planning and priorities. The report also focused on the Government's commitment to move to local government being 100% self-sufficient by 2020. This reflected a fundamental change to local government finances. The report includes the Council's proposed detailed response to two consultations about the changes many of which are associated with the technical aspects of the new regime.

- 10.3 Members drew attention to the following:

- The Government consultation on self-sufficiency 100% Business Rates Retention and Fair Funding formula would be a significant change from the existing arrangements. There would continue to be a system of re-distribution across the whole of the sector. However, while councils would be able to keep subsequent growth in their business rates income it was not yet clear who would retain funding at the national level, nor between local authorities, like those in Norfolk with 2 tier local government.
- Norfolk had lost millions to damped funding allocations in previous years.
- Any future transfer of responsibilities needed to be sustainable in the longer term, un-ring-fenced and fully funded, to allow local authorities to carry out their statutory duties.
- It was suggested that the County Council's response to question 6 in the appendix to the report should suggest that the "resets" took place every 5 years.

- The County Council continued to be affected by the financial and delivery challenges facing the NHS, the movement towards all schools eventually becoming academies and forthcoming changes in funding for school services.

#### 10.4 **RESOLVED:**

That the Policy and Resources Committee make its response to the Government consultation on 100% business retention and fair funding formula on the basis of the report by the Executive Director of Finance and the Head of Business Intelligence and Corporate Planning.

### 11 **County Council response to fire in Great Yarmouth Town Centre**

11.1a The annexed report (11) by the Executive Director of Community and Environmental Services was received.

11.1a. The Committee received a report by the Executive Director of Community and  
1 Environmental Services about the County Council response to the fire in Great Yarmouth Town Centre.

11.1a. Some Members considered that while this fire was a serious incident it would be  
2 difficult for the County Council to make a financial contribution to the campaign without making a financial contribution to equally worthy causes for support following similar incidents that had occurred elsewhere in the county.

11.1a. **RESOLVED:**  
3

That the Policy and Resources Committee:

1. Recognise the economic threat posed by fires and other emergencies, and the critical role that effective prevention plays in supporting economic development.
2. Note the ongoing work by the County Council to respond to and manage the impact of the incident, working with public service colleagues on a multiagency basis.

It was further **RESOLVED** by 9 votes in favour, 1 vote against and 7 abstentions:

3. That in view of the seriousness and impact of the incident on local communities and businesses, the County Council should make a financial contribution of £5,000 to the EDP appeal.

### 12 **County Hall Car Parking**

12.1 The annexed report (12) by the Executive Director of Finance was received.

12.2 The Committee received a report by the Executive Director of Finance that included a proposal to increase significantly the provision for car parking on the County Hall site on a chargeable basis.

- 12.3 It was anticipated that the new south east car park would be ready for use by summer 2017.
- 12.4 Some concern was expressed that public use of the new car park could adversely impact on the availability of car parking spaces for staff and others on County Council related business and that the charges would be the same for all users.
- 12.5 At the request of the Committee, the Executive Director of Finance said that a survey would be undertaken in due course to ascertain the use to which the new car park was being put.
- 12.6 **RESOLVED** (with 3 abstentions):
- That the Policy and Resources Committee approve the construction of a new car park on the south east side of the County Hall building, to be used on a chargeable basis.
- 13 **Appointment of Directors in NCC related companies: shareholder consents required under Articles of Association of Norse Group Companies and Financial Regulation 5.10.6**
- 13.1 The annexed report (13) by the Executive Director of Finance was received.
- 13.2 **RESOLVED:**
- That Policy and Resources Committee note and resolve to recommend to Full Council:
1. That Full Council retrospectively approve the appointment of Directors to companies in which the County Council has an interest as set out in the report.
  2. That Martin Hopkins be appointed to directorships held by Peter Hawes prior to his retirement.
  3. That Tom McCabe be appointed to directorships previously held by Anne Gibson, including appointment as Chairperson of the Norse Group Ltd and as director of Norse Care Limited and Norse Care Services Limited.
  4. That Full Council agree the proposed changes to the articles of association of NPS Property Consultants Limited, Norse Commercial Services Limited, Norse Eastern Limited, Norse Transport, Norse Care Limited and Norse Care Services as set out in schedule 2 of the report.
  5. That Karen Knight be appointed as a Director of NPS Property Consultants Limited, Norse Commercial Services Limited, Norse Eastern Limited and Norse Transport.
- 13.3 The Committee also **RESOLVED:**
- To place on record the County Council's appreciation to Peter Hawes, the current Managing Director of Norse Commercial Services Ltd, for all his hard work in making the Norse Group of companies the success that they are today.



14        **Annual Report and Trading Update of the Norse Group 2015-16**

14.1       The annexed report (14) by the Norse Group Managing Director was received.

14.2       The Committee received a report by the Managing Director of the Norse Group Ltd that outlined the results of the Norse Group Ltd for the financial year 2015-16.

14.3       **RESOLVED:**

1. To note the on-going growth in the business and the benefits that Norse continues to bring to the Norfolk economy.
2. To place on record the County Council's appreciation to Mike Britch, Group Managing Director –Norse Group Ltd, and to all those working for the Norse Group of companies for making them the success that they are today.

15        **NORSE Consents- NPS Peterborough Ltd**

15.1       The annexed report (15) by the Executive Director of Finance was received.

15.2       The Committee received a report by the Executive Director of Finance that sought the approval of the Committee for the creation of NPS Peterborough Ltd.

15.3       **RESOLVED:**

That Policy and Resources Committee approve the creation of NPS Peterborough as a limited company.

16        **Disposal and Acquisition of Properties**

16.1       The annexed report (16) by the Executive Director of Finance was received.

16.2       The Committee received a report by the Executive Director of Finance that included proposals aimed at supporting County Council priorities by exploiting properties surplus to operational requirements, pro-actively releasing assets with latent value where the operational needs could be met from elsewhere and strategically acquiring property.

16.3       The recommendation on declaring the 10 property assets at Appendix 1 to the report as surplus to the requirements of the County council was withdrawn. Particular concern was raised in the meeting about the inclusion of Bowthorpe Hub, the Garage, the Sewell Barn Theatre and also Carrow Bridge Master's House. These properties, together with the other property assets listed at Appendix 1 to the report, would be reviewed by the new Property Committee, should the Committee agree to the principle of establishing a new Property Committee when it considers the next item on the agenda.

16.4       The Executive Director of Finance explained the circumstances when the County Council would enter into a licence for the use of a property and when it would enter into a lease and why a license would be inapplicable in the case of the proposed commercial arrangement with Beattie Passive. In reply to detailed

questions about entering into a 7 year lease with Beattie Passive, the Executive Director of Finance referred members to the explanation set out in paragraph 2.6 of the report and the commercial sensitivity of the arrangement.

- 16.5 The Executive Director of Finance said that any future schools “academisation” was unlikely to impact on the decisions that the Committee was being asked to take in respect of Heather Avenue Infant School and West Earlham Junior School, Norwich. Should there be found to be any such implications then all members of the Committee would be informed.
- 16.6 The Executive Director of Finance was asked to write to Bowthorpe Community Hub, the Garage and the Sewell Barn Theatre to point out that, as tenants of the County Council, they should have been notified before the report went into the public domain and that the County Council apologised for not doing this, and wished to re-iterate that there were no plans to dispose of these properties.

16.7 **RESOLVED:**

That Policy and Resources Committee:

1. Approve the procedures outlined in the report that for property on Scottow Enterprise Park decisions to grant licences are delegated to the Managing Director of Hethell Innovations Ltd.
2. In respect of building 139 at Scottow Enterprise Park, endorse the recommendation from the Executive Director of Finance and Head of Property to arrange for NCC to enter in to a lease with Beattie Passive for 7 years at £11,785.75 per annum (pa).
3. Agree to the granting of a new lease of 0.04 acres of Heather Avenue Infant School land to Heathers Playgroup for 20 years and waive collecting the rent in accordance with the existing policy.
4. Agree to the granting of a lease for a small parcel of land adjacent to 1 Hutchinson Road, Norwich for 10 years at £375 pa and granting a license to park two vehicles at the rear of the property on West Earlham Junior School, Norwich land for 10 years for a licence fee of £325pa.
5. That Policy and Resources Committee :
  - a. Endorse the marketing of the Essex Rooms, Norwich on a formal tender basis inviting bids from bone fide community groups to sell as a community facility and authorise the Head of Property in consultation with the Executive Director of Finance to accept the most advantageous bids, or
  - b. In the event no suitable bids are forthcoming or are deemed too low, Norfolk County Council will either seek tenants or apply for change of use and dispose on the open market and authorise the Head of Property in consultation with the Executive Director of Finance to accept the most advantageous offer.
6. Agree to the renewal of the lease for Unit 1 Whiting Road for £30,850 pa.
7. Formally declare the 23 former Highway landholdings (listed in Appendix 2 to the report) surplus to Council requirements and authorise the Head of Property to implement a programme of property disposals to maximise income for the council.

8. Endorse the Task and Finish Group's recommendation to ask the soon to be created (If ultimately approved by Full Council) Property Committee to consider the options for the creation of a property development company.

## 17 **Creation of a Property Committee**

- 17.1 The annexed report (17) by the Executive Director of Finance was received.
- 17.2 The Committee received a report by the Executive Director of Finance that recommended the creation of a Property Committee to facilitate the achievement of the Asset Management targets by increasing capacity for decision making related to specific proposals and enabling members to provide strategic steer in respect of ongoing and longer term asset strategy.
- 17.3 **RESOLVED** (with 2 abstentions):  
That the Committee:
  1. Approve the principle of establishing a Business and Property Committee
  2. Refer this matter to the Constitutional Advisory Group for detailed consideration of a new Business and Property Committee with a wider scope and role to deal with a range of business related functions of the Council, together with the required changes to the Constitution.
  3. Instruct the Executive Director of Finance to report on this and make recommendations to a future Policy & Resources Committee.

## ***Section B – Items for Report***

## 18 **Decisions Taken Under Delegated Authority**

- 18.1 The annexed report (18) by the Managing Director was received.
- 18.2 **RESOLVED:**  
That the Policy and Resources Committee note the report.

## 19 **Feedback from Members serving on Outside Bodies**

- 19.1 No verbal update reports were received.

**The meeting concluded at 1.15 pm**

**Chairman**

## **Appendix to Policy and Resources Committee minutes of 26 September 2016**

### **Public Questions:**

#### **1. Question from Mr Stephen Gidney:**

“I am a Trustee of the Sewell Barn Theatre and note with concern your Committee is proposing to treat the freehold of the Sewell Barn Theatre site as “Surplus To Requirements” for disposal. Please could NCC consider the following question?

- Premises within Sewell Park site - unsuitable for general commercial use. 1979 60 year peppercorn lease, with material obligations of NCC as landlord to fund services. Since school “academisation” no satisfactory outcome to NCC maintaining these.
- Since 1979, Theatre’s positive impact on Norfolk arts - varied and bold programmes – Shakespeare, Ayckbourne, Bennet, Beckett etc. 2015 EDP Arts award winner, 2016 nominated 'best small venue '. Registered charity, run by volunteers. “

#### **Answer:**

As a council we own or rent over a thousand property holdings across Norfolk. Many of these we own for historic reasons, rather than because we need them for our staff or for delivering our services.

We are systematically looking at our property portfolio to make sure we are running our estate in a business-like way, making best use of these assets, and ensuring we are getting best value for money. Members have put in place checks and balances to make sure we thoroughly review each property before any decisions are taken.

In the case of this property, we have no plans to sell it, but if Members do agree that is surplus to our requirements, it gives us the flexibility for the future, for example, if an existing tenant or anyone else should approach us about buying the freehold.

We should have alerted the current tenants before this report went into the public domain and we apologise for not doing this, but would re-iterate that there are no plans to dispose of this property.

#### **2. Question from Mr Adam Taylor, Executive Director, The Garage**

“I would ask that a member of the committee propose to amend the recommendation to remove from consideration list sale list? As there are numerous reasons to do this. And to review process, as it presently stands, has the potential to be very damaging.”

#### **Answer:**

As a council we own or rent over a thousand property holdings across Norfolk. Many of these we own for historic reasons, rather than because we need them for our staff or for delivering our services.

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### **Local Member Questions**

#### **1. Question from Dr Andrew Boswell:**

"A number of new companies have been established under the Norse umbrella which would appear to be working in the Energy sector - "Norse Energy" (page 195 of agenda). For each of the 5 companies, please outline their mission, operational areas, projects to date, and profits and investments made."

#### **Answer**

Norse Energy's mission is to improve energy efficiency and reduce the running costs of property across the public and private sector estate. It provides a comprehensive range of services, together with innovative energy and carbon reduction solutions for clients across the UK.

Norse Energy is a subsidiary company of the NPS Group and part of the Norse Group and has a number of subsidiary companies for the larger contracts.

Norse Energy and its subsidiary companies have delivered, biomass installations, free cooling chillers, gas fired combined heat and power, ground and air source heat pumps and photovoltaic systems.

Norse Energy operates in England, Wales and Scotland mainly in the public sector with the majority of the investments made on social housing.

There are currently 19 roof mounted PV projects, 2 biomass installations and 9 operational leases (mainly schools in Norfolk) generating approximately £2M of annual income depending on the weather.

The return on the £20M of capital investment is in excess of 6%

#### **2. Question from Mr Richard Bearman:**

Ref Item 16 - Appendix 1.

'Why is this committee declaring a number of the sites, including 14 Chapelfield North in Mancroft, surplus to requirements? These sites support valuable community services, which in the case of The Garage are delivering activities for young people in the performing arts, and have a proven track record of helping those same young people into further study or employment. This is an extremely short-sighted approach to put at risk the viability of such an organization which is assisting the Council to deliver our corporate aims.'

**Answer:**

As a council we own or rent over a thousand property holdings across Norfolk. Many of these we own for historic reasons, rather than because we need them for our staff or for delivering our services.

We are systematically looking at our property portfolio to make sure we are running our estate in a business-like way, making best use of these assets, and ensuring we are getting best value for money. Members have put in place checks and balances to make sure we thoroughly review each property before any decisions are taken.

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