

Head of Corporate Building & Property Services

Development Cabinet Advisory Committee - 15 February 2017

COUNCIL'S POLICY AND PRACTICE ON LAND ACQUISITION

Development CAC have requested confirmation of Council's policy and practice on land acquisitions, specifically related to how the Council conducts due diligence and how the Council's interests are protected.

The starting point for how any acquisition of land/property is managed relates to the Council's Land Transaction Procedure Rules within the adopted constitution.

The relevant sections are set out below.

- **On each occasion that the Council wishes to acquire land the relevant responsible officer will instruct the Interim Director of Place or his nominee to negotiate, settle or confirm the terms of such acquisition after taking into account any relevant statutory provisions or guidance and any advice from the Head of Legal and Democratic Services.**
- **Once terms are finalised the Interim Director of Place, or his nominee, will instruct the Head of Legal and Democratic Services in writing to proceed with an acquisition of the land including for avoidance of doubt the utilisation of Compulsory Purchase Powers.**
- **The terms of such acquisition will be in accordance with the market value of the interest to be acquired and the body of statute and case law together known as the "compensation code" and in accordance with the principles of best value.**
- **The terms of acquisition may only be approved in writing by the Interim Director of Place, or his nominee, save for acquisition by auction or sealed offer wherein a designated employee may be authorised in writing by the Interim Director of Place, or his nominee, for that particular acquisition to make an offer that accords with the general principles of these Procedure Rules.**

Officers have authority delegated by the Chief Executive to acquire freehold/leasehold property (where a premium only is payable) up to £250,000, or acquire leasehold property where rent is payable of up to £50,000 per annum.

Any acquisition outside of these delegated limited would be subject to Cabinet approval.

With regards to due diligence and ensuring the Council's compliance with procedure rules the interim Director of Place, advised by suitably qualified Council's officers (Chartered Surveyors) would advise on negotiated agreements. If it is considered that insufficient market knowledge or uncertainty over a price to be paid, independent valuation advice would be sought, invariably be the Valuation Office, or independently appointed Chartered Surveyors.

GLB/PS
26/01/17

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(CP/Development Advisory Committee)