

# Public Document Pack

## Executive Member Decisions

Friday, 29th September, 2023  
10.00 am

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### AGENDA

1. **Schedule of Delegated Property Decisions 2022-3**  
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**Schedule of Delegated Property Decisions 2022-3 -**  
**Apendix A (Restricted)**

Date Published: 29<sup>th</sup> September 2023  
Denise Park, Chief Executive

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Growth and Development Executive Member for Finance & Governance
<b>LEAD OFFICERS:</b>	Strategic Director of Growth & Development Deputy Director Legal and Governance
<b>DATE:</b>	4 September 2023

**PORTFOLIO/S AFFECTED:** Growth & Development

**WARD/S AFFECTED:** (All Wards);

**SUBJECT: Schedule of Delegated Property Decisions 2022/23**

### 1. EXECUTIVE SUMMARY

Report to note the property matters which have been considered under officer delegated powers during the financial year 2022/23.

### 2. RECOMMENDATIONS

That the Executive Members:

notes the officer delegated property decisions taken under the Constitution during 2022/23 in relation to property matters.

### 3. BACKGROUND

Under the Council's Constitution, the Deputy Director of Legal & Governance is authorised to exercise all the Authority's powers, functions and responsibilities to approve land transactions within the approval limits and in accordance with the Council's Financial Procedure Rules and (subject to recommendations by the Strategic Director of Growth & Development) approve all claims for compensation under Part 1 of the Land Compensation Act 1973.

During the financial year 2022-2023, a total of 87 land transactions were reported through Delegated Powers, as summarised in the table below. The implications in terms of growth in annual rental income is reported through the key performance indicators of the Council's Strategic Asset Management Plan.

Type	Number of Transactions Approved	Disposal Income / Capital Receipts	Payments Made by Council
New lease	21		
Lease renewal	15		
Assignment	14		
Rent reviews	8		
Part 1 Claim	7		£46,540*
Licence agreement	5		

Disposal of land	6	£162,645*	
Subletting	3		
Surrender	3		
Consent for alterations	2		
Variation of lease	2		
Forfeiture of lease	1		
<b>Total</b>	<b>87</b>	<b>£162,645</b>	<b>£46,540</b>

#### 4. KEY ISSUES & RISKS

None.

#### 5. POLICY IMPLICATIONS

Although decisions have been taken under officer delegated powers in the Constitution, it is good governance to also regularly report on these council property-related decisions for better transparency.

#### 6. FINANCIAL IMPLICATIONS

None.

#### 7. LEGAL IMPLICATIONS

The Financial Procedure Rules ('the Rules') in the Constitution provides authority to the Deputy Director, Legal & Governance to agree disposal of land (or interests in land) up to a value of £150,000 or £100,000 where the disposal is by way of a lease. This may only be done where the disposal has been recommended by the Strategic Director of Growth & Development. The Rules also provides authority to the Deputy Director, Legal & Governance to agree purchases of land up to the value of £150,000 where the Strategic Director of Growth & Development has confirmed that the price represents the market value of the land and is within Council policy and there is adequate funding provision within the Council's Capital Programme.

In addition, the Officer Scheme of Delegation provides for the Strategic Director of Growth & Development with powers and duties relating to the strategic management of corporate property, land buildings and assets of the Council, after taking all prudent advice (including legal, finance and valuation etc.). There are also provisions in the Officer Scheme of Delegation for the Deputy Director, Legal & Governance to approve land transactions in accordance with the Financial Procedure Rules and (subject to recommendations by the Strategic Director of Growth & Development) approve all claims for compensation under Part 1 of the Land Compensation Act 1973.

To implement the decisions taken under officer delegated powers the Council may need to enter into legal transactions with third parties.

#### 8. RESOURCE IMPLICATIONS

None.

#### 9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

\* \* Total figure relating to decisions during 2022/23. Completion of the disposals / claims may not have taken place within the financial year.

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

## 10. CONSULTATIONS

None required.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

<b>VERSION:</b>	<b>1.0</b>
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<b>CONTACT OFFICER:</b>	<b>PMO Growth</b>
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<b>DATE:</b>	July 2023
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<b>BACKGROUND PAPER:</b>	
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted