

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Disposal and Acquisition Policy: Change to the Constitution
Meeting/Date: Corporate Governance Panel – 15th July 2015
Executive Portfolio: Executive Councillor for Resources: Jonathan Gray
Report by: Head of Resources: Clive Mason
Ward(s) affected: All

Executive Summary:

For the Panel to approve the change to the Council's Constitution to reflect the requirements of the Disposal and Acquisitions Policy that was approved by Cabinet on the 18th June 2015.

It is considered that the current thresholds and procedures within the Constitution are too restrictive to enable a more commercial approach to management of the Council's property portfolio, and therefore a new Policy and governance model is required. The new Policy sets out the legal context, principles and governance arrangements by which the Council will dispose and acquire land and property, including new monetary thresholds. The benefits that are expected to result following the introduction of the Policy are:

- to ensure that the changing needs of service requirements are managed effectively
- the rationalisation of assets are managed effectively
- the Council is transparent in its property dealings
- there is clarity of aim and consistency of approach between Officers, Members and other interested parties

The Policy itself will not have any direct financial or legal implications. However, the operation of the Policy will require adherence to prescribed Council strategies (e.g. Treasury Management) and any statutory provisions relating to a Council's use of assets. However, the operation of the Policy is expected to provide for medium-term support to the Council's revenue budget.

Recommendation(s):

That the Panel recommends to Council that the Constitution is amended to reflect the Disposal and Acquisition Policy attached in Annex A.

This page is intentionally left blank

1. PURPOSE

- 1.1 For the Panel to approve the change to the Council's Constitution to reflect the requirements of the Disposal and Acquisitions Policy that was approved by Cabinet on the 18th June 2015.

2. BACKGROUND

- 2.1 The Corporate Governance Panel has responsibility for the approving changes to the Constitution, which includes the Code of Financial Management and Code of Procurement.

- 2.2 The new Disposals and Acquisitions Policy that was approved by Cabinet on the 18th June 2015 includes a range of new requirements to enable the Council to be more agile in its approach to the disposal and acquisition of capital assets. For information a copy of the report that was presented to Cabinet is attached as Annex A. The report provides all relevant detail for the Panel to consider; however the main changes to the Constitution include new:

- thresholds for the disposal and acquisition of land and property.
- governance arrangements in respect of the aforementioned thresholds; including delegations to officers (following consultation with the relevant Executive Councillor) and the formation of, and reporting to the Treasury and Capital Management Group.

3. COMMENTS OF OVERVIEW & SCRUTINY PANEL

- 3.1 The Overview and Scrutiny Panel (Economic Well-Being) were consulted and relevant representations were made at Cabinet.

4. KEY IMPACTS/RISKS?

- 4.1 The Policy will introduce increased monetary thresholds compared to those currently included in the Constitution; however there will be appropriate safeguards to ensure that there is appropriate reporting of decisions.

5. LINK TO THE CORPORATE PLAN

- 5.1 The Policy will support the achievement of the Corporate Plan requirement of "Ensuring we are a customer focused and service led council" by "becoming more business-like and efficient in the way we deliver services".

6. CONSULTATION

- 6.1 None

7. LEGAL IMPLICATIONS

- 7.1 This policy will impact upon the current Constitution. A review of the Constitution is imminent and therefore consideration to this policy must be given and amendments to the Constitution made as necessary.

- 7.2 References to Acquisitions and Disposals within the Code of Procurement will need to either be reviewed or removed.

8. RESOURCE IMPLICATIONS

- 8.1 To put in place a “fit for purpose” approach to the disposal and acquisition of land and buildings that will support the Council’s Investment Strategy. This will then in turn assist the Council in generating additional revenue income through the development of a commercial asset portfolio.

9 REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 To put in place a “fit for purpose” approach to the disposal and acquisition of land and buildings that will support the Council’s Investment Strategy. This will then in turn assist the Council in generating additional revenue income through the development of a commercial asset portfolio.

10. LIST OF APPENDICES INCLUDED

Annex A – Copy of the Disposal and Acquisition Policy: Land and Property report that was presented to Cabinet on the 18th June 2015.

CONTACT OFFICER

Clive Mason, Head of Resources,
☎ 8157 clive.mason@huntingdonshire.gov.uk