

SOUTH HOLLAND DISTRICT COUNCIL

Report of: The Executive Manager - Governance (Deputy Monitoring Officer)

To: Performance Monitoring Panel Thursday, 18 March 2021

(Author: Christine Morgan Democratic Services Team Leader)

Subject Property acquisition to support the Next Steps Accommodation Programme (Portfolio Holder Decision)

Purpose: To allow the Panel to question the Portfolio Holder on the reasons for proceeding with the decision, in view of the issues raised during pre-decision scrutiny

Recommendation:

The report provides background only – there are no recommendations to consider

1.0 BACKGROUND

1.1 At a special meeting of the Performance Monitoring Panel held on 9 February 2021, pre-decision scrutiny was undertaken, in accordance with Paragraph 15, Part 4D (Access to Information Procedure Rules) of the Constitution, on a decision to be taken by the Portfolio Holder for Assets and Planning relating to 'Property acquisition to support the Next Steps Accommodation Programme'.

1.2 The Panel considered the report and discussed a number of issues, and the following was agreed:

That the Portfolio Holder be notified, in writing, that the Panel's view is that the property in question should not be purchased and that the Portfolio Holder should consider a more suitable property, with no chain and that does not require so much work, for the following reasons:

- i. Concerns with regard to the provision of parking at the location;
- ii. That the spirit of parking within the Local Plan in relation to parking facilities at a property used in this manner, should be adhered to;
- iii. Concern with regard to value for money and in particular, the high proportionate cost of works needed, compared to the acquisition cost;
- iv. That other, more suitable properties were, or had been available with no chain;
- v. That there should be no rush to acquire a property purely to meet the timescales set out in the grant agreement; and
- vi. That the view of Ward members did not appear to have been adequately reflected within the report.

1.3 On 22 February 2021, the Portfolio Holder for Assets and Planning made the following decisions relating to the 'Property acquisition to support Housing Options service delivery':

- i. That the funding identified in the report is utilised from the approved General Fund capital programme budget 'capital acquisitions re Growth and Commercialisation' and a similar amount from the MHCLG capital grant allocation, to enable the purchase and adaptation of the identified property in Spalding Monkshouse ward; and
- ii. That the authority be delegated to the Executive Director – Commercialisation (S151 Officer) to agree a purchase price, oversee due diligence, sign any necessary contract and complete the transfer, and undertake any other actions necessary to secure the purchase of this property with the agreed budget.

1.4 A report was published on 22 February 2021, alongside the decision, and this is attached at Appendix A. Section 3.2 of the report contains a summary of the comments from the Performance Monitoring Panel, together with the Portfolio Holder's responses to each point, and an assessment of whether there was a justification for proceeding to acquire the property.

1.5 The Panel has requested that the Portfolio Holder attend this meeting to provide a fuller response to the objections raised on 9 February 2021.

1.6 Whilst the Panel may question the Portfolio Holder further on the matter, it should be noted that a final decision has been made and is in the process of implementation.

2.0 **OPTIONS**

2.1 This report provides background only – there are no options to consider.

3.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Transformation Programme; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

3.1 **Constitutional & Legal**

3.1.1 In addition to call-in, Scrutiny has wide general powers of scrutiny, which include the following (as detailed within Part 3 (Delegations), Section D of the Constitution):

- To review or scrutinise any decisions made, or other action taken, in connection with the discharge of any functions;
- To question Cabinet Members and/or committees, Chief Officers, Deputy Chief Officers and Service Managers about (amongst other things) their decisions and performance in relation to particular decisions, initiatives and projects.

It should be noted however that these powers do not provide a further opportunity for call-in, and the implementation of the decision already made cannot be prevented.

3.1.2 The Panel also has a legal power to require the attendance of officers and executive members under s9FA(8) of the Local Government Act 2000.

4 **WARDS/COMMUNITIES AFFECTED**

4.1 Spalding – Monkshouse Ward

5 **ACRONYMS**

5.1 None

Background papers:-

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Key Decision: N

Exempt Decision: N

Appendices attached to this report:

Appendix A Portfolio Holder report – Property acquisition to support the Next Steps Accommodation Programme

Exempt appendix attached to this report (Please note that the following appendix is not for publication by virtue of Paragraph 2 (Information which is likely to reveal the identity of an individual) and Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information))):

Appendix B Confidential Appendix – Financial Evaluation