



Report number **A/15/20**

To: Council
Date: 13 January 2016
Status: Key decision
Director: Jeremy Chambers, Strategic Operations
Cabinet Member: Councillor David Monk, Leader of the Council

Subject: Urgent decision taken by the Chief Executive to authorise the purchase of land.

SUMMARY:

This report informs Council of the decision taken under urgency powers by the Chief Executive to authorise the purchase of land.

REASONS FOR RECOMMENDATIONS:

The Constitution requires that decisions of this nature are reported to the next available meeting of the Council.

RECOMMENDATIONS:

1. To receive report A/15/20.
2. To note the urgent decision of the Chief Executive to authorise the purchase of land.

1. BACKGROUND

- 1.1 An opportunity arose to acquire 144.472 hectares (357 acres) of farmland as a long term investment for the Council. The land is located to the south east of the former Folkestone Racecourse site. A plan showing the land is attached to this report as Appendix 1.
- 1.2 The land was for sale by informal tender with bids to be submitted by 20th November, 2015. Following valuation advice by Savills the Council bid for the land and had its bid accepted, subject to contract.
- 1.3 The sellers were keen to see the sale completed pre-Christmas and the Council submitted its bid on this basis. Completion took place on 17th December 2015.

2. DECISION MAKING PROCESS

- 2.1 As the land acquisition relates to an urgent decision outside the budget and policy framework there are certain procedural steps to take. The Constitution, under the Budget and Policy Framework Procedure Rules, allows an officer to take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council if the decision is a matter of urgency. However, the decision may only be taken if:
 1. It is not practical to convene a quorate meeting of the full Council; and
 2. Where the decision is subject to call-in the Chairman of the Resources Scrutiny Committee agrees that the decision is a matter of urgency.
- 2.2 Having consulted with the Leader and Chairman of the Council regarding the practicality of calling an urgent meeting of the Council and noting that the Monitoring Officer consulted with the Chairman of Resources Scrutiny Committee, the Chief Executive authorised the Corporate Director, Strategic Operations to complete the purchase of the land.
- 2.3 The Chief Executive is authorised to take urgent decisions by virtue of paragraph 2.1 of the Scheme of Delegations to Officers.

3. LEGAL / FINANCIAL AND OTHER CONTROLS / POLICY MATTERS

- 3.1 Legal officer's comments (AK):

There are no legal issues arising from this report.

- 3.2 Finance officer's comments (TM):

The total value of the transaction is £5.263 million including fees and all of these costs can be capitalised in the current financial year. This is being funded through use of internal borrowing in order to provide the most cost effective means of funding the transaction. The costs in terms of loss of interest is approximately £50,000 per annum however it is anticipated this will be covered by the short term rental stream from leasing out the land.

- 3.3 Diversities and equalities implications (JC):

There are no diversity or equalities issues arising from this report.

4. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

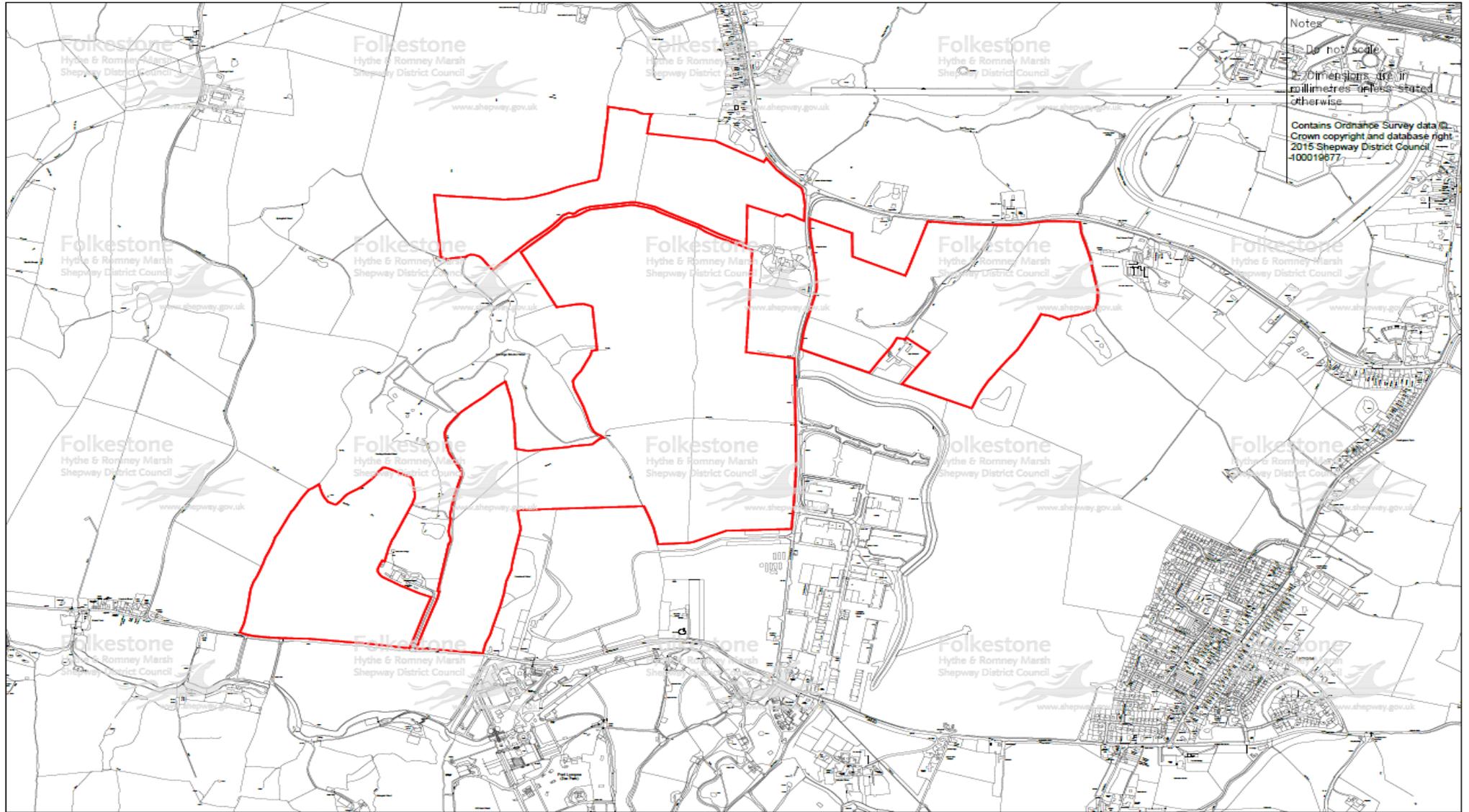
Councillors with any questions arising out of this report should contact the following officers prior to the meeting.

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Appendix 1 – The Land



Folkestone
Hythe & Romney Marsh
Shepway District Council



www.shepway.gov.uk

Shepway District Council
Land & Property,
Civic Centre, Castle Hill Avenue
Folkestone, Kent, CT20 2QY
Tel: 01303 853000
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Project

Drawing Title



FEV DECEMBER DATE EY CH/D

ORIGINAL DRAWING SIZE A3		
Drawn: LMK	Checked:	Date: Dec 2015
Scale: 1:10000	Drawing Number: 151218_001	Rev: