

ACQUISITION OF FREEHOLD PROPERTY CLOSE TO THE CENTRE OF PETERBOROUGH
COUNCILLOR DAVID SEATON, CABINET MEMBER FOR RESOURCES
December 2017
Deadline date: N/A

Cabinet portfolio holder: Responsible Director:	Councillor David Seaton, Cabinet Member for Resources Simon Machen, Corporate Director Growth and Regeneration
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: NO – procedures have been invoked Unique Key decision Reference from Forward Plan: KEY/08JAN17/01
Is this decision eligible for call-in?	NO Suspension of call-in procedure have been invoked
Does this Public report have any annex that contains exempt information?	The exempt annexe is NOT FOR PUBLICATION by reason of paragraph 3 of S12A of Part 1 of the Local Government Act 1972. This is because the information is considered to be commercially confidential until such a point that the transaction is complete and information can be disclosed. To disclose this could risk the Council putting its agreed terms for the purchase in the public domain in breach of the terms of the agreed confidentiality clause and as a consequence the transaction at risk as other interested parties may be able to equal or overbid. The public interest test has been applied to the exempt information and it is considered that the need to retain the information as exempt at this stage outweighs the public interest in disclosing it.
Is this a project and if so has it been registered on Verto?	NO

RECOMMENDATIONS

The Cabinet Member is recommended to:

1. Approve the purchase of the freehold interest in the property as set out in the exempt annexe: and
2. Delegate authority to the Corporate Director of Growth and Regeneration to approve the terms of the purchase and proceed to contract in consultation with the Cabinet Member for Resources.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for the Cabinet Member for Resources to consider exercising delegated authority under paragraph 3.4.3 and 3.4.6 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (i) and (j).
- 1.2 The attached appendices are NOT FOR PUBLICATION in accordance with paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972 in that it contains information relating to commercially sensitive matters, namely the detail of proposed property acquisitions. The public interest test has been applied to the information contained within the exempt annex and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it as to do so would put the Council at a commercial disadvantage.
- 1.3 With the approval of the Chairman of the Growth, Environment and Resources Scrutiny Committee Urgency, Special Urgency and waiver of call-in procedures have been invoked to suspend the requirement to advertise the decision for 28 days, publish the decision for 5 days prior to publication, and to suspend the 3 day call-in period.
- 1.4 This is because the Council has entered into an agreement with the vendor to complete the transaction within a strict timetable giving its exclusivity to acquire the property "off market" with completion being on or before the date rent next becomes due which is 25 December 2017.

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
---	----	----------------------------------	-----

3. BACKGROUND AND KEY ISSUES

- 3.1 The Council has negotiated to purchase the freehold interest in a property it currently leases without the vendors openly marketing the property. There is a service need to retain the property for occupation by Peterborough City Council and its value may well increase over the period of ownership.
- 3.2 The Council has been requested to keep the details of the matter confidential as the property is being purchased within the competitive property market and the agreed heads of term includes a timescale to ensure that the deal can proceed without third party interference. If the Council chose not to do so it could result in another party coming forward and outbidding the Council prior to exchange/completion of the contracts.

4. CONSULTATION

- 4.1 Due to the confidential nature of the transaction discreet internal consultations have been made and the results of these are set out in the NOT FOR PUBLICATION appendix to this report.
- 4.2 The Leader of the Council has been consulted and supports the recommendation of this report

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1 The granting of delegated authority to the Corporate Director of Growth and Regeneration will assist in the timely acquisition of the property and long term security of providing the service from this property.

6. REASON FOR THE RECOMMENDATION

- 6.1 The reason for the recommendation is to speed up the acquisition process in order that the Council can take advantage of this opportunity to purchase a key property.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The alternative option is not to purchase the property, and this would be an option if it was decided the council did not wish to have the security of providing the service from this location for the long term future.

8. IMPLICATIONS

Financial Implications

- 8.1 Financial – The financial implications of this Cabinet Member Decision Notice are set out in the main body of the report.

Legal Implications

- 8.2 There are no legal implications with this purchase.

Equalities Implications

- 8.3 There are no equal opportunity implications arising from this acquisition.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 10.1 None.

11. APPENDICES

- 11.1 Appendix 1: Business case for the Acquisition (Exempt)

Appendix 2 – Capital Cost Ready Reckoner (Exempt)