



**Riverside, 4 Canning Road, Lowestoft, Suffolk,  
NR33 0EQ**

# Scrutiny Committee

## **Members:**

Councillor Stuart Bird (Chairman)  
Councillor Mike Deacon (Vice-Chairman)  
Councillor Edward Back  
Councillor David Beavan  
Councillor Judy Cloke  
Councillor Linda Coulam  
Councillor Tess Gandy  
Councillor Tony Goldson  
Councillor Tracey Green  
Councillor Colin Hedgley  
Councillor Geoff Lynch  
Councillor Keith Robinson  
Councillor Caroline Topping

Members are invited to a **Meeting of the Scrutiny Committee**  
to be held in the Conference Room, Riverside,  
on **Thursday, 29 September 2022 at 6.30pm**

This meeting will be broadcast to the public via the East Suffolk YouTube  
Channel at <https://youtu.be/kOujGmQkAPo>

An Agenda is set out below.

## **Part One – Open to the Public**

**Pages**

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<b>1</b>	<b>Apologies for Absence and Substitutions</b>
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| <b>2</b> | <b>Declarations of Interest</b><br>Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered. |                |
| <b>3</b> | <b>Minutes</b><br>To confirm as a correct record the Minutes of the Meeting held on 14 July 2022.  | <b>1 - 11</b>  |
| <b>4</b> | <b>Matters Arising Update Sheet</b><br>To receive the Matters Arising Update Sheet in response to the queries raised at the last meeting held on 14 July 2022.   | <b>12 - 14</b> |
| <b>5</b> | <b>Scrutiny Committee Annual Report 2021/22 ES/1300</b><br>Report of the Chairman of the Scrutiny Committee  | <b>15 - 34</b> |
| <b>6</b> | <b>Review of the Sale and Disposal of Council Assets Procedure ES/1299</b><br>Report of the Deputy Leader and Cabinet Member for Economic Development  | <b>35 - 96</b> |
| <b>7</b> | <b>Cabinet Member Scrutiny Session</b><br>To scrutinise the Deputy Leader and Cabinet Member with responsibility for Economic Development in relation to Energy/Renewables and Economic Development.   |                |
| <b>8</b> | <b>Scrutiny Committee Work Programme</b><br>To receive any updates in relation to the Committee's Work Programme.  |                |

**Part Two – Exempt/Confidential**

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

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**Unconfirmed**



Minutes of a Meeting of the **Scrutiny Committee** held in the Deben Conference Room,  
East Suffolk House, on **Thursday, 14 July 2022 at 6.30pm**

**Members of the Committee present:**

Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Judy Cloke, Councillor Mike Deacon, Councillor Tony Goldson, Councillor Colin Hedgley, Councillor Keith Robinson

**Other Members present:**

Councillor Tony Cooper, Councillor Louise Gooch, Councillor James Mallinder

**Officers present:**

Sarah Davis (Democratic Services Officer), Andy Jarvis (Strategic Director), Nick Khan (Strategic Director), Paul Mackie (Lead Officer - Environment and Climate Change), Matt Makin (Democratic Services Officer) and Daniel Wareing (Environmental Sustainability Officer).

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**1 Apologies for Absence and Substitutions**

Apologies were received from Councillors Coulam, Gandy, Green and Lynch.

Councillors Cooper and Gooch attended as substitutes for Councillors Lynch and Gandy respectively.

**2 Declarations of Interest**

There were no Declarations of interest.

**3 Minutes**

**RESOLVED**

That the Minutes of the Meeting held on 16 June 2022 be approved as a correct record and signed by the Chairman.

**4 Review of the Council's Progress Following the Declaration of a Climate Emergency**

The Committee received report ES/1220 of the Cabinet Member with responsibility for the Environment who briefly introduced it. He emphasised that it was all about a choice for individuals, communities, the Council and Westminster. He stated that the

Environment was a strategic priority and was at the heart of everything the Council did. Members were reminded that the Climate Emergency had been declared in 2019 by the new East Suffolk Council and the Environment Task Group had been borne out of that to focus on achieving carbon neutrality by 2030. In relation to carbon outputs in East Suffolk, the Council was only responsible for less than 1% which was a tiny amount and the Cabinet Member stressed, therefore, that engagement with residents and stakeholders was key because the Council was only part of the solution, not the only solution.

**Councillors Back, Gooch and Robinson joined the meeting at 6.35pm.**

The Cabinet Member explained that there were three main areas being focussed on, East Suffolk's reduction in the carbon footprint, communicating to the outside world and biodiversity. The Council was embedding the environmental decision making process into the structure of East Suffolk, similar to how we looked at the financial and community impact of decisions, and also focussed on the environment across everything the Council did. He drew attention to the report's appendix which illustrated particular documents across Council departments focussing on the environment. The Cabinet Member explained that, although they were guidance rather than statutory, it focussed East Suffolk on what was important to the Council and residents. He concluded that the big challenge ahead was to keep front line services running environmentally, ensuring value for money and representing what residents expected a good Council to produce.

**Councillor Beavan joined the meeting at 6.40pm.**

The Lead Officer – Environment and Climate Change explained that officers and Members were working actively and collaboratively on the environment and climate change. The Council continued to ramp up its response to the Climate Emergency even during the last few years during Covid. The Environment was a core theme of the Council's Strategic Plan enabling us to be really bold in responding to challenges and it was also a day to day part of our work. Off the back of the Strategy, there was the Environment theme Delivery Plan, which was a detailed series of works to respond to the challenges and it was monitored by Members on the Environmental Task Group, Officer Groups and the Strategic Plan Delivery Board, so there was a really strong governance structure overseeing all the great work taking place. He added that a Key Performance Indicators Dashboard monitoring the Council's progress would be available on the Council's intranet shortly. He concluded that responding to climate and environment challenges was a journey and the Council was making fantastic progress on approaching net zero and were committed to doing it, and were also considering how to respond to biodiversity challenges and how additional funding could be brought in to ramp up the work.

The Lead Officer responded to Councillor Goldson's query that he was unsure of the percentage of properties that had solar panels installed but confirmed there were panels on the Depot, Riverside offices, the Leiston, Deben and Waveney Valley Leisure Centres and on 10 retirement living scheme properties. He agreed the Council needed to go further. Councillor Goldson also asked what the plan was to have East Suffolk District carbon neutral by 2030. The Cabinet Member stated that all the Council owned buildings were being looked at but, after a full investigation on East Suffolk House, it

was not deemed suitable for solar panels. He continued that the focus was on the Council becoming carbon neutral as it was something we controlled but we were also trying to encourage and educate other stakeholders, such as businesses and residents, to make the right decisions and try to become carbon neutral.

In response to Councillor Goldson's query about tetra recycling, the Cabinet Member stated that the Council and the Suffolk Waste Partnership constantly monitored new systems and the way things were recycled eg tetrapacks could only be recycled and processed in Hull and a tetrapack did not make another tetrapack but its component parts were split up, so it was not always as easy to do as people thought. He confirmed that the Council would like to do more but were waiting for the Government RAWs legislation which would introduce changes to recycling so there was no point introducing anything new until it was known what we would have to provide statutorily. He added that the Greenprint Forum was constantly encouraging communities to recycle and residents to make the right choice including encouraging them to buy less so there was less to recycle.

The Chairman acknowledged that, whilst the Council was not responsible for what every resident in East Suffolk did, it was responsible for the waste collected and he pointed out that the KPI's for the amount of waste per household had increased from 459kg to 510Kg and the percentage of household waste being recycled had gone down from 44.86% to 40.50% so both had gone in the wrong direction, He queried, therefore, what would be done to educate and encourage residents to change that. The Cabinet Member responded that, since Covid, people were working from home more which meant the amount of waste at home had increased and people were also buying more off the internet so there was more packaging as items were delivered to the home, so the situation was changing and sometimes statistics could be misleading. He added that he was very frustrated about the 20% contamination in the blue bins which were mainly glass bottles, food waste and dirty nappies, so the Suffolk Waste Partnership and through Food Savvy constantly ran campaigns e.g. one at the moment was about freezing food waste and using leftovers. He pointed out, however, that there was a fine line about telling people how to behave and educating residents on things that would help them financially and benefit the community. When talking about waste, he stressed that it was important to link it to the environment. He stated that a lot of people felt powerless about the environment and carbon neutrality but if, when thinking about food, they bought locally and ate all the food purchased then that was a positive thing to do in each household and also if they recycled correctly. He reiterated that campaigns were run locally and through Suffolk as a whole to try to get people to make the right decisions. He also referred to a webpage that was available with details of how to recycle difficult items and concluded that it was about encouragement and education to make a difference.

The Chairman queried if bins were rejected at the kerbside to minimise rejecting a whole lorry load if contaminated. The Cabinet Member confirmed that blue bins were inspected before being put in the truck but if offending items were in the bottom of the bins they would not always be seen. He added that information stickers were put on the bin if items were found and consequently the bin was not emptied. He reminded Members that there had been a couple of streets in Lowestoft which had heavily contaminated bins so he had written to them and the recycling rates had gone up. He pointed out that recycling helped individuals, the Council and the planet.

In response to Councillor Hedgley's question about how confident he was that the Council's CO2 emissions target would be met by 2030, the Cabinet Member stated that statistics needed to be looked at carefully because the Council could be carbon zero tomorrow if it stopped providing services. He stressed, therefore, that the Council had to balance the carbon footprint against the services it wished to provide eg leisure centres etc. Members were reminded that the Council was changing the waste trucks to Hydro-treated Vegetable Oil (HVO) which reduced our carbon footprint by over 90% for the fleet and 30% for the Council as a whole. He explained that, whilst it cost a bit more money to move away from diesel, it was worth it as transport was one of the biggest impacts on carbon footprint. The Council was constantly looking at new innovations and new technology to enable us to be exemplars and encourage others to do the same. He concluded that it was a challenge but the worse thing would be to do nothing and he was sure the Council would be close to the target in 2030. The Lead Officer stated that, when the Council started reporting emissions in 2015/16, they were 6,500 tonnes CO2 equivalent but, last year, it was down to just over 5000 tonnes CO2 equivalent. He explained that the challenge was that organisations were still getting to grips with how to measure their carbon footprint. He added that Covid had been a particular challenge and there had been a bounce back as people went back to normality. The Council had to decide what to include when measuring the carbon footprint and he would be targeting key parts of Council services to get significant reductions e.g. the fleet and leisure centres which would include using low energy equivalent replacements. He concluded that he needed to understand what could be done to help services and whilst the direction of travel was good it was a steep learning curve and the Council needed to understand how it could do better and show how it was getting on through the dashboard.

In response to the Chairman's reference to the difficulties of measuring CO2, the Cabinet Member acknowledged that there was a danger of double counting of direct and indirect CO2 that the Council was responsible for. He added that this was a methodology question e.g. where did the Council's responsibility stop and start, as it kept shifting in that it might go up if the Council did something it had not a few years ago. The Environmental Sustainability Officer explained that there were two different sets of data, the first was the Council's own corporate emissions which were measured internally. The second was a separate set of data collected by central government re territorial emissions in all Local Authorities across the country which included emissions from the transport sector, energy related emissions from agriculture, business, commerce and energy from the entire public sector as well, so East Suffolk Council emissions would be included in the latter, although the Council made its own calculations which were more direct because we had access to our own information about our consumption of gas, electricity, diesel, mileage etc.

Councillor Cooper queried if the Council talked to manufacturers to cut back on packaging so there was less in household waste. The Cabinet Member stated that through RAWs and the Environmental Bill there was likely to be more accountability for producers and he referred to internet providers who used a lot of packaging, suggesting that maybe a package tax could be introduced. He acknowledged that some companies did now use less packaging or offered customers the option of less packaging. He suggested that, where possible, consumers could start choosing

producers that used less packaging and concluded that the Government needed to control those things that District Councils could not.

Councillor Cloke stated that she had stopped buying tetrapacks when she found out they could not be recycled easily. She referred to the graph on Page 7 which stated that the Council produced less than 1% of carbon emissions whereas other public sectors produced 1.5% and she queried how East Suffolk compared with other District Councils. The Environmental Sustainability Officer stated that the Council compared quite similarly to other District Councils in terms of its share of emissions but explained that the figure for the public sector included districts, the County Council, Police, Parish Councils, Health Care, the Environment Agency etc so it was the footprint of all the public sector agencies that had a degree of activity within East Suffolk.

Councillor Robinson queried what happened to the money brought in by green charges or taxes and the Cabinet Member responded that the Government was reluctant to ringfence taxes but he would like it reinvested back into environmental policies and to try to incentivise producers to use less packaging. He reiterated that individuals needed to make better choices, although he acknowledged it was difficult e.g. milk was put in tetrapacks rather than glass bottles, but he suggested it was down to people power and company shareholders making changes, but he could see change happening. He added that there were lots of discussions regarding tax but suggested that perhaps incentivisation was perhaps a better use of language.

Councillor Deacon commented that, whilst the report was well constructed and presented, he was surprised only one Strategic Plan primary priority had been ticked with the rest as secondary, given how serious this issue was. It was explained that the report template only allowed one primary priority to be selected but Members were assured that everything about the environment and climate challenge was seen as a primary priority as it underpinned everything the Council did. Councillor Deacon referred to paragraph 1.1b on page 8 regarding low carbon energy and asked how the Council was going to work with energy companies and communities. Strategic Director Jarvis stated the Council was already working with energy companies on a number of projects eg Freeport East; pilot projects to retrofit the housing stock, and also on some of our developments including the Felixstowe Passivehaus development; and in the past insulation schemes etc. He concluded that discussions were being held with a whole range of companies about different things and in many cases it was about having those direct discussions with local contacts on specific projects. Councillor Deacon also referred to 1.1b on page 9 regarding environmental protection within Planning and expressed concern that developers were still installing gas boilers and he queried if pressure could be put on them. The Cabinet Member responded that he was also frustrated but commented that Planning Officers talked to developers about this and the Sustainability and Design Guides. He suggested Councillors ask developers the question because they were not thinking about the environment and they put the burden on the house buyer which was unacceptable. He stated that the Council wanted developers to build houses and homes fit for the future and not waste resources because if they had to be retrofitted it would be a waste of resources. He stressed that Council Officers and Members tried to influence developers but it was difficult as the Council did not have any statutory powers. Strategic Director Jarvis commented that some house builders only worked to the national standard but others did do more e.g. fitting solar panels. He reminded Members of the imminent far



reaching changes in Building Regulations and also about the fact that the Council was already leading by example and showing others how it could be done by building Passivehaus developments.

The Chairman expressed concern that retrofitting was not a key feature of the report given it was within the Council's control and he queried what the trials referred to earlier were, when the retrofitting programme was due to take place and was the Council on target to have all the housing stock retrofitted and environmentally sustainable by 2030. Strategic Director Jarvis responded that the Council owned 4.5K properties of different types, some were new build and some were very old so there was a range of problems in terms of retrofitting but the key thing was about obtaining data about the condition of properties, what was needed to get them up to the required standard and what the cost was going to be, which was the piece of work that was currently being undertaken and a detailed report would be made to Members shortly on this. He pointed out that it was about choices and priorities and, at some point, the Council would have to make some difficult choices about money and if/when investments should be made in the stock. In relation to the trials, he said there were about a dozen properties in each and these would give an idea of how properties could be retrofitted e.g. would people have to be moved out on block, as the properties became void, or would it be better to do it in a managed programme. He stated that other large housing providers also grappled with this issue and, as it was not likely to be cheap, it might require some national assistance. Strategic Director Khan stated that the Council had agreed the Sustainable Construction Supplementary Planning Document (SPD) which was a material consideration for developers in terms of the energy efficiency, renewable energy, water conservation, sustainable transport and building materials etc of their developments. In addition, there was also a Net Zero Carbon Toolkit which Suffolk authorities had signed up to which, although more guidance than an SPD, also carried some weight. The Chairman pointed out that the Council had declared the climate emergency in 2019 but was only now trying to work out what retrofitting would mean for the housing stock and he queried if the Committee could be assured that the Council would be on target to have all Council homes retrofitted and at an acceptable standard by 2030. Strategic Director Jarvis responded that he could not give an assurance that all the stock would be retrofitted by 2030. The Chairman expressed concern that this did not show the Council leading by example. Strategic Director Jarvis explained that the Council had declared an emergency and put a huge amount of resources into that but leading by example did not necessarily mean that the Council would meet the retrofitting target given the large number of priorities it had and the finite amount of funding at its disposal. The Cabinet Member agreed, stressing that it was about choice and where to spend limited funds because the Council needed to get the balance right eg residents needed housing and the Council had to decide whether to retrofit and/or build new acceptable housing at the same time.

Councillor Gooch referred to the Cost of Living Crisis and in particular the impact on fuel efficiency for residents and the viability of the Council's leisure centres etc and she suggested that residents might get sidetracked from separating recycling because they were worrying about heating and eating. The Cabinet Member acknowledged it was a big challenge and that the environment was not necessarily a big priority for people who were struggling to pay rent, affording to heat their homes and buy food etc but he pointed out that East Suffolk only had one recycling bin so it was easier. He suggested

people might appreciate that nature was all around us at this difficult time. He added that Enabling Budgets and a new grant would be available shortly to help and Community Partnerships would be able to bring people together eg lessons on cooking, eating together, so it was about enabling communities, supporting them to help themselves and signposting the help available. But if we do more for communities this would increase our carbon footprint which could be seen as a negative, which was why it was important to look at the bigger picture and not look at the environment in isolation, but it needed to be embedded and part of the process. Strategic Director Khan gave some examples of the support available including a handyman service to help with things like installing thicker curtains/draught excluders, turning off vampire devices which drained energy etc. The Council had also employed 2.5 FTE Financial Inclusion Officers to help residents with budgeting and see if they could reduce their bills. Across Suffolk, there was support to help residents with their energy needs and East Suffolk was due to be allocated £3m over 3 years from the Government's Shared Prosperity Fund which could be used to assist people during this crisis.

On behalf of Councillor Gandy, Councillor Gooch asked for an update on the blue bins contamination in the Harbour and Normanston Ward in Lowestoft and the number of residents who were not using blue bins at all. The Cabinet Member stated that he would report back on details about the particular area in Lowestoft, but confirmed recycling rates had increased following his letter to residents. He stressed it was about education as well as emphasising to individuals that they needed to recycle. He explained that the Suffolk Waste Partnership constantly ran campaigns such as Bottle Banks and left over items in the freezer, so it was about the consumption individuals had and how they dealt with waste products. He suggested everyone should stop talking about "waste" and re-term it "resource" because it was a resource and that might encourage people to think about it differently. He concluded that the real difficulty was getting people to listen and engage especially schools and community groups. Councillor Gooch asked how communication and engagement with Town and Parish Councils was going in terms of flytipping and littering. Strategic Director Jarvis stated that, as part of recent reviews, it was recognised that more could be done on street cleaning and, therefore, the Council had invested in several mechanised street sweepers and were liaising with Town and Parish Councils to use them across the area. He added that they had already been used in the town centre and they could cover a lot wider area than the previous barrows. The Environmental Sustainability Officer stated that he circulated information on a range of initiatives and points of interest to the Greenprint Forum which he then copied to Parish Clerks and, although some were quite engaged, he would like more information from them on anything they wished to share and he was also open to receiving ideas/points they wanted to raise with the Greenprint Forum for them to take forward as points of discussion. In response to the street cleaning question, the Cabinet Member stated that the Council watched the seasons and had more bins available in the summer.

Councillor Beavan suggested Key Performance Indicators (KPIs) were needed in relation to housing insulation to enable performance to be monitored and also that the Council should bear in mind the District got a north east wind which made a difference if a property was insulated so investing in this could save money. He also asked how many public Electric Vehicle (EV) chargers were in East Suffolk. The Environmental Sustainability Officer stated that there were public car charging points at the Deben and Waveney Valley Leisure Centres and at a public car park in Felixstowe. He added

that the Council was also linking up with other Districts and the County Council to support projects such as Plug in Suffolk to promote more businesses, destinations, Parishes, community buildings etc to benefit from the offer of subsidised installations of slow chargers. A bid had also been submitted for levy funding for potential projects in partnership with other Suffolk local authorities. Strategic Director Jarvis added that there were also EV points at the two depots and, although they were not public, the Council was running public vehicles on them. The Council had also commissioned a study on how we could get on-street chargers, including how much work would be needed and the costs. In relation to retrofitting, he agreed that stretch KPIs would be in the report with the stock data.

In response to Councillor Gooch's query on a policy that any Council events must have plant-based menus, the Cabinet Member stated that he did not feel it was appropriate for the Council to tell people what to eat or have a policy on only vegan or vegetarian meals at Council offices but he did agree that it was important to buy local and bear in mind where food came from.

Councillor Goldson asked the difference in price between EVs and conventional vehicles and how the costs had been justified and also what happened to the batteries when they ran out as they could not be recycled. The Cabinet Member agreed that it was a good point regarding batteries but pointed out that this was a world issue not just a question for this Council, so he thought the answer was not to just move to EVs but also have less journeys. Strategic Director Jarvis responded that the Council had trialled an electric refuse vehicle but they were about twice the price of conventional refuse trucks and because the district was very rural, the Council needed something that had a higher range. It was thought that hydrogen powered vehicles would be much better but they were not readily available yet and were too expensive so in the meantime it had been decided to use HVO instead. He explained the additional cost was to convert vehicles to HVO and, whilst per litre it was more than diesel, he pointed out that the Council had decided to use it because of the environmental benefits. He added that the Council was discussing trialling EVs in Lowestoft because there might be an opportunity to use them in built up neighbourhoods, and was also talking to companies across the District e.g. Freeport and Sizewell etc about opportunities for hydrogen, and there were also opportunities in Lowestoft for an electrolyser trial. In response to Councillor Goldson's query, Strategic Director Jarvis stated that he would report back to Members on scrapped batteries.

Councillor Cooper referred to an East Anglian Daily Times article today that said air quality in Woodbridge was 2½ times above the legal limit. The Cabinet Member stated that he would look at the article and ensure it was corrected because the air quality in Woodbridge had been much improved and the Council met all the statutory requirements across the whole of the District. He added that, no one size fit all, in relation to transport and vehicles e.g. EVs would be okay in urban areas but rural communities would need to be looked at differently, therefore, a diverse portfolio of energy would be required for vehicles.

The Chairman sought reassurance about interventions to combat climate change given the recent heatwaves. The Cabinet Member stressed that the smallest of changes made a big difference over time e.g. the planting of wildflower border in front of East Suffolk House had a fantastic visual impact and lifted the spirits, it meant nature was all

around. Less cutting of grass through the Pardon the Weeds, Feed the Bees campaign made a difference in people's behaviours and made a big difference. He added that a little thought and change in behaviour could solve these problems. He pointed out that the climate changed over time but the issue was when we as humans caused changes and had a massive impact on biodiversity, therefore we should protect and celebrate our deep forests and beaches. He concluded that we could control some of the outcome and change the direction by coming together as a District Council, individuals and through Westminster to make real changes.

The Chairman suggested that, rather than making a formal recommendation to Cabinet for firm targets on retrofitting, an assurance should be sought that the information was forthcoming and that it would be a comprehensive report. Strategic Director Jarvis stressed that he was happy to give that assurance and added that the information would be brought to Members to decide on what they wished to do given it was a very large programme which would impact quite considerably on the Council's future spend. The Chairman queried the likely timescale for the retrofitting report and Strategic Director Jarvis stated that he was unsure on the date but would let Committee know.

Councillor Beavan suggested the Council should have targets to increase the number of public car chargers given they could make money. Councillor Goldson pointed out that, if we wanted to increase the number, Officers needed to say where we wanted them and that could include on the Council's own car parks. The point was made that the commercial sector could also be encouraged to put in EV charging points. Strategic Director Jarvis reported that discussions were being held about putting chargers in Council car parks, on-street charging and upgrading power grids etc, however, it was about prioritisation e.g. RAWS would require more money and changing the fuel in the Council's vehicles cost, so Members had to decide where they wanted to spend money e.g. providing public chargers or insulating building/homes. Members were reminded that any recommendations to Cabinet needed to be SMART and evidenced based and the Chairman suggested, therefore, that the Strategic Director produce a briefing note for the Committee on the Council's plans, or what might be feasible in terms of increasing the number of public EV points across the district.

## **RESOLVED**

That the Cabinet Member with responsibility for the Environment and Officers provide the following information to the Scrutiny Committee to be reported to the next meeting on 29 September 2022:

### **Updates:**

- What happened to the batteries of scrapped electric vehicles?
- What was the latest situation in relation to the problem with contaminated Blue Bins in previously identified streets in Lowestoft?

### **Information Notes:**

- What were the practicalities and costings of providing more publicly accessible electric vehicle charging points on Council owned land?

- What was the proposed plan for retrofitting the Council's Housing Stock including indicative timescales and costings, and would this be achieved in time to meet this Council's target to be carbon neutral by 2030?

**The meeting adjourned for a comfort break from 8.20 to 8.28pm.**

## **5 Cabinet Member Scrutiny Session**

The Chairman welcomed and thanked Councillor Mallinder, Cabinet Member with responsibility for the Environment who firstly gave a brief verbal presentation in relation to the Waste Management element of his portfolio. He highlighted, in particular, that education and communicating to residents on the right behaviour and the best way to do things were his main focus, whilst also waiting to find out the impact of the new Waste and Recycling legislation which would introduce a homogenised system across the whole country. Scrutiny Committee Members raised several queries in relation to information on the Council's website on bins, flytipping and littering. In response to a question on what improvements he wished to see when the Council started its arms length management company, the Cabinet Member responded that he wanted a system that operated to the same standard but was more agile eg could provide ad hoc collections for village halls etc, and he would look at whether it was possible to provide a mobile unit which could go out into rural communities for those people who could not get to recycling points.

The Cabinet Member also gave a brief verbal presentation in relation to the Environmental Protection side of his portfolio. He explained that there were two categories to Environmental Protection, firstly reactive in that they dealt with complaints about noise, artificial light, smoke, fires etc. The second was proactive in terms of responding to licensing/permits and planning applications including the impact on traffic movements, air pollution, light, smoke and fumes. He confirmed that East Suffolk met our statutory requirements across the whole of the District especially in relation to air pollution but stressed that he wanted to do better than that and educate and engage communities with various campaigns. He emphasised that much of the Team's work depended on evidence provided by residents. He added that a 24 hour phone number was available throughout the summer so Officers could visit if there were complaints about noise, bonfires etc. In response to several issues raised by Committee Members, the Cabinet Member stated that he would look into them and report back.

### **RESOLVED**

That the relevant Cabinet Members and Officers provide the following information to the next meeting of the Scrutiny Committee on 29 September 2022:

- Do we/Norse liaise with partner authorities in Norfolk and Essex regarding verge cutting and litter picking along the A12 corridor?
- How can we mitigate the impact on residents of weekly Norse Commercial Waste Collections in Felixstowe at 5.30am?
- In liaison with the Deputy Leader and Cabinet Member with responsibility for Economic Development, to explain why nuclear energy was classed as "clean" energy.

## **6 Appointments to Outside Bodies for 2022/23 (Scrutiny Functions)**

The Committee considered the Leader of the Council's report ES/1219 in relation to the appointment to Outside Bodies for 2022/23 (Scrutiny Functions).

In the absence of any further nominations and on the proposition of Councillor Robinson, seconded by Councillor Bird, it was

### **RESOLVED**

1. That Councillors Cloke and Back be appointed to the Outside Bodies listed in Appendix A for the 2022/23 Municipal Year (Suffolk Flood Risk Panel and SCC Health Scrutiny Committee respectively).
2. That Councillors Robinson and Hedgley be appointed as the designated substitutes for the two Outside Bodies listed at Appendix A for the 2022/23 Municipal Year in the event the primary appointee is unavailable.
3. That the Leader of the Council fill any outstanding vacancies left unfilled by the Scrutiny Committee.
4. That the Leader of the Council make any necessary changes to the membership of the Outside Bodies for the remainder of the 2022/23 Municipal Year, in consultation with the other Group Leaders.

## **7 Scrutiny Committee Work Programme**

The Chairman reported that the Scrutiny Committee's Annual Report 2021/22 had been postponed from this meeting until the next one on 29 September 2022 and he confirmed that the substantive items for that meeting would be the Sale and Disposal of Council Assets and the Cabinet Member Scrutiny Session of the Deputy Leader and Economic Development Cabinet Member.

The meeting concluded at 9.08pm.

.....  
Chairman

# MATTERS ARISING UPDATE SHEET

## FROM SCRUTINY COMMITTEE MEETING ON

### 14 JULY 2022

Updates		
Minute Item Number	Member Query Raised	Cabinet Member/Officer Response (no more than a paragraph required)
4	What happens to the batteries of scrapped Electric Vehicles?	These will be disposed of via specialist hazardous waste disposal routes which are currently being developed to service this requirement. Valuable materials such as lithium, cobalt and nickel etc. will be recovered.
4	What is the latest situation in relation to the problem with contaminated Blue Bins in previously identified streets in Lowestoft?	<p>We have been working with Norse and the MRF to try and address this problem. We will be putting in place a programme to engage with problem areas, and have started with an audit of loads to identify particular problem areas and rounds.</p> <p>Thanks to the partnership working between ESC, Norse and the MRF, the 'prohibitive' items from Lowestoft Rounds are now at the lowest ever level.</p>
5	Do we/Norse liaise with partner authorities in Norfolk and Essex regarding verge cutting and litter picking along the A12 corridor?	Not currently – this is something to possibly consider in future.
5	How can we mitigate the impact on residents of weekly Norse Commercial Waste Collections in Felixstowe at 5.30am?	Collections should start at 0600hrs at the earliest, unless special permission has been granted by ESC. If we can have details of this we can address with Norse.
5	In liaison with the Deputy Leader and Cabinet Member with responsibility for Economic Development, why is nuclear energy classed as "clean" energy?	Nuclear energy is a low carbon energy source. It is often referred to as 'clean' energy as it does not produce carbon dioxide and other greenhouse gases when the electricity is generated. Power is generated through fission, the process of splitting uranium atoms to produce energy. The heat created because of fission is used to produce steam that spins the turbines to create electricity without harmful emissions to the air which would be created by fossil fuel power stations.

## Information Notes

(These should be no more than 1 x A4 sheet)

### **What are the practicalities and costings of providing more publicly accessible Electric Vehicle Charging points on Council owned land? (Minute Item Number 4)**

Practicalities include:

1. There is no statutory requirement for LAs to provide chargepoint infrastructure.
2. Numerous unknowns including:
  - a. demand for chargepoint infrastructure;
  - b. locations for demand;
  - c. kW size of chargepoints; and
  - d. market response by existing fuel providers.
3. Assuming ESC will install some infrastructure, identifying suitable assets considering:
  - a. Demand for chargepoint services by residents, businesses and visitors.
  - b. Power availability.
  - c. Compliance with procurement rules and regulations for:
    - i. Capital purchases;
    - ii. Operational expenditure;
    - iii. Commercial operator capabilities and requirements;
4. Additionally, national, regional (Transport East), and local (Suffolk County Council (SCC)) policies must be considered for mobility management. De-carbonising passenger journeys is not the only objective for travel management so simply facilitating a move from internal combustion engine (ICE) vehicles to battery electric vehicles (BEV) is not considered appropriate. Policies continue to consider removing the need to travel first, followed by active travel such as walking and cycling, then sustainable public transport including bus and rail, with travel by passenger car as the least preferred transport option. There are numerous national publications, Transport East's regional strategy for the East of England, and SCC's local transport plans that detail.



**What is the proposed plan for retrofitting the Council's Housing Stock including indicative timescales and costings, and will this be achieved in time to meet this Council's target to be carbon neutral by 2030? (Minute Item Number 4)**

Retrofitting Council housing stock is a national challenge shared by all Local Authorities, requiring national-level solutions.

The Housing Department is currently in the process of increasing the performance data it holds for each property, including completing the updating of a number of EPC assessments. This will then enable the development of a comprehensive retrofitting programme.

The Council is also bringing forward two demonstrator retro-fit projects that will test the most effective solutions possible on particular property types within the stock. A key feature of these trials will be the data the council already holds on the way the tenants live and use the buildings and the performance of the properties. This will enable 'before' and 'after' comparisons to be made, which in turn will inform the refinement of the forthcoming retrofit programme.

In addition, the Council is building some seventy new passivhaus properties which provide further information on what can be achieved through the authority's own newbuild schemes.

The cost of retrofitting all of the Council's social housing stock is still being worked on but will be very substantial and will require very significant levels of Government funding due to the scale of the challenge and scope of the work required.

The completion date for the retro-fit project will depend on the extent of the work required and the staff and financial resources needed to deliver it. It will also depend on Members' view on the relative priority of retro-fit versus building more new affordable homes.

We will continue to look for ways to engage with Government on this very important issue.



## SCRUTINY COMMITTEE

Thursday, 29 September 2022

<b>Subject</b>	Scrutiny Committee Annual Report 2021/22
<b>Report by</b>	Councillor Stuart Bird, Chairman
<b>Supporting Officer</b>	Sarah Davis Democratic Services Officer <a href="mailto:Sarah.davis@eastsuffolk.gov.uk">Sarah.davis@eastsuffolk.gov.uk</a> 01502 523164

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

This report provides a formal summary on the activities and achievements of the Scrutiny Committee during the 2021/22 Municipal Year.

**Options:**

No other options were considered.

**Recommendation/s:**

That the Scrutiny Committee receives and comments on the Annual Report by the Chairman of the Committee prior to it being taken to Full Council.

## Corporate Impact Assessment

**Governance:**

The Committee is required to produce an Annual Report which is considered by Full Council.

**ESC policies and strategies that directly apply to the proposal:**

The policies and strategies that directly apply to this proposal depends on the contents of the Scrutiny Committee's Work Programme.

**Environmental:**

Not applicable

**Equalities and Diversity:**

Not applicable

**Financial:**

Not applicable

**Human Resources:**

Not applicable

**ICT:**

Not applicable

**Legal:**

Not applicable

**Risk:**

Not applicable

<b>External Consultees:</b>	Not Applicable
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> The Scrutiny Committee Annual Report is part of the Council's good governance arrangements.			

## Background and Justification for Recommendation

1 Background facts	
1.1	The Scrutiny Committee is required to create an annual report of its activities and achievements which is considered by Full Council.
2 Current position	
2.1	Not applicable
3 How to address current situation	
3.1	Not applicable
4 Reason/s for recommendation	
4.1	To ensure that the Scrutiny Committee has an opportunity to comment and amend the Annual Report as necessary before it is considered by Full Council.

## Appendices

Appendices:		
Appendix A	Annual Report 2021/22	
Background reference papers:		
Date	Type	Available From
	Not Applicable	



# **SCRUTINY COMMITTEE**

**ANNUAL REPORT 2021/22**



September 2022

## **Our Vision for Scrutiny Activity**

Scrutiny at East Suffolk Council aims to enhance the quality of life for all who live and work in the District by ensuring the provision of a safe, clean, attractive and prosperous environment for our communities.

Scrutiny aims to be objective, evidence-based, transparent and constructive and to reflect the interests and concerns of local communities.

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<ul style="list-style-type: none"><li>• What we do</li><li>• The principles of good public scrutiny</li><li>• What we do not do</li></ul>	
<b>Scrutiny Committee</b>	<b>Page 6</b>
<ul style="list-style-type: none"><li>• Membership (2021/22 Municipal Year)</li><li>• Roles and responsibilities</li><li>• The Scrutiny Committee's Work Programme 2021/22</li><li>• Member Working Groups/Task and Finish Groups</li><li>• Membership of Outside Bodies</li><li>• Call-ins and Councillors' Calls for Action</li><li>• Training</li><li>• Budget</li></ul>	
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## **Foreword by the Chairman**

**Councillor Stuart Bird,  
Scrutiny Committee Chairman 2021/22**

As Chairman of the Scrutiny Committee, I am delighted, once again, to be able to present my foreword to the Annual Report of East Suffolk Council's Scrutiny Committee. This Report provides a retrospective record of the work undertaken by the Committee, its activities, and achievements in the 2021/22 Municipal Year.

I continue to be supported by Councillor Mike Deacon, a very experienced and enthusiastic Vice-Chairman, as well as the other 11 dedicated Members of the Committee. We all work together, cross-party, to support and facilitate this extremely important statutory function.

The Committee's main priorities each year are as follows:

1. To act as a counterbalance that complements the decision-making powers of Cabinet in terms of the strategic direction of the Council.
2. To examine various areas of the Council's work and, in some cases, the work of partner organisations that have significance for our local communities and residents.
3. To scrutinise as a "critical friend" individual Cabinet Members on their key deliverables for the year, thereby enabling the Committee to identify if they can add any value to the pre-decision stages and the ultimate outcomes for the Council.

The Committee decided to focus on particular issues of importance or concern to East Suffolk's communities and residents including:

- Community Partnerships, the Council's flagship community engagement programme
- A review of NHS dental provision across the district
- The final review of the response to Covid 19.

I would like to take this opportunity to acknowledge and thank everyone who has participated in this year's Scrutiny process, in particular the specialist guest speakers who took part in the review of NHS Dental Provision, and the representatives from our partner organisations who were involved in the review of Community Partnerships and the Review of Covid 19.

In addition to scrutinising specific topics and Cabinet Members on their portfolios, the Scrutiny Committee also continues to look at ways in which to improve its own processes and procedures to ensure that it provides responsive and meaningful scrutiny of issues that matter to our residents and benefits the Council.

I hope this Report reflects what I feel has been a very productive year in Scrutiny and that you find it informative and interesting.

**Stuart Bird**



# THE ROLE OF SCRUTINY

## What we do

The Local Government Act 2000 introduced a new set of “political management arrangements” for the running of Councils, including the formalising of executive arrangements for local government to be balanced by a strong scrutiny function to ensure decision-makers were held to account.

***To carry out this scrutiny function, the arrangements included the power to do **anything they consider likely to promote or improve the economic, social, or environmental well-being of the area.*****

The role and purpose of scrutiny is to add value to the delivery of public services through providing strong but measured challenge both to the Cabinet and to external organisations where there are issues of public concern. It acts as a 'critical friend' to decision makers by beneficially examining the Council's policies, key decisions, and service provision to ensure they are appropriate, efficient, transparent, accountable and in the best interests of the District's residents. Since 2010, several pieces of legislation have further emphasised the value of scrutiny within modern and effective government, including reviewing issues which lie outside the Council's responsibilities. This is achieved by having co-operative relationships between scrutinised bodies and the Committee.

Scrutiny is led by local, elected Councillors working with other local bodies and local communities to help the constructive improvement of services. Scrutiny uses open and transparent processes and is an influencing, rather than a decision-making, body. It provides co-ordinated reviews of policy and service performance in line with strategic objectives and corporate priorities. Its challenges are constructive and purposeful. It is objective, focused, and realistic in its reviews. These are evidence-based so demonstrating that scrutiny is credible and useful at adding value.

***Scrutiny is a catalyst for positive change, promotes and acknowledges good practice and challenges under-performance.***

Meetings of the Committee are open to the public and mostly held in the evenings. The Committee has endeavoured to engage with the wider community and to involve stakeholders at its meetings, as appropriate.

The Scrutiny Committee is also the Council's designated **Crime and Disorder Committee** for the purposes of the Police and Social Justice Act 2006 (s19-22) and this requires the Committee to review community safety issues annually.

The Health and Social Care Act 2012 (s190) gave Councils powers to scrutinise local NHS trusts, including Primary Care Trusts. The Local Government and Public Involvement in Health Act 2007 gave more powers to local government to scrutinise other public organisations, including bodies such as, for example, the Environment Agency. In 2020/21, the Committee did not review any aspects of health provision, but the power remains available to do so as considered necessary.

The Scrutiny Committee conducts its proceedings in accordance with its Terms of Reference (as set out in Part 2, Section C, Functions and Responsibilities of the Constitution) and the Scrutiny Procedure Rules (as set out in Part 3, Procedure Rules, of the [Constitution](#)).

## The Principles of Good Public Scrutiny

The Centre for Governance and Scrutiny promotes the value of scrutiny in modern and effective government and has identified the following four principles of good public scrutiny:

- ***To provide a critical friend “challenge” to executive policymakers and decision-makers***
  - ***To enable the voice and concerns of the public***
- ***To be carried out by “independent minded governors” who lead and own the scrutiny role; and***
  - ***To drive improvement in public services***

## What we do not do

The Scrutiny Committee does not deal with quasi-judicial matters such as Planning or Licensing, except if there were to be a significant system issue. It does not deal with issues that are, or should be, resolved by the separate corporate complaints procedure or through internal systems within Service Teams. The Committee does not deal with vexatious or discriminatory issues or matters that are not of wider community significance, the latter being more appropriately pursued through the relevant Service Team, Ward Councillor or Cabinet Member with responsibility for the area in question.

Scrutiny does not become involved where there would be duplication of existing work, or if its review would be untimely or would not lead to effective outcomes.

# SCRUTINY COMMITTEE

## Membership 2021/22

The Committee comprises 13 Members and is politically balanced with 9 Conservatives, 2 Labour and 2 GLI Members as follows:



Stuart Bird (Chairman) (CON)  
Chairman since May 2019-



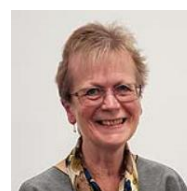
Mike Deacon (Vice-Chairman) (LAB)  
Vice-Chairman since May 2019-



Edward Back (CON)  
Member since May 2019-



David Beavan (GLI)  
Member since May 2019-



Judy Cloke (CON)  
Member since May 2019-



Linda Coulam (CON)  
Member since May 2019-



Andree Gee (CON)  
Member since May 2019-



Louise Gooch (LAB)  
Member since May 2019-



Tracey Green (CON)  
Member since May 2019-



Colin Hedgley (CON)  
Member since May 2021-



Geoff Lynch (CON)  
Member since May 2019-



Keith Robinson (CON)  
Member since May 2019-



Caroline Topping (GLI)  
Member since May 2019-

## Roles and Responsibilities

The Council's Constitution contains detailed role descriptions outlining the purpose, duties, and responsibilities of the various members of the Committee, as well as the qualities and skills required. They are designed to be used as a guide and a working document but are not intended to be prescriptive or exclusive. These can be found within [Part 2, Functions and Responsibilities](#), of the Constitution on our website, but a brief summary is also provided below.

### Chairman and Vice Chairman of the Committee

At East Suffolk, the Chairman is a member of the Administration Group of the Council; the Vice-Chairman is a member of an Opposition Group.

The Chairman provides leadership and ensures the Committee is Member-led and has ownership of its work programme. S/he aims to develop positive relationships and encourages contributions from Members. The Chairman also ensures the Committee works inclusively and that the role of scrutiny is conducted in an enabling environment.

### Committee Members

Members of the Committee contribute actively at the meetings with fairness and impartiality. They will participate, as appropriate, in the collection and assessment of evidence to produce effective recommendations and follow up on any recommendations made. Committee members take an overview of all the activities the Council is involved in and can decide to scrutinise issues.

### Partner and public involvement

The views of local people are of importance to the primary aim of scrutiny – *improving the quality of life for the local community*. Partners and the public can contribute specific expertise to topics being examined from the perspective of either a service provider or a service user. Their involvement adds value and strengthens the links with stakeholders.

The work of the Scrutiny Committee also provides Members with additional opportunities to engage with groups within the community who may not readily get involved directly in the work of the Council. Therefore, it remains important for the Scrutiny Committee to be outward-looking and to consider how partners and the public might be involved in its work.

Such involvement may be through formal 'co-option' or invitations to representatives of groups to contribute expert knowledge or evidence, or to members of the public to contribute their views.

**Scrutiny welcomes and encourages our Partners as well as members of the public who live or work in the District to get involved and suggestions for the work of our Committee will be considered for their suitability. Please email our Scrutiny Support Officer [Sarah.Davis@eastsuffolk.gov.uk](mailto:Sarah.Davis@eastsuffolk.gov.uk) in the first instance.**

## The Committee's Work Programme 2021/22

The Committee decided to continue scheduling 11 meetings per year in its Work Programme as it enabled Members to focus on one topic per meeting and avoided the need to arrange ad-hoc meetings. Meetings were held on the following dates:

20 May 2021  
17 June 2021  
15 July 2021  
16 September 2021  
21 October 2021  
16 December 2021  
20 January 2022  
17 February 2022  
17 March 2022  
19 April 2022

Each year, the Committee has a number of reviews it must carry out such as the Budget (16 December 2021 and 20 January 2022) as well as a requirement to sit at least once a year in its statutory role as the Council's Crime and Disorder Committee (17 March 2022).

For the remainder of its meetings in 2021/22, Members decided to focus primarily on those issues that were deemed to be of particular importance to the District's communities and residents. Below is a brief summary of the key highlights of the Committee's discussions - the related full formal Committee reports and resulting minutes may also be viewed on the Council's [website](#):

### 20 May 2021 - Review of Community Partnerships

Key points discussed	Resolution(s)
<ul style="list-style-type: none"><li>• How town/parish council, VCSE and Community Sector membership would be boosted</li><li>• Ensuring equality between town/parish councils in CPs regardless of size</li><li>• Looking at transport issues</li><li>• Monitoring of good practice and Peer Review</li><li>• CP Funding allocation regardless of area's size</li><li>• Assisting groups to identify funding opportunities</li><li>• How CPs would meet in the future</li><li>• The annual review of CPs' priorities</li></ul>	That, having received the written report and questioned its contents, the Committee agreed to formally thank the Cabinet Member, all Officers within the Communities team and the Chairs of the eight Community Partnerships for their excellent work and achievements to date.

## 17 June 2021 - Review of Waste Management (part 2)

Key points discussed	Resolution(s)
<ul style="list-style-type: none"> <li>• Current state of littering and cost to the taxpayer</li> <li>• Impact of litter on the environment, including wildlife impacts</li> <li>• Bins to be in the right place and emptied regularly</li> <li>• Role of councillors and MPs in addressing littering</li> <li>• Increase in bin collections in tourist areas</li> <li>• Microchipped bins</li> <li>• Education on littering through Greenprint Forum</li> <li>• Dissemination of information on littering via social media and partnership working</li> <li>• Litter issues and bin contamination in Lowestoft</li> <li>• Cost in lost recycling payments</li> <li>• Disparities between the north and south of ES</li> <li>• Waste separation at Haddenham Road site</li> <li>• Recycling centre booking system</li> <li>• Bulky waste collection</li> <li>• Comparison of ESC to other local authorities</li> <li>• Recycling rates</li> <li>• Enforcement powers against individuals and companies that continually contaminate</li> <li>• Recycling practices abroad</li> <li>• Impact of the Environmental Bill</li> <li>• Staff deployment for litter pickers/street cleansers</li> <li>• Communication between litter pick groups</li> <li>• Possible pilot of returning deposits on plastic bottles and packaging</li> <li>• Mechanism to communicate with SCC about clearing highways and verges</li> <li>• ESC control over setting fixed penalty notices</li> <li>• Impact of reduction of single-use plastics on recycling contract</li> <li>• Combined bin to separate recyclables</li> <li>• Reporting littering and fly tipping</li> <li>• Evidence collection for contamination of bins</li> <li>• Profile of littering in school education programmes</li> <li>• Officer resources to tackle the issue</li> </ul>	<ol style="list-style-type: none"> <li>1. That, having considered the report on Waste Management in East Suffolk, it was agreed that a number of recommendations would be circulated to Committee Members for approval prior to submission to Cabinet.</li> <li>2. That the Cabinet Member and Officers be thanked for their assistance on this review and be asked to email details of the Norse litter picking schedule to Members to avoid duplication with community litter pick groups, and further details be sent to Members on the approach to fly tipping on private land particularly in rural areas.</li> </ol>

## 16 September 2021 – Housing Development Programme Update

Key points discussed	Resolution(s)
<ul style="list-style-type: none"> <li>• Data analysis by Ward</li> <li>• Affordable Homes Programme from government</li> <li>• Shared ownership being classified as affordable housing</li> <li>• New builds</li> <li>• Housing Strategy 2017-23</li> <li>• The Council's housing stock numbers</li> <li>• Housing waiting lists</li> <li>• Social housing – apparent discrepancy between ESC and government figures</li> <li>• Target to complete 50+ houses per year</li> <li>• Town Centre housing development in Lowestoft</li> <li>• Reaching zero carbon standard</li> <li>• Right to Buy scheme</li> <li>• National shortage of building materials</li> <li>• Value for money on the open market for housing land</li> <li>• Development of the Sanyo site in Lowestoft</li> <li>• Digital inclusion and assistive technology</li> <li>• Integrated housing</li> <li>• Affordable home ownership target</li> <li>• Borrowing funding from the HRA to build more homes</li> </ul>	<p>That Cabinet be asked to support this Committee's recommendation for Officers to draw up a Business Case within 3 months of the Cabinet decision on the resources required in order to increase the existing target of delivering 50 new build Council houses per annum to 100 new build per annum</p>

## 16 September 2021 – Empty Homes Update

Key points discussed	Resolution(s)
<ul style="list-style-type: none"> <li>• Definition of an empty home</li> <li>• New Homes Bonus receipt for bringing properties back into use</li> <li>• Resources to follow up on annual exercise of reviewing empty homes</li> <li>• Number of empty properties brought back into use at neighbouring local authorities</li> <li>• Officer resources to bring empty properties back into use</li> <li>• Who to contact about empty properties</li> </ul>	<ol style="list-style-type: none"> <li>1. That Officers produce guidance notes to help Members when dealing with empty homes cases.</li> <li>2. That Cabinet be asked to support this Committee's recommendation that the process for tackling long term empty homes in East Suffolk be reviewed within 3 months of the Cabinet decision, including liaising with other Local Authorities to ensure best practice and a Business Case being drawn up to provide resources in order for us to engage a dedicated Empty Homes Officer</li> </ol>

## 21 October 2021 – Review of NHS Dental Provision in East Suffolk

Key points discussed	Resolution(s)
<ul style="list-style-type: none"> <li>• 30m appointments lost for dental patients – amounted to half a million courses of treatment or interactions with dentists</li> <li>• NHS national contract’s negative impact on delivery of care across the region</li> <li>• Move to a commissioning model</li> <li>• Underperformance in relation to contracts and reasons why</li> <li>• Failure to keep pace with NHS targets</li> <li>• Procurement of dental services</li> <li>• Clawback of monies</li> <li>• Lack of contractual obligation between dental practices and patients</li> <li>• Recruitment issues in dentistry</li> <li>• Issues recruiting dentists from overseas</li> <li>• Impact of Brexit on EU nationals working in dentistry</li> <li>• Posting for vocational training</li> <li>• Morale and retention in the workforce</li> <li>• Preventative measures for patients and work hygienists can do</li> <li>• The Dental Strategy</li> <li>• Practitioners moving from NHS to private practice</li> <li>• Potential changes to the NHS dental contract</li> <li>• Dentistry training</li> <li>• Excessive waiting lists</li> <li>• Gulf in provision in the region</li> <li>• Accessibility of services</li> <li>• Impact of COVID-19 on dentistry provision</li> <li>• Frequency of treatment for patients with good oral health</li> <li>• Potential new dental contract in April 2022</li> </ul>	<ol style="list-style-type: none"> <li>1. That Councillor Back be asked to report back to the Suffolk Health Scrutiny Committee on the findings of this review.</li> <li>2. That a letter be sent to the Minister emphasising the importance of creating a new national contract as soon as possible.</li> <li>3. That a letter be sent to the Universities of East Anglia and Suffolk regarding the creation of a dental school in the region which could be attached to the universities.</li> <li>4. That the Cabinet Member and Head of Communities discuss potential interventions the Council could make, possibly through the Community Partnerships, including an early year’s programme to improve oral health and contacting practices regarding better communication.</li> </ol>



## 17 February 2022 – Review of Covid 19

Key points discussed	Resolution(s)
<ul style="list-style-type: none"> <li>• The role, work and funding of the Suffolk Joint Emergency Planning Unit (JEPU)</li> <li>• Communication with volunteers throughout the pandemic</li> <li>• Emergency Planning Groups</li> <li>• Designated emergency persons for town and parish councils</li> <li>• Emergency plans held by towns and parishes</li> <li>• Role of councillors in an emergency</li> <li>• Data protection requirements during an emergency</li> <li>• Rest Centre training for Members</li> <li>• The role of the voluntary sector during the pandemic</li> <li>• Funding requests during the pandemic</li> <li>• Move to online service provision</li> <li>• Volunteers not returning to roles post lockdowns</li> <li>• The refreshed Volunteering Strategy</li> <li>• The importance of volunteers during the pandemic</li> <li>• The potential overuse and overreliance on volunteers in East Suffolk</li> <li>• Examples of activities and programmes provided during the pandemic by local communities</li> <li>• Partnership working</li> <li>• The Good Neighbour Scheme</li> <li>• Planning and preparedness for future booster programmes</li> <li>• Use of schools as vaccination centres</li> <li>• Possible exclusion through digitalisation</li> <li>• Encouraging intergenerational volunteering</li> <li>• Volunteer Passport Scheme</li> <li>• DBS checks</li> <li>• Home But Not Alone Scheme</li> <li>• Referral routes</li> <li>• Results of the CAS community group survey – June 2021</li> <li>• Mental Health and Wellbeing Task &amp; Finish Group formed by Community Partnership Board</li> <li>• PinkOrange Scheme</li> <li>• Budget advice and support</li> <li>• Free school meals</li> <li>• Increasing engagement with Financial Inclusion services</li> <li>• Emerging needs and early intervention</li> <li>• Community pantries/larders</li> </ul>	<ol style="list-style-type: none"> <li>1. That progress in relation to key areas of the Council's response to the Covid-19 pandemic, specifically community response groups, volunteering and emergency planning, as well as the emerging needs be noted.</li> <li>2. That Ben Hogston liaise with Councillor Beavan regarding a potential venue in Southwold for the next booster rollout.</li> <li>3. That the Head of Communities raise the possible development of an app with the Collaborative Communities Board.</li> <li>4. That the Cabinet Member for Communities discuss the promotion of Emergency Plans with the District Emergency Planning Officer.</li> </ol>

In addition, the Committee received updates from the following Cabinet Members regarding their portfolios:

- 20 May 2021 - Cllr Letitia Smith – Cabinet Member with responsibility for Communities, Leisure and Tourism
- 15 July 2021 - Cllr Stephen Burroughes – Cabinet Member with responsibility for Customer Services, ICT & Commercial Partnerships
- 15 July 2021 - Cllr Steve Gallant – Leader of the Council
- 16 September 2021 - Cllr Richard Kerry – Cabinet Member with responsibility for Housing
- 16 December 2021 - Councillor Maurice Cook – Cabinet Member with responsibility for Resources

## **Member Working Groups/Task and Finish Groups**

There were no Task and Finish Groups held during the period of this report.

## **Membership of Outside Bodies**

The Leader of the Council has requested that the Scrutiny Committee decide on the appointment of representatives to external forums with a scrutiny function. In May 2021, the Committee considered and appointed the following for the 2021/22 Municipal Year:

- **Suffolk County Council Joint Health Scrutiny Committee** – Cllr Colin Hedgley as the named representative with Councillor Ed Back as the nominated Substitute – these roles were swapped in September 2021 with Councillor Back becoming the named representative and Councillor Hedgley the nominated Substitute.
- **Suffolk County Council Joint Flood Risk Management Scrutiny Committee** – Cllr Linda Coulam as the named representative with Councillor Keith Robinson as the nominated Substitute.

## **Call-ins and Councillors' Calls for Action**

There have been no Call-ins or Calls for Action in the period of this report.

## **Training**

The provision of training developed specifically for Scrutiny Committee Members is vitally important to support the continued development of the Committee. The Committee received a training session on 12 August 2021 entitled "Developing Scrutiny and Building the Team". The session was

facilitated by David McGrath, a respected and experienced trainer with over 15 years specialising in providing scrutiny training to Councils.

## **Budget**

The Scrutiny Committee has an annual budget of £6000. In the 2021/22 Municipal Year, the Committee spent £1768.39 on scrutiny-specific training and refreshments for the Work Programme Away Evening in February 2022.

# LOOKING AHEAD

The Scrutiny Committee continues to evolve by looking at its processes and procedures to ensure that the Committee works effectively and efficiently.

With this in mind, the Chairman authorised a review carried out by the Scrutiny Support Officer, Sarah Davis, which took place from December 2021 to February 2022. The review included 1:1 interviews with each individual Scrutiny Committee Member to find out their views about how the Committee operated, and also with several other Senior Members and Officers, who had attended and supported the Committee with recent reviews, in order to gain their perspectives and any suggested ideas for improvement.

The results of the review and a reminder of the Government's Statutory Scrutiny Guidance were discussed with the Chairman and Vice-Chairman and circulated to Committee Members. This approach ensured that any potential changes accorded with the Guidance. It was agreed that the following changes would be introduced for the new Municipal Year:

## 1. Scoping Forms

The requirement for Members to complete a Scoping Form for potential topics was scrapped as it was felt this process put some Members off from suggesting topics and there was also some disparity in the level of detail on the completed forms which could result in topics not being scrutinised as fully as possible.

## 2. Work Programme

Members had previously suggested potential review topics for the Work Programme at the end of regular Committee meetings but it was considered that this was not the optimal time to enable Members to give topics the right amount of consideration. It was agreed, therefore, that an annual "Away evening" would be held to agree the Work Programme for the following Municipal Year as this gave Members dedicated time in an informal setting to discuss each topic in greater detail and decide if it should be reviewed using the following:

### **Key features of an effective work programme**

**A Member led process, shortlisting and prioritising topics – with support from officers – that:**

- **reflects local needs and priorities – issues of community concern as well as Corporate Plan and Medium Term Financial Strategy priorities**
  - **prioritises topics for scrutiny that have most impact or benefit**
    - **involves local stakeholders**
  - **is flexible enough to respond to new or urgent issues**

The Committee's Away Evening took place on 21 February 2022 and each Member was encouraged to suggest at least one review topic for discussion. Although 15 review topics were considered in total, Members decided that only one review topic would be programmed in for each meeting to ensure that any chosen topic had sufficient time devoted to it. On this basis, six review topics were agreed for the 2022/23 Work Programme and these were initially scoped out in draft by Members before being reviewed and scheduled with Officers, prior to

final agreement by Committee Members. Two months were also left clear in the Work Programme to provide flexibility and enable Members to slot in any reviews which arose during the year.

It was felt that this was a much more structured and inclusive process that enabled Members to consider in more detail the benefits of scrutinising particular topics and also enabled Officers, as the technical experts, to have a greater input at an earlier stage.

### **3. Cabinet Member Sessions**

These were made much more focussed by identifying in advance the two areas within each portfolio which the Committee wished to scrutinise.

The Committee remains committed to regularly reviewing all its processes and procedures to identify any areas for development so that we continue to focus on the 'big things' where a positive impact may be delivered for the Council and residents.



**SCRUTINY COMMITTEE**  
**Thursday, 29 September 2022**

<b>Subject</b>	Review of the Sale and Disposal of Council Assets Procedure
<b>Report by</b>	Councillor Craig Rivett, Deputy Leader and Cabinet Member for Economic Development
<b>Supporting Officer</b>	Kerry Blair Head of Operations <a href="mailto:kerry.blair@eastsuffolk.gov.uk">kerry.blair@eastsuffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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<b>Wards Affected:</b>	All Wards
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## Purpose and high-level overview

### **Purpose of Report:**

Scrutiny Committee requested a review of the sale and disposal of Council assets, to provide reassurance that good governance is in operation over the current procedures of sale and disposal of assets.

### **Recommendation/s:**

That the Scrutiny Committee consider this report on the sale and disposal of Council assets in East Suffolk and makes any recommendations as required.

## Corporate Impact Assessment

### **Governance:**

The answers to the questions below set out the process by which ESC carries out valuations of assets. This includes seeking, for example, external valuations for high value assets. Therefore, the council can be assured that sale or disposal prices are informed by an objective process, matched to market values and other comparable data.

Decisions on asset disposals are taken in consultation with the Asset Management Group – a cross departmental group dealing with property matters, relevant Members and ultimately Cabinet.

The Council's Constitution requires that all proposed land disposals (with the exception of disposals which are mandatory by operation of law eg. 'Right to Buys') are reported to Cabinet for approval. Section "5.5.9 *Recommend surplus land and buildings for sale to the Asset Management Group (AMG), followed by a joint report prepared by the relevant Strategic Director/Head of Service and the CFO to Cabinet.*"

### **ESC policies and strategies that directly apply to the proposal:**

Asset Management Strategy 2019-2023.

### **Environmental:**

Environmental issues are considered before assets are disposed of or transferred. For example, amenity land in Melton was transferred to the Town Council along with funding to manage grounds and open spaces. ESC has worked with parish councils to ensure that they have a plan for managing land after transfer.

### **Equalities and Diversity:**

There are no impacts.

### **Financial:**

There are no financial implications arising directly from this report. Questions in relation to finance processes were asked as part of the scope of this review and are answered below.

### **Human Resources:**

There are no HR implications.

### **ICT:**

There are no ICT implications.

**Legal:**

Under the Local Government Act 1972 (LGA 1972) local authorities can dispose of land in any manner they wish, including sale of their freehold interest, granting a lease or assigning any unexpired term on a lease, and the granting of easements. The only constraint is that a disposal must be for the best consideration reasonably obtainable (except in the case of short tenancies), unless the Secretary of State consents to the disposal (Section 123, LGA 1972). The purpose of Section 123 is to ensure that public assets are not sold by public authorities at an undervalue, save, if at all, with the consent, general or specific, of the Secretary of State.

**Risk:**

Risks are considered as part of deciding on the best approach for the sale or transfer of any particular asset including the transfer of assets to parish councils. In the latter case this includes the risk that the receiving council may not be able to manage the cost of asset liabilities post-transfer.

This Council works with town and parish councils to ensure that they have a viable plan for the future maintenance and upkeep of transferred assets.

<b>External Consultees:</b>	None.
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P11	Making best use of and investing in our assets	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>



<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>  Occasions arise when individual assets no longer contribute positively to the Council's Strategic Plan or where it becomes clear that this Council is not the best organisation to manage a particular asset going forward. The Council will always seek to ensure 'best return' from any disposal whether this be a financial return or return in kind, which for some smaller sites might include for example 'community benefit'.			

## Background and Justification for Recommendation

<b>1</b>	<b>Background facts</b>
1.1	In July 2019 Cabinet approved the Asset Management Strategy 2019-2023, which includes the Disposal Procedure for Land and Property at Appendix 5. The Strategy was considered by Scrutiny Committee the following year, in July 2020.
1.2	Details of all disposals and divestments, carried out since January 2019, are set out in Appendix B of this report.

<b>2</b>	<b>Current position</b>
2.1	The specific lines of enquiry Scrutiny Committee want answering, are set out below with a response.
2.2	<p><b>Does the Council have an approved corporate disposal policy which specifies the procedure and responsibilities for the sale of assets?</b></p> <p>Yes. This was approved by Cabinet in 2019 and is attached to this report as Appendix A.</p> <p>Land disposals are also included in the Council' Constitution at Section 5.5.9 "Recommend surplus land and buildings for sale to the Asset Management Group (AMG), followed by a joint report prepared by the relevant Strategic Director/Head of Service and the CFO to Cabinet."</p>
2.3	<p><b>Are sales approved in accordance with the organisation's policy and how is this documented?</b></p> <p>Yes, sales are approved in accordance with the adopted policy. The process is documented in the Asset Management section of the Y drive or more recently Teams folders.</p>
2.4	<p><b>Are conflicts of interest considered and recorded over sale/disposal decisions</b></p> <p>Potential conflict of interest for both Officers and Members are discussed and addressed as part of the disposal process. Subsequent actions may include file notes recording any potential conflicts and the outcomes in relation to these,</p>

	individuals not working on particular cases or recusing themselves from particular meetings or decisions.
2.5	<p><b>How often and when are records updated to record the disposal details?</b></p> <p>On each occasion that a transaction involving a sale or lease is completed, a completion memo is sent by officer in Legal Services with the conduct of the matter to the instructing officer in Asset Management and the dedicated e-mail address of asset completions. The Legal team provide details of the completed transaction, together with a copy of the completed deed as soon as this is available, and Asset Management deal with the ongoing notifications process to all other relevant departments.</p>
2.6	<p><b>Are procedures in place to ensure that all relevant parties receive all necessary information relating to sales and that they are notified of disposals and any related details?</b></p> <p>As far as possible. Some asset disposals are more commercially sensitive than others and require different handling to ensure that wider community interests and the best interests of the Council are protected.</p>
2.7	<p><b>How are proof of funds received documented and their payment into the appropriate accounts?</b></p> <p>Funds are paid into an ESC bank account by the 'purchasing party' or through a solicitor. The actual receipt is identified from daily bank statements and coded to the appropriate general ledger account on Navision.</p>
2.8	<p><b>Are independent checks undertaken to reconcile the amounts received to the approved sale prices?</b></p> <p>Finance will check the amounts received against the completion memos from Legal Services. Legal Services also confirm receipt before moving to completion of contract for sale.</p>
2.9	<p><b>Are checks undertaken to ensure that all income due from sales has in fact been received?</b></p> <p>As above.</p>
2.10	<p><b>Are all properties examined and formally valued prior to disposal?</b></p> <p>Yes, all assets are inspected and valued as part of the disposal process.</p>
2.11	<p><b>Are valuations independent of the organisation's valuers considered where the asset is of high value?</b></p> <p>Yes, where the value of the asset is likely to exceed £100,000 then Asset Management instruct an independent RICS Red Book Valuation from a third party.</p>
2.12	<p><b>Do tender/auction arrangements allow the Council to reject offers if they fail to reach the value at which the property is valued?</b></p> <p>If a proposed disposal is to proceed by way of an auction, then details are provided of any reserve price that is applicable to the sale and the auctioneer is made aware of this. If the sale does not reach the reserve price, the property will be withdrawn from the sale process. If a bid is very close to the reserve price but has not reached this, then discussions can be held after the auction as to whether this may be accepted.</p> <p>It is considered that this is a fair process and protects the Council in such disposals.</p>

2.13	<p><b>How are rejected offers managed?</b></p> <p>If an offer does not meet the valuation for the asset the interested party will be informed. They may be invited to submit a further offer. If numerous parties are interested in a particular asset, we may elect to go to an informal or formal tender process and invite best and final bids. Any unsuccessful applicant will then be informed via their preferred mode of communication.</p>
2.14	<p><b>Are alternatives to sale fully explored before the asset is disposed of?</b></p> <p>Yes. The exact alternatives considered depend on the asset involved and the strategic priorities of the Council at the time or in the immediate area. As most disposals are for small parcels of land, the best solution is often to dispose of them as there are usually limited alternatives for such sites. The Council very rarely disposes of income producing assets.</p>
2.15	<p><b>Are the full costs of disposal, including reduced future rental income, etc, evaluated before a decision is made to dispose of a property?</b></p> <p>The Council very rarely disposes of income producing assets. In such an instance we would evaluate all the costs, so the holding costs of the asset and loss of rental income and present this as part of the Business Case report to Cabinet seeking approval for this course of action.</p>
2.16	<p><b>Does the Council have a defined policy on methods of marketing 'surplus' properties?</b></p> <p>The Asset Management Strategy details the process to be followed when disposing of Council-held assets. The method of marketing for each asset identified for disposal will be considered and tailored for each instance. There is no one marketing approach as different assets will require different handling. Given the infrequent nature of any property disposal this allows a tailored approach to be adopted in each instance to maximise the disposal value.</p>
2.17	<p><b>In what approved circumstances are sales to 'special purchasers' allowed (e.g. owners of adjacent land for which the value of the organisation's asset may be greater than on open market value) and how are the benefits fully evaluated?</b></p> <p>If the party seeking to purchase an asset is a special purchaser, then the valuation undertaken will reflect that element within its recommended sale price.</p> <p>For example, for a houseowner wishing to purchase land adjoining their existing property boundary, the land value could well reflect the potential for an extension to be added to the house (if applicable) and factor in that 'hope value' to the valuation provided to the purchaser. This ensures that the Council receives the full value of the land to the special purchaser, which will often be more than the open-market value.</p> <p>Each case is considered by Members and approved or not depending on the strength of the particular case.</p>
2.18	<p><b>Are there formal, written procedures to be followed for all methods of disposal (including private treaty, informal tender, formal tender and auction)?</b></p> <p>All land disposals are progressed with the benefit of legal, finance, senior officer input and ultimately Member authority to dispose. The Council's Constitution requires that all land disposals (with the exception of disposals which are mandatory by operation of law eg. 'Right to Buys') come to Cabinet prior to any binding commitment being made.</p>

	<p>Any proposed transaction, other than auctions, will result in formal Heads of Terms which contain the agreed terms between the parties. The transaction is then documented in accordance with these Heads of Terms.</p> <p>In terms of auction sales, these are dealt with slightly differently; special conditions of sale are prepared and provided to the auctioneer, and these are included within the auction catalogue. An auction pack is also made available to prospective bidders so they can make an informed decision on whether to bid for the property. In the case of tender sales, prospective buyers are provided with the necessary property and title information along with the conditions attaching to the tender. The matter then proceeds with bidders making sealed bids for the property and then a decision is made having followed a previously agreed scoring system.</p>
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### 3 How to address current situation

3.1	It is considered that there is a robust process for the valuation and disposal of assets, and that the process protects the interests of the council and is compliant with the council's strategies.
3.2	Any recommendations from Scrutiny to improve this process will be considered by officers.

### 4 Reason/s for recommendation

4.1	This report is intended to provide reassurance to Scrutiny Committee that the processes followed when disposing of Council assets shows good governance and is legally compliant.
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## Appendices

### Appendices:

<b>Appendix A</b>	Asset Management Strategy 2019-2023
<b>Appendix B</b>	List of all disposals and divestments since January 2019



# ASSET MANAGEMENT STRATEGY 2019 - 2023

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Agenda Item 6

ES/1299



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## INTRODUCTION

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The Asset Management Strategy for East Suffolk Council (ESC) sets out the high-level strategic framework for managing our non-residential property portfolio effectively over the next four years. It will guide our future strategic property decisions to ensure we manage our property portfolio sustainably and efficiently.

Since the last Asset Management Plan adopted in 2007, the environment in which the Council operates has changed considerably. This presents both a number of challenges and opportunities, to drive change in how we deliver our services and the infrastructure needed to support this.

Our property assets are an important part of supporting and enabling us to transform the way we deliver public services and it is therefore essential that we have an innovative and forward-thinking strategy in place. This plan will provide a decision-making framework for staff, external stakeholders and customers giving information about the direction of change for the property portfolio.

## BACKGROUND

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East Suffolk Council (ESC) came into being on 1 April 2019 when the two former district councils of Waveney (WDC) and Suffolk Coastal (SCDC) were dissolved. The political governance of the ESC was determined on 2 May 2019 when the 55 Members of it were elected. At the first meeting of the ESC on 22 May 2019, a new Leader of the Council, Cllr Gallant, was elected and he appointed a Cabinet on the same day.

WDC and SCDC had worked in partnership for several years, and operated a number of shared services, since 2010. Each was a separate, sovereign body, but their shared history is relevant to understanding some of the challenges that are faced in developing a coherent and deliverable Asset Management Strategy, as the new era of ESC opens.

Until 2016, the commercial property estate for WDC and SCDC was managed separately, with differing strategic objectives, governance, operating models, property characteristics and data systems. Whilst a lot of work has been done to align these once separate functions, there is still further work to be done to create an optimal Asset Management function in terms of its governance, processes and procedures, operating model and quality of data.





## CORPORATE VISION

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East Suffolk Council's key business goals and objectives are set out in the East Suffolk Business Plan which covers the 8 year period 2015 to 2023.

The East Suffolk Business Plan sets out the vision for the delivery of services to communities across East Suffolk. The Plan outlines the long-term ambitions for East Suffolk, summarised in the corporate vision to:-

*"Maintain and sustainably improve the quality of life for everyone growing up in, living in, working in and visiting East Suffolk"*

The corporate vision for East Suffolk therefore aims to significantly improve the economic, social and environmental wellbeing of East Suffolk, to safeguard the prospects of current and future generations and improve everyone's quality of life.

The Business Plan identifies three core strategic areas of focus for delivering on the vision, which are summarised as:-

### Enabling Communities

This involves working closely with local communities in an 'asset based' approach to better deliver improvements in services and personal wellbeing. It recognises that actively involved and engaged communities are more resilient than those that rely wholly on local authority intervention and support.

### Economic Growth

This recognises the importance of a strong local economy to both the welfare of the residents of the District and also to the Council's ability to provide effective services in line with its statutory obligations. The council supports economic growth in particular through the work of its Economic Development and Regeneration teams and through its Planning Policy team which sets the planning policy framework for the District as a whole.

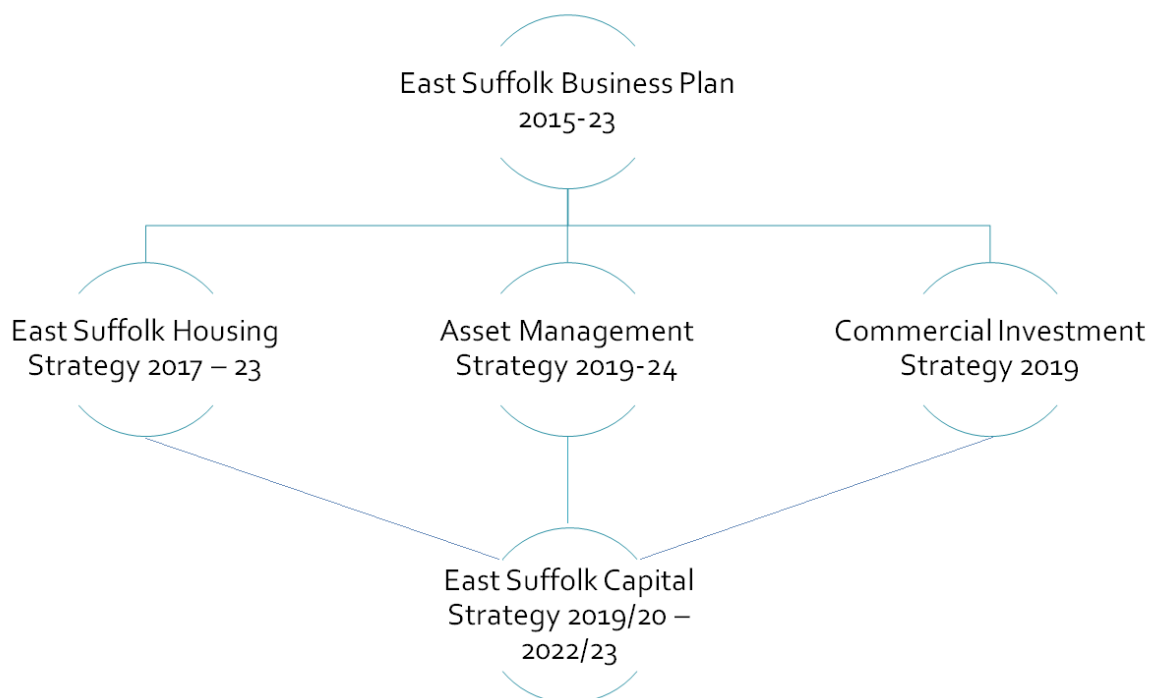
### Financial Self-Sufficiency

This recognises the need for the Council to balance its books in an increasingly challenging local government funding environment. With cost savings of circa £16m achieved since 2010 as a result of the merging and streamlining of service lines across the two councils, much of the 'low hanging' fruit has now been taken. The strategy acknowledges the need to find ever more innovative ways to achieve cost savings and increase revenue, in order to bridge the funding gap created by the reduction in the Central Government grant.

The Business Plan defines 10 critical success factors by which its success in delivering its vision will be judged and details a number of target projects/activities to be completed within the Plan period.

The Asset Management Strategy for ESC has been designed to align the Council's property strategy as closely as possible to the objectives of the Corporate Business Plan. It should be recognised, however, that in certain cases, where the Council's property assets are concerned, conflict may exist between different corporate objectives (e.g. commercial vs community) and decisions will need to be prioritised according to the specific circumstances.

In addition to the Corporate Business Plan, there has been regard for existing strategies within the Council together with the East Suffolk Capital Strategy. A diagram showing how the Asset Management Strategy fits into the overall structure is shown below:



## FINANCIAL CONTEXT

Understanding the current financial position of an organisation and any known material projected changes to that position, is essential to effective business and strategic planning. At the time of writing, ESC's financial position is set out in its Medium-Term Financial Strategy (MTFS) 2019/2020 to 2022/2023.

As at February 2019, the combined ESC's financial position is reflected in the table below, showing the shortfall in income to cover the planned expenditure of the Council.

MTFS Forecast – East Suffolk	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000
February 2018	3,592	3,933	3,914	3,914
October 2018	4,172	4,402	4,381	4,379
November 2018	3,246	3,472	3,446	3,439
January 2019	0	4,112	4,414	4,538
February 2019	0	3,841	3,849	3,872

As indicated, on the basis of income and expenditure projections as at February 2019, the MTFS is showing a balance budget for 2019/2020, but this is after using £3m of reserves. The budget gap rises to circa £3.9m in the following three years to 2022/23. The financial backdrop to the Council's Corporate Business Plan and its Asset Management Strategy is therefore challenging (reflective of the wider UK position).

The MTFS details no specific means by which the Council will seek to reduce the projected deficit as it will be for the new Cabinet to implement an Efficiency Plan that addresses the funding gap. It is anticipated however that it will be through a mixture of cost saving and revenue generating initiatives and it is expected that the Asset Management Strategy will play a key role in achieving this objective.

# ASSET MANAGEMENT OVERVIEW

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## What is the role of Asset Management?

***“Strategic Property Asset Management is the process which aligns business and property asset strategies, ensuring the optimisation of an organisation’s property assets in a way which best supports its key business goals and objectives”***

*RICS Public Sector Asset Management Guidelines 2nd Edition*

The Asset Management Team at ESC is responsible for the management of a non-residential, mixed property portfolio. The purpose of the team is to ensure all assets are fit for the business purpose for which they are procured and held, and that they are managed optimally in terms of their capital/revenue cost and return to the business.

## The Existing ESC Property Portfolio

The ESC property portfolio is confined within the administrative boundary of the Council. The ESC administrative area stretches from Felixstowe in the south to Lowestoft in the north with a coastal and largely rural hinterland in between. As with many local authorities, the land and properties that it owns have been accumulated over a period of many years and whilst some are still held for the purpose of service provision, many are legacy ownerships that are no longer involved in direct provision of services.

The ESC portfolio is extremely varied in its composition. It comprises both operational property (assets held for the delivery of services) and non-operational (investment/surplus) properties. The portfolio includes large areas of coastline, a variety of leisure assets linked to tourism, community assets including public conveniences and playing fields, as well as more conventional office, retail and industrial assets. As at February 2019, the ESC balance sheet records 1,500 General Fund owned property assets with a combined value of circa £100M (this value is an accounting valuation and doesn’t therefore reflect the open market value of the estate).

## The Existing Asset Management Operating Model

The Council’s Asset Management Team sits within the Operations service area and is overseen by the Head of Operations. The team itself is led by the Asset and Investment Manager and is split into three functional areas; estate management, building services and development. In addition, there is a Service Level Agreement with SC Norse to provide building maintenance services for properties within the former area of SCDC.

The responsibilities within the Asset Management Team can be sub-divided as follows:

### **Estates Management**

- Management of the Council's property lease and licence agreements
- Optimisation of the Council's commercial tenancy income
- Valuation of the Council's property assets under a 5 year rolling programme
- Provision of Right To Buy valuations to Housing Tenancy Services
- Negotiation of land and property acquisitions and disposals
- Handling of all internal and external property related enquiries
- Identification of value add initiatives within the surplus estate and support to the AM development function
- Professional support to corporate projects relating to assets
- Identification of property investment opportunities to support the Council's Commercial Investment Strategy
- Maintenance of the Council's property data and management information
- Provision of development management expertise to extract value from assets and support the Council's strategic development and regeneration projects

### **Building Services**

- Preparation of condition surveys and maintenance of a planned preventative maintenance programme
- Procurement and project management of ongoing maintenance and major capital works projects
- Ensuring compliance with all relevant statutory legislation including health and safety, asbestos, legionella, electrical testing etc
- Support to the AM development function with design, costing and project management input

### **Development**

- Identification of new development and redevelopment opportunities within the District
- Development appraisals of potential commercial, leisure and residential schemes
- Project management of developments from conception to delivery

## Portfolio Objectives & Current Pressures

Improvements to the way in which property assets are managed will be an important priority for ESC, providing greater assurance that they are safe and comply with statutory requirements as well as introducing a more commercial outlook for the portfolio. The foundations of this process must include more robust data and process, increased capacity and stronger governance and decision-making.

ESC continues to face budget pressures and therefore must consider a range of options to reduce the cost of maintaining, repairing and operating its property portfolio. This will include a more commercial approach to asset management, increasing income generation, rationalisation of the portfolio, redevelopment, disposals and considering alternative income streams as well as considering opportunities for shared space. This will require a more focused and strategic approach across the council's assets.

A number of issues have been recognised with the current status and management arrangements for the portfolio. These need to be addressed with an appropriate response defined through the strategy. These challenges and pressures include:-

1. The portfolio includes a number of assets held for community purposes which are retained by ESC for community benefit at a net cost to the authority;
2. The portfolio includes a number of assets which are underperforming and/or are surplus;
3. A lack of data to support and inform decisions relating to the portfolio;
4. A lack of policies and procedures relating to the active management of the portfolio;
5. Further investment in information systems to assist the day to day management of the portfolio is required; and
6. The long-term nature of property as an asset class.

## Creation of an Asset Management Strategy

As part of the process to create an effective Asset Management Strategy, guidance has been provided through the RICS Public Sector Property Asset Management Guidelines (2<sup>nd</sup> Edition). These guidelines seek to provide direction and assistance to property professionals within the Public Sector and also to provide insight into the benefits of reduced operating costs, better quality accommodation, more productive staff and satisfied customers. The guidance aims to assist with the formulation of corporate business strategies through to implementing specific management plans. This Asset Strategy seeks to provide both high level strategies relating to the portfolio as well as an asset plan to achieving specific targets.

# ASSET MANAGEMENT – THE FUTURE STRATEGY

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## Mission Statement

The overarching objective of the asset management strategy can be summarised in the following Mission statement:-

*In the four-year period April 2019 to March 2023, the Council will thoroughly validate its property data, develop a best in class asset management operating model with the right governance, skills, technology and processes to implement the strategy, identify and execute a clear action plan for each and every property asset and establish a successful commercial property investment and development capability.*

The future asset base aims to have a balance between community assets, operational buildings and properties which provide a financial return. The future portfolio will be required to subsidise non-income assets as well as providing an income for the Council to assist with the overall financial deficit.

The Asset Management team will continuously review the portfolio and work with services to identify opportunities to reduce the portfolio or increase efficiencies.

This section of the Asset Management Strategy sets out the priorities for delivering on this agenda, which cover a wide range of activities and work strands, some in progress and some to be delivered over the coming years. Although this work represents a complex set of inter-related projects, the objectives driving delivery can be simply stated as:

- Administrative Improvements
- Compliance & Sustainability
- A strategic approach to assets
- Reducing expenditure and increasing income



## Administrative Improvements

### Capacity

There has been recent investment in staff resources to help create a team structure to address issues relating to capacity within the Asset Management team. There is a commitment to invest in staff training and the recruitment of qualified staff to ensure professional advice is provided at all times. Where workload exceeds staff capacity or specialist advice is required, we will look to use external professional consultants to advise ESC.

### Backlog

Due to historic reasons, changes within the Council, staff changes and the Asset Management function being brought back in house, the ICT systems and capacity within Asset Management has not met demands on the service and this resulted in a backlog of case work and administrative functions that built up over some time. This backlog of work includes:

- Rent reviews
- New leases and licences
- Disposals
- Maintenance and renewal

The timescales to implement the Asset Management Strategy are mindful to include periods of day to day work to help reduce this backlog.

### Property Data & Management Information

Data is one of the most important tools to proactively manage a property portfolio. We are aware the portfolio comprises over 23,000 deeds of which 75% are land / property related, the other 25% being contracts, apprenticeship agreements, tree preservation orders, stage play licences etc. On average there is one new land / property transaction per week (e.g. sale, compulsory purchase order) plus various other changes (section 106, licence changes).

The effective management of ESC's property assets is a key objective of the proposed East Suffolk Commercial Investment Strategy and accurate and accessible information on East Suffolk owned and leased land and property assets is critical to effective management.

To address an historic issue relating to up to date property data, a comprehensive review of all assets was undertaken in 2018/19. Following this exercise, the data was validated and uploaded onto ESC's property database, Uniform, where it will be maintained going forwards.



This data validation exercise is an essential prerequisite to ensuring ESC is able to execute and maintain its asset management strategy effectively going forwards. Uniform is intended to:

- Maintain a complete and accurate property asset register;
- Provide a single corporate resource for managing assets;
- Support the continuous management and maintenance of the property asset base through the use of alerts and reminders for specific tasks  
i.e. lease renewals, rent reviews;
- Enable ESC to satisfy statutory and other reporting and compliance requirements;
- Enable the implementation of performance across the asset portfolio; and
- Enable accuracy and timeliness in property assets reviews, appraisal, decision-making and planning.

There is a commitment to invest in ICT to ensure data is able to be updated, amended, extracted and analysed. Investment has already been made to purchase software for valuation and to assist investment decisions however further investment is required to improve functions within the building services team. Software to work alongside Uniform is required to record condition surveys, legionella reports, maintenance budgets etc. Any investment in software to assist functions within the building services team will be considered alongside ICT used by partners to ensure sharing of data is achievable.

### Member engagement

To ensure Member engagement is an effective process, the District has been divided into geographic areas for which specific members of the team are responsible for enquiries and keeping the relevant Members up to date. This aims to ensure local issues and ideas are captured as part of a two-way process. Members will be formally consulted on decisions being presented to Cabinet or Committees to ensure their views are known when property decisions are due to be made within their ward with particular reference to disposals, acquisitions and developments.



## Processes and Procedures

To ensure the Asset Management team is able to efficiently manage the portfolio it is necessary to put in place a number of standard processes and procedures to assist with the day to day management of the portfolio. This includes the introduction of a suite of documents to ensure consistent reporting and standardised documentation to tenants and prospective occupiers.

In addition, in order to improve our customer service there is also a need to better document the services provided by Asset Management internally and externally.

A number of our external enquiries are for temporary agreements relating to concessions, scaffolding, metal detecting and use of land for amenity use. Therefore, in order to reduce the number of telephone enquiries and to set out clear procedures for standard enquiries, it is proposed that the East Suffolk website is used to channel these requests through a formal application process. This will form part of the digital transformation of the service to improve day to day management of the portfolio.

## Compliance & Sustainability

ESC is committed to ensure all property assets comply with all legal agreements to minimise exposure to risk as a result of environmental, social, financial and economic change. The recent Asset Review undertaken to inspect, document and classify each asset as well as review each lease should help contribute to reducing ESC's exposure to risk. However, it will be necessary to put in place through the use of ICT software such as Uniform a process to flag reminders for lease renewals, Health & Safety related inspections etc.

## Health & Safety

The basis of British health and safety law is the Health and Safety at Work Act 1974 (HSWA) and associated supplementary Regulations and Codes of Practice. Section 3 of the Act imposes a clear duty on local authorities to conduct their undertakings in such a way as to ensure, so far as is reasonably practicable the safety of the public using premises.

The primary statutory instruments driving statutory compliance for property assets are:

- The Health & Safety at Work etc. Act 1974
- Managing Health & Safety at Work Regulation 1999
- The Regulatory Reform (Fire Safety) Order 2005
- The Building Regulations 2000 (as amended)
- The Control of Substances Hazardous to Health COSHH Regulations 2002 & Amendment 2003
- The Control of Asbestos Regulation 2012
- The Health and Safety Executive Approved Code of Practice (ACoP) Guidance on Legionnaires Disease, the Control of Bacteria in Water Systems L8.
- Consumer Insurance (Disclosure and Representations) Act 2012

In order to comply with legislation, the Asset Management team will need to ensure all ESC owned properties have risk assessments for statutory compliance and where relevant an identified program of recommended remedial works is agreed and resourced. This will need to include boundary walls, external areas and structures in addition to buildings.

### **Third Party Management of Assets**

ESC's portfolio of assets includes sites that are directly managed by third parties. Where an external organisation has operational control of premises or responsible for maintenance, it is essential the Council understands and addresses the residual financial, legal and reputational risks that remain.

### **Energy Performance Certificates**

From April 2018, proposed legislative changes would make it unlawful to let residential or commercial properties with an Energy Performance Certificate (EPC) Rating of F or G (i.e. the lowest two grades of energy efficiency). Assets that fail this standard need to be identified and this information fed into investment decision-making. It is proposed the Council aims for all existing property assets to have EPC ratings of D or higher in order to comply and exceed the standard.



## A Strategic Approach to Asset Management

Much of the estate is redundant and surplus to strategic requirements. The portfolio could be radically rationalised to reduce future maintenance, repair and operating costs. The proceeds from the disposal of the sites released as a result could assist improving the remaining estate and to invest in properties that produce a beneficial yield. Apart from these capital investment benefits, a rationalised estate would also reduce risk and help deliver revenue budget savings.

In refreshing the asset management register it is intended to reclassify our assets as either operational, community or investment with unclassified assets automatically being subject to a review for potential disposal. This should eliminate uncertainty about use, ensure adequate compliance with statutory obligations and allocate resource according to the value of its use. It should be noted that these categorisations are not the same as accounting categorisations.

### Portfolio – Operational

This portfolio comprises assets which are used to deliver services. The key objectives of this portfolio are:

- Provide adequate and appropriate space for the service (Including maintenance and running)
- Optimise occupancy
- Ensure statutory compliance
- Minimise expenditure

Operational property should be continually reviewed in line with the service delivery requirements to ensure the building is fit for purpose. Any surplus property should be identified and managed appropriately to achieve rationalisation.

Examples of the types of property in this portfolio include: Administration and frontline offices, depots, waste management sites, leisure facilities and car parks.

It is difficult to judge the performance of operational properties however the key objectives of the portfolio are detailed as follows.

To mitigate the holding cost	To annually evaluate the operational need and suitability of the asset
To review and identify any potential sharing functions of the asset with external partners / uses	To annually review any suitable alternative premises within the relevant locality
To annually review the usage of the asset and optimise occupancy	To ensure statutory compliance
To minimise the expenditure and annually review the overall cost of the asset to the council in property and non-property terms	To maximise the efficient running of the asset



## Portfolio – Community Benefit

This portfolio comprises all assets which perform a community function or where the asset has been transferred under statute under a peppercorn, retaining its “public use”. The key objectives of the portfolio are to ensure the asset complies with all statutory obligations and that correct management is in place with an emphasis for mitigation of holding costs. In line with the East Suffolk Business Plan, where there is a desire for communities to take over responsibility for assets within their areas ESC will support the transfer of assets through divestment.

Examples of this type of asset include long leaseholds, services commissioned with leases or another type of occupational arrangement, public open space and playgrounds.

The key objectives of the portfolio are:

To mitigate the holding cost	To annually review the usage of the asset and optimise occupancy
To ensure the terms of any tenancy arrangement is being fulfilled	To assess the suitability for a community asset transfer
To ensure statutory compliance	To ensure management of the asset is appropriate depending upon the occupier / usage



Linked with this portfolio are assets purchased for regeneration purposes. The East Suffolk Growth Plan 2018-23 notes major economic assets and opportunities in the district(s) ("amongst the most significant anywhere in the UK"), with the four most significant being the Port of Felixstowe, Adastral Park (Martlesham), Offshore and Renewable Energy (predominantly Lowestoft), and Sizewell B. In addition, "Cefas" (Lowestoft), with its expertise in marine science and technology, is now becoming of national significance.

Alongside these national assets, there are a limited number of other medium and large scale businesses, and over 9,000 – highly diverse – micro and small businesses.

The Council's assets play a vital role in enabling regeneration to deliver housing, jobs, economic sustainability and improved leisure to sustain a long-term balanced economy aligned to the Council's aims and corporate objectives. The Asset Management team aim to offer support and professional advice to the Economic Development and Regeneration Team for the acquisition or development of regeneration assets.

### **Portfolio – Investment Property**

This portfolio comprises of assets which are being held by ESC solely for the purposes of income generation, future development from which it may derive a return. The objectives are essentially to increase and optimise income, optimise capital value and development return, maintain and improve the assets to increase value, mitigate any holding costs, enforce the terms of the tenancy agreements and ensure a well-balanced, income producing portfolio.

The principle of commercial investment for ESC is to build a balanced, low-medium risk, long term income stream through a property investment programme.

It is proposed that commercial property investment be undertaken in-house/directly (rather than through a separate company or alternative structure) within the boundaries of the East Suffolk district.

The in-house commercial property investment portfolio will however be ring-fenced from properties within the existing portfolio that are held for operational or community purposes. The purpose of this is to both enable the council to analyse the performance of the portfolio and also to ensure compliance with Section 1, Localism Act 2011 and Section 120, Local Government Act 1972.

### *Asset Management Group*

The risk associated with commercial property investment requires the activity to be delivered within a strong decision-making framework. RICS guidance suggests the formation of a corporate property asset management group. It is therefore proposed for all investment decisions, specifically acquisitions and disposals, to be fed through a central, internal property group known as the Asset Management Group (AMG). This group is proposed to be made up of Heads of Service who have an overview of all departments and able to develop a corporate approach to capital planning, expenditure and the use of assets. Terms of Reference for the AMG are shown at **Appendix 2**.

### *Types of Commercial Property Investment*

Commercial property can be described as office buildings, industrial and retail units. The age, condition, location and specification are key factors which differentiate properties from being classified as “prime”, “good secondary”, “secondary” and “tertiary” premises. As well as the key physical property fundamentals, investment factors also include tenant covenant, title, planning use, environmental factors, energy and rating issues.

Nationally, at the time of writing this strategy the commercial market reflects a mixed picture. The industrial sector is significantly outperforming both the office and retail sectors. Industrial space is in demand with rents anticipated to continue rising with prime rents in Felixstowe (£5.50 per sq. ft as at 2019 using Carter Jonas data). The investment market in East Suffolk has historically tracked the national market however due to the geographic and economic structure of the region, it is considered to be less volatile than in regions where there are larger towns and cities.

In East Suffolk there is a general lack of “prime” investment property and therefore any commercial property investment within the region would be targeting largely secondary property. Industry benchmarks suggest yields ranging between 5%-7% for “good secondary” office accommodation and between 6%-9% for “prime and good secondary” industrial units.

Investment properties purchased by ESC should therefore be in good quality and with reasonable or good environmental credentials and good tenure. The asset should not require substantial capital investment beyond the purchase costs in the short-medium term. The lease(s) must provide for a good income stream for a minimum of five years from good covenant tenants on commercial leases. In addition, there should be good prospects for future rental and capital growth.

Properties should be attractive in the market and capable of assignment, re-letting or sale without difficulty. All investment properties considered for purchase should be stress-tested to inform decision making. Investments should be actively sought inside the District and assessed on their merits before being presented to the central AMG.

Revenue generated from the investments can support meeting the Council's Revenue Budget gap.

It may be necessary to consider borrowing options to finance the purchase of investment properties. Options for borrowing will be carefully reviewed as part of the investment decision to ensure the net rental return exceeds the borrowing cost plus the standard investment rate and that the yield appropriately reflects the risk.

In order to achieve the best possible return it will be necessary to undertake the following actions:

- At the time of any lease renewals, assignments, break clauses or end dates, it will be necessary to ensure tenant covenants have been complied with and enforced.
- On agreeing new leases, where appropriate, simple review mechanisms such as index linking should be considered to reduce the time and cost of dealing with market value disputes.
- Where the level of work required is disproportionate to the likely outcome, cases should be de-prioritised or alternative solutions considered, including disposal.  
E.g. Access licences, garden licences, low value lease renewals etc.
- Opportunities for lease re-gearing, extension, surrender and renewal should be actively explored to improve income security.
- Where income is disproportionately low to high capital values of an asset and there is little strategic benefit to retaining ownership, disposal and reinvestment should be considered.
- Where tenants breach the tenancy agreement, with particular reference to failure to pay rent, action must be taken quickly to remedy the situation. This may include bailiff action or repossession. Payment plans should be avoided.

The following criteria should be used to evaluate the asset:

To mitigate the holding cost	To identify the development or alternative use value of the asset
To increase and optimise income	To enforce the terms of the tenancy arrangement in accordance with the lease
To optimise capital value and development return within risk parameters	To identify the maintenance liabilities associated with the asset



## Reducing Expenditure & Increasing Income

### Required Maintenance

Required Maintenance is the cost of bringing a building from its current state up to a condition that fully meets statutory and regulatory compliance obligations and provides a safe and efficient base for service delivery. Required Maintenance liabilities can only be established by regular costed condition surveys. The aspiration should be to move to a cyclical maintenance programme where maintenance is around 70% planned and 30% reactive. In order to ensure this is achievable, rationalisation of the property portfolio will be necessary so the amount of property to be maintained is kept to a minimum.

Under the CIPFA model, costs are prioritised as 1 (urgent works), 2 (essential works within years 1 and 2), 3 (desirable works required within years three to five) or 4, (desirable works carried out five years +). The total of priority 1 to 4 works for each operational building provides us with a total Required Maintenance figure for the following five years. This prioritised assessment of Required Maintenance should in principle inform both the revenue and capital budget setting process.

The aim is to ensure that the most urgent works are identified, with the greatest priority being given to those elements in the worst condition in the most strategically important buildings. The council faces a huge backlog in Required Maintenance and in a fiscally constrained environment we need to ensure the best use of resources, provide value for money and ensure that funding is properly prioritised.

Building condition is characterised as A (Good) B (Satisfactory) C (Poor) D (Bad).

The strategy should be to opt for B3 (i.e. satisfactory condition / desirable works required within years three to five) as the target status for strategic properties with investment being targeted accordingly. Non-operational properties falling within categories C2 or worse should be subject to an options appraisal for alternative uses / disposal.

A comprehensive condition survey will need to be carried out to inform decisions on capital and revenue expenditure on assets, their classification, their disposal, retention or redevelopment potential.

In principle, properties within the lower condition categories should have only essential work undertaken on them in order to maintain their operational capability, this effectively being critical health and safety works and work that would continue to keep the property 'wind and water tight', until the future of the property has been reviewed. This is to avoid wasted expenditure.

In addition to condition and maintenance data, other factors need to be considered such as location, utilisation, operating costs, fitness for purpose, accessibility, capacity, contribution to current service delivery and the property's ability to support future service delivery.

A building in poor condition may still represent a suitable building to the service department, so a decision made on the basis of either condition or suitability in isolation may not necessarily be correct. It may sometimes be beneficial to undertake a more in-depth survey and assessment before key estate rationalisation decisions are made.

All service and utility contracts will be reviewed to ensure that they continue to provide value for money.

### Acquisitions

Assets are purchased for a variety of purposes including investment purposes, regeneration, to improve services or in order to fulfil a duty or Council objective. Given the costs and risks involved in holding assets, any decision to acquire assets the Council should consider whether it is necessary to own the property concerned, or whether some other arrangement would perform the function more appropriately e.g. Leases, licences or 'option' agreements. However, these also have risks and costs, so each case is considered on its merits.

Any acquisition should follow the Acquisition Process for Land and Property at **Appendix 4**.

### Disposals

The Council maintains a general preference to retain property assets where there is a strategic purpose or where there is an opportunity for long term income generation. However, it will be necessary to rationalise the portfolio to reduce the number of surplus assets, reduce maintenance and management costs and where assets are part of Community Asset Transfers.

It will be necessary to consider whether the cost managing and maintaining the asset outweighs the financial benefit. Furthermore, disposals offer a means of generating capital to reinvest in the portfolio or to improve the residual stock without incurring borrowing costs.

Any disposal of land needs to comply with the S123(1) of the Local Government Act 1972 which empowers a principal council to dispose of land held by them in any manner they wish subject to an obligation to achieve the best consideration that can reasonably be obtained. In addition, all disposals of property are required to be approved by Cabinet as stated within the Constitution (Page 107, para 5.5.9 of the Financial Procedure Rules).

All assets for disposal should follow the 'Process for Disposals of Land and Property' attached at **Appendix 5**.

## Surplus Properties

An asset shall be deemed to be surplus to the Council's requirements if one or more of the following apply:

- (a) It makes no contribution to the delivery of the Council's services,
- (b) It has no potential with regard to the delivery of the Council's Business Plan and is not categorised within one of the following strategies of the Council:
  - Enabling Communities
  - Economic Growth
  - Financial Self-Sufficiency
- (c) An alternative and more cost-effective service delivery site has been identified.

A site is deemed to be under-used if:

- (a) The income it generates is below that which could be achieved from one or more of:
  - (i) An alternative use
  - (ii) Disposing of the site and investing the income
  - (iii) Intensifying the existing use, mindful of the viability of doing so
- (b) A significant part of the site is vacant and is likely to remain so for the foreseeable future and has no potential with regard to the delivery of the Council's Priorities.
- (c) The cost of retaining the asset outweighs its likely income generation.

## Vacant Property Strategy

At any point in time the Council will own and manage a number of vacant properties, land and buildings, which are not in operational use or leased out to third parties. Asset Management has a focused approach to managing these properties with a view to disposing, leasing or reusing as many assets as possible and aiming to keep vacancy rates to a minimum. The most significant costs in holding vacant property are business rates or council tax, security and building maintenance.

In managing vacant properties Asset Management aims to:

1. Have properties in vacant management for a minimal time prior to reuse, disposal or letting
2. Tailor the management of a vacant property having regard to location, vulnerability, property type, future use, existing condition etc.
3. Maximise income generating opportunities where possible and minimise liabilities.

A specification is developed from the outset as to how a property will be managed, involving a number of activities focusing on security, maintenance, compliance, utilities, insurance, taxation and inspections.

## Community Asset Transfers

The Council considers disposals of property to community groups (“community asset transfers”) if there is, on balance, an advantage to the Council’s policy objectives in doing so and there is a genuine business case from the community group to do so. That is, the Council would need to have confidence in the ability of the community group to sustain both the building and their own operations by which the policy benefit is achieved. The Council will carefully consider the most appropriate type of disposal; this will depend on the nature and experience of each group and all other relevant factors.

The procedure for Community Asset Transfers is detailed within the Disposal Policy at **Appendix 5**.



## Appendix 1 - Key Performance Indicators

The Key Performance Indicators (KPIs) will measure the performance associated with all areas of Asset Management. The KPI's are intended to be assets by the end of the plan period in 2023.

Category	Objective	Indicator	Performance Target
Administrative Improvements	Ensure all properties are up to date on Uniform	What percentage of properties have the following information detailed on Uniform: <ul style="list-style-type: none"> <li>• Address</li> <li>• Asset No.</li> <li>• Unique Property Reference Number (UPRN)</li> <li>• Tenant</li> <li>• Current Rent</li> </ul>	100%
	To decrease the number of telephone and web enquiries to the department	Is there a dedicated Asset Management web-page on the East Suffolk website directing enquiries through the use of E-Forms. If Yes, how many enquiries are received per month via the website through a specific E-form?	5
Premises	To ensure all properties are compliant with statutory legislation	What percentage of buildings have an up to date EPC?	100%
		What percentage of buildings have an up to date risk assessment?	100%
		What percentage of buildings have an up to date asbestos survey?	100%
		Where an external organization has maintenance responsibilities, what percentage of properties do we have all Condition Surveys?	100%
	Repairs	What percentage of properties have a Condition Survey undertaken within the previous 5 years?	100%
	Maintenance	What percentage of repairs undertaken in the previous 12 months are planned maintenance?	70%
		What percentage of repairs undertaken in the previous 12 months are reactive?	30%
		What percentage of properties within the portfolio have been assessed on a £/sq m in	50%

Category	Objective	Indicator	Performance Target
		relation to the maintenance cost of the asset.	
Income	Increase rent collection across portfolio	What percentage of investment properties are let a Market Rent?	100%
Letting	To ensure all properties are occupied	Percentage of properties let within the investment portfolio	100%
		On average, how many days did it take for us to re-let a Council property in the previous 12 months?	40
Disposal	To rationalize the portfolio	What percentage of properties identified for disposal have been sold within the last 12 months?	30%
Acquisition	To improve the investment portfolio	What number of properties have been purchased for investment purposes within the last 12 months?	5
Surplus Properties	To minimize the number of surplus properties	What percentage of properties within the portfolio are identified as surplus?	5%
		How many months have individual assets been identified as surplus?	12 months



## Appendix 2 – Asset Management Group Terms of Reference

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### Overview

RICS guidance suggests the formation of a corporate property asset management group. This group will have overall responsibility for developing a corporate approach to capital planning, expenditure, use of assets and would manage the implementation of the agreed property asset management plans and strategy.

The group is intended to be a sounding board for all purchases, disposals or strategic decisions. Recommendations from the group would be reported directly to senior decision makers and politicians as appropriate.

### Main Aims & Objectives

- Direct and oversee the implementation of the East Suffolk Asset Management Strategy (ESAMS)
- Regularly review strategic priorities in the context of the overall district property economy
- Regularly review the performance of the commercial investments held by East Suffolk Councils
- Regularly review disposals and acquisition opportunities
- To ensure the joined up objectives for regeneration opportunities across the district
- Promote and communicate the outcomes and achievements of the ESAMS and delivery plan

### Asset Management Group Structure & Management

The Group will consist of:

- Head of Service for Legal Services or Senior Representative
- Head of Service for Financial Services or Senior Representative
- Head of Service for Housing Services or Senior Representative
- Head of Service for Economic Development or Senior Representative
- Head of Service for Planning or Senior Representative
- Head of Service for Operations
- Strategic Director

The Group will meet quarterly with additional meetings when required. The venue for meetings will alternate between SCDC's and WDC's offices.

Changes to the Terms of Reference need to be agreed by at least half the members. A record of the meeting and decisions shall be recorded.

## Appendix 3 – Categoricalised Asset Strategies

Asset Type	Strategy
Allotments	Provision will continue and subdivision of vacant and underutilised plots will help to increase supply.
Bandstands	All bandstands will need to be kept in good condition for continued community use.
Beach Huts	To meet the significant demand for beach huts within the district it is proposed within the East Suffolk Business Plan to increase the number of beach huts provided in the District by 10%.
Bus Shelters	All bus shelters will need to be kept in good condition for continued community use.
Car Parks	Car parks facilitate access to the city centre, generate income, support the Local Transport Strategy and support the local economy.
Caravan Sites	All sites will be required to be operated as efficiently as possible to ensure long term financial income.
Cemeteries	The remaining life of the cemeteries needs to be assessed. It is anticipated that this will identify the remaining life of each cemetery. In the medium to longer term the council will have to consider the provision of new sites or directing to an alternative provider.
Concessions	A review of concessions will be required to ascertain the demand, condition and usage of existing and new sites.
Depots	All operational depots will continue to be used however a review of the site will be necessary as part of a potential relocation of the Housing Depot.
Investment Properties	The Council owns a mix of office, industrial and other commercial properties that produce a revenue income. The portfolio has been established for a number of years without rationale for acquisition or holding the assets. This is being reviewed following a comprehensive review of all assets and proposals for disposal / retention are being assessed.



Asset Type	Strategy
Leisure Facilities & Sports Grounds	<p>The Council own 6 leisure centres of various sizes and currently have two operators, Places Leisure in the south of the district and Sentinel Leisure Trust in the north. The Council also has grass pitches, mainly in the Felixstowe Area and one in Lowestoft.</p> <p>The East Suffolk Business plan has a strategy to provide quality, financially sustainable facilities that increase participation annually. The Council has a development partner, Pulse Design and Build, who are working in partnership with the Council to redevelop the leisure facilities, providing quality facilities that have plans in place to ensure they remain in that way for at least 20 years. The Council are to update the Build Facility Strategy, Playing Pitch strategy and the overall Leisure Strategy working with Sport England and also reviewing the operation specifications of all sites.</p>
Miscellaneous Land	All land held will be assessed for its strategic purpose and either retained for community use, regeneration purposes or considered for disposal.
Offices	The office estate is predominantly freehold providing 'fixed' office facilities for most staff. A review of the office requirement across the District is necessary as part of the need for Housing to have fit for purpose accommodation.
Open Spaces, Parks & Play Areas	<p>The Open Space Strategy states "By the year 2020 we will have a diverse network of safe, accessible, clean and attractive open spaces that are well managed and maintained, through community participation, to enhance the quality of life, well-being and learning opportunities of all sections of the community".</p> <p>The council has a large number of opens spaces, parks and play areas. The council needs to put in place a review of equipment and put in place a rolling programme for the improvement and upgrade of the extensive portfolio of play facilities. Divestment of open spaces, parks and play areas should be encouraged to help empower local communities.</p>
Public Conveniences	Public conveniences are not a statutory service however a review needs to be undertaken to consolidate the service where there is underuse. A standard specification for public conveniences is required across the District and all used public conveniences upgraded to this specification.
Public Shelters	All shelters will be required to be kept in good condition for continued public use.
Regeneration Holdings	Land purchased or held for regeneration purposes should be the subject of a specific project group looking to promote the land for alternative uses.

## Appendix 4 – Acquisition Procedure for Land and Property

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### Executive Summary

This policy is concerned with the acquisition of land and property related assets such as buildings, land, infrastructure, community facilities etc. This policy is the prime reference document to the acquisition of land and property; it aims to provide guidance and direction to officers. The policy is split into four sections setting out general principles, the acquisition process, additional considerations and a review of the purchase.

### Section 1: General Principles

#### 1. Background

1.1 The decision to acquire property should be part of an overall strategic plan for the Councils' needs in conjunction with the East Suffolk Business Plan and Asset Management Strategy. To ensure there is consistency of approach, the purpose of the acquisition and future responsibility for the asset should be categorised within one or more of the following:

- Enabling Communities
- Economic Growth
- Financial Self-Sufficiency

1.2 One of the core principles of an estate strategy is to hold assets that are fit for purpose, sustainable and compliant with all relevant legislation. It is important however that each land and property acquisition is treated on its own merits and nothing within this policy document will bind the Councils to a particular course of action in respect of the acquisition.

#### 2. Definition of an Acquisition

2.1 This policy will apply to all acquisitions of land and property and for the purposes of this document; an acquisition is defined as the taking of a freehold, leasehold, licence or option agreement over/in land and property.

#### 3. Statutory Powers

3.1 The Councils are empowered to acquire, hold, appropriate and dispose of land for statutory purposes, by a variety of statutes. There is no one statutory power which provides for the Councils to acquire land, however, under the Local Government Act 1972 the organisation has powers to acquire any property or rights which facilitates, or is conducive or incidental to, the discharge of any of its functions.

3.2 Section 12 of the Local Government Act 2003 provides a general power for local authorities to invest (a) for any purpose relevant to its functions under any enactment or (b) for the purposes of the prudent management of its financial affairs.

- 3.3 In addition to the statutory powers, there remains the Councils' fiduciary requirement as set out within the respective Constitutions of Suffolk Coastal and Waveney District Council.
- 3.4 All transactions must be undertaken using the appropriate authorisation for that acquisition and has regard to all legal requirements, including statutory guidance.
- 4. Acquisition Team**
  - 4.1 An officer proposing to purchase any land or property asset will be required to work with the Asset Management team in respect of proposals to acquire land or properties. It is essential to check if there are any suitable surplus properties available within the ownership or occupation of Suffolk Coastal and Waveney District Councils before seeking the acquisition of third party assets.
  - 4.2 It will also be necessary to liaise closely with Financial Services, the relevant Heads of Service, Strategic Director, Portfolio Holder, Legal Services and external consultants.

## Section 2: Acquisition Process

### 1. Notification of Financial Services & Asset Management

- 1.1 Land and property acquisitions will normally be undertaken through private treaty sales, open marketing or auction. An officer expressing interest in the property should firstly notify Financial Services to ensure there is sufficient capital budget for the acquisition and simultaneously notify Asset Management to commence initial enquiries with the agent or vendor. There should be regard as to the relevant financial thresholds and the relevant approvals which would be determined by the purchase price of the asset.

### 2. Due Diligence & Appraisal

- 2.1 Asset Management are required to undertake the following due diligence:
  - a) Obtain a copy of the Land Registry Title and any third party rights of access / restrictive covenants and to send to Legal Services for a Report on Title
  - b) Review of the tenure and any existing lease or licence documentation
  - c) Review of access to public highway
  - d) Produce plan showing site areas (ha) and building areas (GEA)
  - e) Investigation of connection to services to include water, electricity, heating and sewerage
  - f) Review of flood risk data
  - g) Review of ecology / consultant reports
  - h) Overview of planning policy relating to the property
  - i) Review of the planning history including any documents/surveys submitted as part of previous applications
  - j) Calculation of current Council Tax / Business Rates
  - k) Confirmation of whether the property is VAT elected

- l) Review of compliance issues including EPC rating
- m) Investigation into previous sales history
- n) Analysis of the risks of the purchase

2.2 An initial appraisal must be undertaken to examine the total costs and benefits of the acquisition. The methodology behind the desktop appraisal should reflect the current, proposed and alternative uses.

2.3 All inputs into the appraisal should be based on available information at the date of the appraisal and reasonable assumptions. It should be noted however that as more detailed information is obtained during negotiations, the appraisal should be updated and refined to ensure provisional decisions remain valid.

### **3. Outline Business Case**

3.1 Asset Management is required to set out the draft business case. This is designed to enable a wide range of alternative options to be considered including the requirement for the acquisition, a review of the location, alternative types of properties available and the relevant tenure. The business case should consider the following:

- a) The underlying objective e.g. financial self-sufficiency, enabling communities, economic growth
- b) The intended date of occupation taking into consideration any redevelopment proposals.
- c) Any potential breaks or variations in the requirement for the asset

3.2 A Report on Title must be obtained from Legal Services at this stage.

### **4. Asset Management Group Approval**

4.1 The officer who has identified the property to purchase is required to provide the relevant Head of Service and Strategic Director with a copy of the draft business case in addition, the draft business case needs to be presented to the Asset Management Group. The draft business case must be approved prior to proceeding with negotiations for acquisition. Any delegated powers, as per the Constitution should be taken into consideration.

### **5. Briefing to Portfolio Holder**

5.1 Asset Management is required to provide the relevant Portfolio Holder(s) with a copy of the draft business case. The draft business case must be approved prior to proceeding with negotiations for acquisition.

### **6. Agree Heads of Terms or Alternative Agreement**

6.1 Asset Management will progress negotiations to agree suitable Heads of Terms subject to Cabinet approval for purchase via mechanisms such as an Option Agreement, Exclusivity Agreement or Conditional Contract. The mechanism for purchase should be discussed with Legal Services prior to any discussion with agents or landowners.

## 7. Forward Plan

- 7.1 Asset Management will add the acquisition to the forward plan.

## 8. Building Surveys and Red Book Valuation

- 8.1 Asset Management will instruct relevant pre-purchase surveys of the property or land. These may include structural surveys, ground condition surveys, asbestos reports, contamination reports, archaeological survey, habitat surveys etc. The scale and type of surveys will be dependent upon the type, condition, tenure and use of the asset. Problems identified may require further investigation. These are outlined further at **Appendix A**.
- 8.2 Where the property to be acquired has been recently constructed, Asset Management is required to review all warranties issued by the building contractor architect or others associated with its construction.
- 8.3 Where a property is being purchased leasehold, a Schedule of Condition must be prepared by a Building Surveyor and agreed by both the Landlord and the Tenant prior to occupation. This will record the condition and state of repair and decoration and assist with any dilapidations claims at the end of the tenancy agreement.
- 8.4 The information generated by any surveys and reports should be fed into the desktop appraisal to ensure any hidden costs are properly taken into account.
- 8.5 The purchase price of the asset will be open to scrutiny and it is therefore vital that Asset Management instruct an independent RICS Red Book valuation of the asset, if the value is likely to exceed £100,000. Any results of surveys undertaken should be provided to the valuer to ensure any costs are properly taken into account. The valuation should set out the market value of the asset together with the market value subject to any Special Assumptions made for any conditions relating to the purchase. Acquisition in excess of the valuation should be supported by a full report showing the option represents best value for money.

## 9. Legal

- 9.1 Legal Services are required to progress the relevant title searches and conveyancing.

## 10. Full Business Case

- 10.1 Asset Management is required to complete the full business case. This will expand upon the considerations set out within the draft business case to include the terms of the acquisition, purchase price, results of all site specific surveys and reports, title searches and the Red Book valuation.

## **11. Review**

- 11.1 The officer who has identified the property for purchase is required to complete the Acquisitions Checklist at **Appendix A** and review the project with Finance Services, Legal Services, relevant Heads of Service, the Strategic Director and Portfolio Holder.

## **12. Cabinet Report**

- 12.1 Asset Management is required to draft a Cabinet Report outlining the acquisition process for Cabinet.

## **13. Cabinet Approval**

- 13.1 Cabinet approval is required prior to the acquisition of the asset being finalised.

## **14. Finalise Contract**

- 14.1 Legal Services are required to finalise the contract with the vendor or landlord. Any final negotiations relating to the purchase should be channelled through Asset Management for comment.

# **Section 3: Additional Considerations**

## **1.1 Auctions**

- 1.2 In the event the property is being sold via auction, the authorised officer can bid up to a pre-arranged limit as agreed by the Cabinet / Property Sub-Committee. As any bid accepted is binding, all investigations must have been completed prior to the auction and sufficient time must be allowed for this to be done.

## **1.3 Grant Funding**

- 1.4 The purchase of a property and/or its development or ongoing management may qualify for grant funding or other finance schemes within the Council. The acquiring officer should check all sources of funding within the Council prior to finalising the acquisition.

# **Section 4: Review**

## **1. Review of Acquisition**

- 1.1 Following the acquisition the asset is to be allocated to a specific team for the ongoing management of the property. The acquisition file together with the land and property purchase checklist (Appendix A) is to be handed over to the relevant team to upload onto the management system.
- 1.2 A review of the acquisition is required to ensure the process is refined and where necessary improved.

## Appendix 4A – Land & Property Purchase Checklist

This checklist is to be completed and initialled by the various services areas throughout the acquisition. There will be areas that are not relevant and these should be indicated as such.

### GENERAL

G1	Address		
G2	Site Area (Ha / Acres)		
G3	Building Area (Gross External / Net Internal)		
G4	Method of Sale	<i>Private Treaty, Auction etc.</i>	
G5	Proposed Development Type	<i>Housing, Retail etc.</i>	
G6	Vendor		
G7	Agent		
G8	Price		
G9	Overage Applicable?	<i>Yes / No Details</i>	

### PLANNING

P1	Local Authority	<i>E.g. ESC</i>	
P2	Current Planning Use Class	<i>E.g. Residential C3 Use</i>	
P3	Current Planning Application & Approval Expiry Date	<i>Ref: XXX/XXXXXX/XXXX 3 years from XX/XX/XX</i>	
P4	Planning Conditions / Outstanding S106 Obligations		
P5	Listing Status	<i>E.g. Grade II Listed</i>	
P6	Local Plan Designation & Relevant Policies	<i>E.g. residential area, within the development boundary of XXX</i>	

P7	Planning History	<i>E.g. 1. (Ref: XXX/XXX) Conversion from retail unit to residential (Permitted – xx/xx/xx) 2. (Ref: XXX/XXX) Demolition of retail unit (Refused – xx/xx/xx)</i>	
P8	Proposed Use / Mix / Density	<i>Residential development for three open market units.</i>	
P9	Archaeology	<i>Details of survey and recommendations</i>	
P10	Transport & Highways	<i>Details of searches, extent of public highway</i>	
P11	Tree Preservation Orders	<i>Yes / No</i>	
P12	Conservation Area	<i>Yes / No</i>	
P13	Japanese Knotweed	<i>Yes / No</i>	
P14	Bats	<i>Yes / No</i>	
P15	Badgers	<i>Yes / No</i>	
P16	Reptiles / Newts	<i>Yes / No</i>	
P17	Owls / Birds	<i>Yes / No</i>	
P18	Other Ecological Matters	<i>Yes / No</i>	
P19	EIA / Scoping Report	<i>Not Required / Results of Report</i>	
P20	Planning Meetings / Pre-Application Enquiries		
P21	Planning Strategy		



## TECHNICAL

T1	Existing Use		
T2	Historical Uses		
T3	Topography	<i>E.g Falling west to east</i>	
T4	Topographical Survey Available	<i>Yes / No</i>	
T5	Boundaries		
T6	Ground Report		
T7	Envirocheck / Landmark Report		
T8	Foundations		
T9	Contamination		
T10	Asbestos		
T11	Existing Underground Structures		
T12	Existing Ponds, Ditches, Public Footpaths		
T13	Demolition Quotes (incl. Asbestos Removal)		
T14	Existing Services (incl. Overhead) On Site		
T15	Redevelopment / Refurbishment Quotes		
T16	Existing Service / Access Easements (inspection)		
T17	Photographs		
T18	Vision Splays		
T19	Trees / Landscaping		
T20	FW Sewer (who/where/how much)		
T21	SW Sewer (who/where/how much)		

T22	Drainage via Gravity		
T23	Water		
T24	BT		
T25	Electric		
T26	Gas		
T27	Virgin Media / Other Cable Companies		
T28	Pipelines		
T29	Transport Assessment		
T30	Acoustic Survey		
T31	Vibration Survey		
T32	PI Warranties		
T33	Code for Sustainable Homes		
T34	Valuation Report		
T35	Schedule of Condition (if Leasehold)		
T36	Other Technical Matters		

## LEGAL

L1	Solicitor		
L2	Payment Timing		
L3	Deposit Status		
L4	Conditionality		
L5	Contract Period / Long Stop Date		
L6	Provision for Contract Extension		
L7	Trigger Dates / Important Definitions		

L8	Tenure		
L9	VAT Payable		
L10	Deductibles		
L11	Title (Registered?)		
L12	Abuts Adopted Highway		
L13	Encroachment		
L14	Gates		
L15	Boundary Ownership		
L16	Boundary Works		
L17	Existing Rights Of Way		
L18	Existing Services Rights		
L19	Restrictive Covenants		
L20	Footpath / Road Stopping Up / Diversion		
L21	Vendor's Obligations		
L22	Vendors to enter into Legal Agreements		
L23	Reservations over Other Land		
L24	Easements for Services over Other land		
L25	Rights of Support		
L26	Scaffolding Licence		
L27	Rights to Overhang (permanently)		
L28	Rights for On-Going Maintenance		
L29	Right of Light		
L30	Party Wall Act		
L31	Vendors Reserved Rights		

L32	Planning Valid		
L33	Planning Expiry Date		
L34	Planning Conditions that need 3 <sup>rd</sup> Party		
L35	Prior to Commencement Conditions		
L36	Prior to Occupation Conditions		
L37	S106		
L38	Other Legal / Planning Agreements requiring provision in contract		
L39	Title Plan checked		
L40	Vendor indemnities regarding previous contamination		
L41	Streams / Watercourses affecting property		
L42	EA Approval required?		
L43	Drainage Discharge Licence required?		
L44	Local Authority Search		
L45	Neighbouring Properties Title Search		
L46	Replies to Enquiries		
L47	Commons Search		
L48	Planning Overage		
L49	Sales Overage		
L50	Further Payment		
L51	Side Agreements / General Matters		

## Appendix 5 - Disposal Procedure for Land and Property

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### Executive Summary

This policy is concerned with the disposal of land and property related assets such as buildings, land, infrastructure, community facilities etc. This policy is the prime reference document to the disposal of land and property; it aims to provide guidance and direction to officers. The policy is split into three sections setting out general principles, the disposal process and additional considerations.

### Section 1: General Principles

#### 1. Background

- 1.1 The decision to dispose of property should be part of an overall strategic plan for the Councils' needs and in conjunction with the East Suffolk Business Plan and Asset Management Strategy. To ensure there is consistency of approach, one of the core principles of an estate strategy is to hold assets that are fit for purpose, sustainable and compliant with all relevant legislation. Therefore, assets may be identified as surplus or underused and may be considered for disposal.
- 1.2 This strategy has been formed referencing guidance from the Department of Communities and Local Government 'Local Authority Assets – Disposal Guidance' (2016). In addition, all disposals of property are required to be approved by Cabinet as stated within the Constitution (Page 107, para 5.5.9 of the Financial Procedure Rules).

#### 2. Definitions

##### Definition of Disposals

- 2.1 This policy will apply to all disposals of land and property and for the purposes of this document; a disposal is defined as the selling of a freehold or leasehold interest in land and property.

##### Definition of Surplus / Under-used

- 2.2 A site / asset shall be deemed to be surplus to the Council's requirements if one or more of the following apply:
  - (a) It makes no contribution to the delivery of the Council's services,
  - (b) It has no potential with regard to the delivery of the Council's Business Plan and is not categorised within one of the following strategy of the Council:
    - Enabling Communities
    - Economic Growth
    - Financial Self-Sufficiency

- (c) An alternative and more cost effective service delivery site has been identified.
- (d) A Community Asset Transfer request is received, accepted and disposal via that means is approved by Cabinet. (Refer to Community Asset Transfer Policy)

A site is deemed to be under-used if:

- (a) The income it generates is below that which could be achieved from one or more of:
  - (i) An alternative use
  - (ii) Disposing of the site and investing the income
  - (iii) Intensifying the existing use, mindful of the viability of doing so
- (b) A significant part of the site is vacant and is likely to remain so for the foreseeable future and has no potential with regard to the delivery of the Council's Priorities.
- (c) The cost of retaining the asset outweighs its likely income generation.

### **3. Statutory Powers**

3.1 Local authorities are generally given powers under the 1972 Act to dispose of land in any manner they wish, including sale of their freehold interest, granting a lease or assigning any unexpired term on a lease, and the granting of easements. The only constraint is that a disposal must be for the best consideration reasonably obtainable (except in the case of short tenancies, see footnote 3, paragraph 1 of the Consent), unless the Secretary of State consents to the disposal.

3.2 However, it is recognised that there may be circumstances where an authority considers it appropriate to dispose of land at an undervalue. Authorities should clearly not divest themselves of valuable public assets unless they are satisfied that the circumstances warrant such action.

#### **Procedural requirements**

3.3 It is the responsibility of Officers to undertake any further procedures which may be necessary to enable it to dispose of any particular area of land. For example, sections 123(2A) and 127(3) of the Local Government Act 1972 and section 233(4) of the Town and Country Planning Act 1990 ("the 1990 Act") require a local authority wishing to dispose of open space under those powers to advertise its intentions in a local newspaper for two consecutive weeks and to consider objections. Authorities should carry out these procedures before making any final decisions about disposal as the public response to the notices may be material to any such decision.

#### **State Aid**

3.4 All disposals need to comply with the European Commission's State aid rules. The Commission's Communication on State aid elements in sales of land and buildings by public authorities (97/C 209/03) provides general guidance on this issue. When disposing of land at less than best consideration authorities are providing a subsidy to the owner, developer and/or the occupier of the land and property, depending on the nature of the

development. Where this occurs the Council must ensure that the nature and amount of subsidy complies with the State aid rules, particularly if there is no element of competition in the sale process. Failure to comply with the rules means that the aid is unlawful, and may result in the benefit being recovered with interest from the recipient.

- 3.5 All disposals must be undertaken using the appropriate powers of the Council with reference to all legal requirements, including statutory guidance.

## Section 2: Disposal Process

### 1. Site Identification

- 1.1 Sites for possible disposal may be identified in the following ways:
- (a) Through review work undertaken by Asset Management
  - (b) Through service departments declaring sites as being surplus to requirements
  - (c) By Area Committees or local Members
  - (d) Through identifying previously unidentified surplus land from the Land Terriers
  - (e) Asset transfer requests from third parties (including Community Asset Transfer – see Section 4)
  - (f) Through a combination of the above
- 1.2 The service department currently utilising the site/asset and declaring it surplus to their need, must liaise with Asset Management from the initial stage of site identification to ensure the site is disposed of correctly.
- 1.3 An officer within Asset Management is allocated the disposal for the co-ordination of the sale. Any disposal will require compliance with the disposal checklist attached at **Appendix A**.
- ### 2. Asset Management Group (AMG)
- 2.1 The AMG should be made aware of potential disposal sites at the earliest opportunity and their views sought. An update on the disposal of any sites is then to be provided to the AMG for recommendation prior to an onward report to Cabinet or request for delegated approval. These actions may be achieved via an AMG meeting or by direct contact.
- 2.2 Officers should be aware of guidance from DCLG relating to disposals and comply with the following guidance:
- 2.2.1 **Every disposal having clear objectives from the outset.** These should establish the key objectives and targets for land disposal – for example, this could be to maximise housing capacity, receipt or employment floorspace, or to reduce costs through divestment.

- 2.2.2 **Disposals rooted in local plans.** Land disposals should help deliver local planning objectives, addressing matters such as the requirement for a five year land supply, or the assessed need for housing and employment land.
- 2.2.3 **Early and meaningful engagement with other public bodies and the market.** Early engagement with other public bodies will ensure that the views of all authorities with an interest can be taken into account, so that land is used as efficiently as possible. Early market engagement, such as discussions with agents etc. should inform the disposal strategy and brief, and ensure the opportunity is attractive to the market.
- 2.2.4 **The appropriate level of investment determined prior to disposal.** To ensure the best possible return, in many cases it may be appropriate to invest in a site before disposal, for example by obtaining planning permission or providing infrastructure. The appropriate type and scale of investment will depend on the individual circumstances of the site, and understanding these early will ensure the best outcome for authorities.
- 3. Notification of Financial Services and Legal Services by Asset Management**
  - 3.1 Asset Management is required to notify Financial Services and Legal Services by email to commence the procedure for sale, and provide detailed instructions to legal to support the proposed sale.
- 4. Due Diligence & Appraisal**
  - 4.1 The Asset Management team will progress the following due diligence:
    - (a) Review the legal feasibility study with reference to the tenure, occupation or any rights
    - (b) Review of access to public highway
    - (c) Produce plan showing site areas (ha) and building areas (GEA)
    - (d) Investigation of connection to services to include water, electricity, heating and sewerage
    - (e) Review of flood risk data
    - (f) Review of ecology / consultant reports
    - (g) Overview of planning policy and history relating to the property and engage with the planning team if appropriate
    - (h) Review of current Council Tax / Business Rates
    - (i) Confirmation of whether the property is VAT elected
    - (j) Review of compliance issues including EPC rating
    - (k) Investigation into previous sales history
    - (l) Analysis of the asset in line with the 'Surplus / Underused' criteria.
    - (m) Consideration of potential covenants and clawback provisions imposed on transfer



4.2 An initial appraisal must be undertaken to examine the value of the asset, sale costs and benefits of the disposal. The methodology behind the desktop appraisal should reflect the current, proposed and alternative uses.

4.3 All inputs into the appraisal should be based on available information at the date of the appraisal and reasonable assumptions. It should be noted however that as more detailed information is obtained during negotiations, the appraisal should be updated and refined to ensure provisional decisions remain valid.

## **5. Outline Business Case**

5.1 Asset Management will be required to set out the outline business case for the disposal. This is designed to enable a wide range of alternative options to be considered including the surplus or underused requirement for the asset, a review of the location, planning opportunities and the method of sale.

5.2 This may be a relatively simple and brief piece of work, and will:

- I. set out the strategic context of the Council's corporate strategic objectives, spatial plans and property asset management plan and how this disposal will achieve these goals and objectives
- II. identify and estimate the value of the benefits, whenever possible in monetary terms, which give rise to the proposed value or less than best consideration disposal
- III. estimate the cash consideration likely to be received from the proposed purchaser in the light of the benefits being sought
- IV. make an initial value for money assessment
- V. identify any legal, auditing and good practice requirement that should be met; and
  - a) achieve agreement to proceed to the detailed business case.
  - b) Include costs of disposal in line with fee scales.

## **6. Asset Management Group Approval**

6.1 The officer who has identified the property to dispose of is required to provide the relevant Head of Service and Strategic Director with a copy of the outline business case. In addition, the business case is required to be presented at the Asset Management Group for discussion. The outline business case must be approved prior to proceeding with negotiations for disposal. Any delegated powers, as per the Constitution should be taken into consideration.

## **7. Building Surveys, Planning Investigations and Red Book Valuation**

7.1 To ensure the asset achieves Best Consideration, Asset Management is responsible for investigation into alternative uses. Depending upon the current use of the asset, surveys for contamination, asbestos, ground conditions etc. may not have been previously undertaken. Asset Management may be required to instruct relevant surveys of the property or land, if there is an alternative use which would warrant these investigations.

The scale and type of surveys will be dependant upon the type, condition, tenure, proposed and current use of the asset. Problems identified may require further investigation.

- 7.2 Where a property is being disposed leasehold, a Schedule of Condition must be prepared by a Building Surveyor and agreed by both the Landlord and the Tenant prior to occupation. This will record the condition and state of repair and decoration and assist with any dilapidations claims at the end of the tenancy agreement.
- 7.3 The information generated by any surveys and reports should be fed into the desktop appraisal to ensure any hidden costs are properly taken into account.
- 7.4 The sale price of the asset will be open to scrutiny and it is therefore vital that Asset Management instruct an independent RICS Red Book valuation of the asset if the value is likely to exceed £100,000. Any results of surveys undertaken should be provided to the valuer to ensure any costs are properly taken into account. The valuation should set out the market value of the asset together with the market value subject to any Special Assumptions made for any conditions relating to the sale.
- 7.5 Assessments of Market Value may be carried out by Asset Management if the value is likely to be deemed to be under £100,000. Alternatively it is at the discretion of Asset Management as to whether to instruct an independent RICS Red Book valuation of the asset if it is likely to fall below the threshold of £100,000.
- 7.6 Disposal of the asset less than the value stated within the valuation should be supported by a full report showing the option represents best value for money. The Community Asset Transfer Policy outlines the approach for disposals at less than market value to community based organisations, approval to progress disposal in this manner having first been sought and obtained from the Council's Cabinet.
- 7.7 Land and property disposals will normally be undertaken through private treaty sales, tenders, open marketing or auction. Asset Management will determine the method of disposal in accordance with the Council's Contract Procedure Rules and Financial Procedure Rules.
- 7.8 Any group who has successfully registered an asset/site onto the list of 'Assets of community value' held by the authority, which subsequently comes up for disposal, will be informed of the decision to dispose and given the opportunity to express an interest and consider raising the funds to make a bid to acquire.

## **8. Briefing to Portfolio Holder**

- 8.1 Asset Management is required to provide the Portfolio Holder with a copy of the outline business case. The outline business case must be approved prior to proceeding with negotiations for sale.

**9. Forward Plan**

- 9.1 Asset Management will add the disposal to the forward plan.

**10. Legal**

- 10.1 Legal Services are required to progress the relevant documentation for conveyancing.

**11. Full Business Case**

- 11.1 Asset Management is required to complete the full business case. This will expand upon the considerations set out within the outline business case to include the terms of the disposal, sale price, results of all site specific surveys and reports, title searches and the Red Book valuation.

**12. Review**

- 12.1 Asset Management is required to complete all due diligence and review the project with Finance Services, Legal Services, relevant Heads of Service, the Strategic Director and Portfolio Holder.

**13. Cabinet Report**

- 13.1 The officer who has identified the property for disposal is required to draft a Cabinet Report outlining the disposal for Cabinet Briefing.

**14. Cabinet Approval**

- 14.1 Full Cabinet approval is required prior to the disposal of the asset being finalised.

**15. Finalise Contract**

- 15.1 Legal Services are required to finalise the contract with the purchaser or tenant. Any final negotiations relating to the disposal should be channelled through Asset Management for comment.

## **Section 3: Additional Considerations**

**1. Auctions**

- 1.1 In the event the property is being sold via auction, the authorised officer is required to agree a Reserve Price in accordance with the Cabinet / Property Sub-Committee decision. As any bid accepted is binding, all investigations must have been completed prior to the auction and sufficient time must be allowed for this to be done.

**2. Grant Funding**

- 2.1 The sale of a property and/or its development may have previously received grant funding or other finance schemes within the Council. The disposing officer should make best endeavours to check all sources of funding within the Council prior to finalising the disposal.

### **3. Open Space**

- 3.1 It may be necessary for land designated as Public Open Space to be disposed by the Council. "Open Space" is defined by the Town & Country Planning Act 1990 s.336 as any land laid out as a public garden or used for the purposes of public recreation or land which is a disused burial ground.
- 3.2 The legislation (Local Government Act 1972 Section 123(2A)) applies on any freehold disposal of Public Open Space. There is no minimum size or lease term.
- 3.3 Once terms are agreed in principle for a disposal of Public Open Space, the relevant officers will need to brief the Portfolio Holder and the relevant ward member in addition to the standard disposal policy.
- 3.4 The Council is obliged to comply with s.123 LGA as follows:
- I. It must give notice of the intention to dispose of the land for two consecutive weeks in a newspaper circulating in the area in which the land is situated. The Council will also place the consultation documentation on its website and place a notice on-site. Objectors have 28 days from the date of the first advertisement to raise any objections in writing. This will usually run alongside the planning process so that all the information is in the public domain at the same time to give context; and
  - II. Following the consultation period, the Council must consider the number and nature of objections and have regard to the nature of the case and decide whether objections should be considered by the Portfolio Holder or by Cabinet and the case presented and determined accordingly.
  - III. The parties identified in connection with II. above will be briefed again following the consultation
  - IV. The decision will be made either:
    - In the case of no, or very limited objections by the Head of Operations in consultation with the portfolio holder for Resources using Standing Order 46 to record the decision which can then be actioned by completing the proposed transaction.
    - In the case of a significant number or any substantive objection, by the Cabinet and Scrutiny Process.
- 3.5 As a general rule, the party requesting or requiring the disposal will meet the costs. This would usually be the tenant or purchaser.
- 3.6 Likely cost elements will include:
- Advertising costs and disbursements
  - Officer time incurred in dealing with the process including dealing with any objections; and
  - Officer time, costs and disbursements in dealing with the actual disposal

- 3.7 An estimate of costs will usually be provided for the work involved on each specific case.

## **Section 4: Community Asset Transfer and Disposal of land and property at Less than Best consideration Policy**

- 1.1 Under section 123 of the Local Government Act 1972, the Council has an obligation to obtain the best consideration possible in respect of the disposal of any asset.
- 1.2 There are however occasions when, in particular circumstances, the Council may consider leasing or selling certain premises on terms representing less than the best value achievable where the project offers substantial benefits in terms of the social, economic or environmental wellbeing of the area and these benefits can be evidenced.
- 1.3 The General Disposal Consent (England) 2003 enables such disposals to take place in certain circumstances and provides delegations for Council's to work outside the Local Government Act 1972 requirement to obtain best value.
- 1.4 In order that the Council can evidence an equitable and auditable approach to the consideration of applications for community projects, interested parties must complete a business case and supply evidence where possible.

### **2. Adding Value Through Community Partnership**

- 2.1 The Council will look, through its ownership of property, at ways and means of achieving community and corporate objectives, recognising that 'best consideration' in terms of asset use and disposal is not necessarily always measured simply in financial terms.

### **3. Disposals at Less Than Best Consideration**

- 3.1 Using discretionary powers the Council may, where appropriate in scale and degree, and where compatible with statute and the General Disposal Consent (England) 2003 be prepared to consider disposals of surplus assets at less than best consideration where such a disposal is likely to contribute to the promotion or improvement of the, economic, social or environmental well-being of its area and in particular where:
- a community partnership can be entered into based on public access to and use of an asset
  - the promoting local body, voluntary group or association is properly constituted and managed and is prepared to enter into an appropriate agreement with the Council; and
  - where the difference between the unrestricted value of the property to be disposed of and the consideration for the disposal does not exceed two million pounds.

- 3.2 The Council may, where appropriate, be prepared to enter into agreements with registered community groups, charities or not for profit organisations on such terms. These will be assessed on a case by case basis with the terms of the transaction being balanced against the outputs delivered/enabled: the value of the lease or transfer will be set out as part of the consideration and the outputs and planned investments will be considered in reaching a conclusion on the disposal terms.
- 4. Administrative Arrangements and Decision Making**
- 4.1 In every case the applicant shall explain and the Council shall certify whether and how the proposed disposal is likely to contribute to the promotion or improvement of the social, economic or environmental well-being of the Council's area.
- 4.2 In every case the Council will certify the opportunity cost. This will be the unrestricted value of the property being disposed of less the actual receipt. The General Disposal Consent requires these values to be expressed in capital terms. If the Council feels that independent valuation or other professional services are required then the costs may be on-charged to the applicant at the Council's discretion.
- 4.3 In the case of any disposal of any land or property at an undervalue, the Strategic Director and Head of Finance and Resources (s.151 Officer) must approve the proposed terms of the disposal, and Cabinet will be asked to consider recommendations.
- 4.4 For consideration of any disposal with an undervalue in excess of £10,000 (capitalised) a report and business case shall be presented to the AMG and Cabinet for a decision on whether or not to make the grant and at what level.
- 4.5 All other grants, or applications for grants, must be declared in the application process and will be taken into account. Failure to disclose other grants will invalidate the application.
- 5. Private Treaty Arrangements**
- 5.1 The Council may be prepared to enter into private treaty arrangements to secure appropriate community-based initiatives (rather than testing the market) provided the process set out in this policy is followed and all relevant information is provided in a timely and well-presented manner.
- 5.2 Time limits will usually be set because property cannot be held indefinitely.
- 6. Management / Service Agreements**
- 6.1 In circumstances where the Council is minded to grant agreements at undervalue, this will usually be paired with a requirement to enter into an appropriate form of agreement to set out the expected benefits, outcomes, requirements, project objectives etc. and this will be linked directly to the lease agreement to enable the arrangements to be terminated and the property to revert to the Council in the event that the requirements are not met or the property ceases to be used for the agreed purpose.

- 6.2 It must be appreciated that whilst no money may change hands, the value or rental income is exchanged for the delivery of predetermined outputs in respect of the social, economic and environmental benefit, and for the delivery or support of the Council's objectives and the Council reserves the right to receive reports on these outputs when requested.

**7. Council's Professional Fees**

- 7.1 The Council reserves the right to charge professional legal and valuation fees for these arrangements at its discretion.

**8. State Aid**

- 8.1 State Aid implications will need to be assessed and managed on a case by case basis.

**9. Leases, Land and Development Covenants**

- 9.1 Where land or buildings may ultimately have development value the Council will include clauses and/or covenants to safeguard its interests as appropriate. This may include break clauses, clawback or overage provisions, restrictive covenants, a combination of these or alternative safeguards as may be appropriate to the case.
- 9.2 Any lease or transfer agreements will contain clear break or hand-back provisions linked to the delivery of the agreed objectives. The intention being that in the event that the arrangement ceases to work or the objectives of the community group alter, the Council will reserve the right to amend or terminate the management agreement and therefore the lease.

## Appendix 5A – Disposal Checklist

Action	Applicable (Y/N)	Officer Responsible	Date Completed
Site identified as surplus in accordance with criteria			
Approval from Asset Management Group			
Completion of Due Diligence			
Outline Business Case			
Instructions for Surveys			
Planning Investigations			
Instruction for Red Book Valuation <i>(if value estimated to be over £100,000)</i>			
Standard Clawback to Apply? <i>(If “no” File Note reason)</i>			
Method of Sale			
Final Report to AMG			
Briefing to Portfolio Holder			
Cabinet Approval			
Instruct Agent (if applicable)			
Sales Particulars Approved (if applicable) by Head of Asset & Investment Management			
Sales Particulars Sent to Local Member/Interested Parties			
Website*/Board*/Advert*/Democratic Services			
Price Achieved			
Funds Available			
Amendments to Sale Terms? <i>(If “yes” File Note reason)</i>			



Action	Applicable (Y/N)	Officer Responsible	Date Completed
Contracts Sent			
Exchanged			
Completion and Transfer Documents			
Amendments to Database			
Final Costs all Invoices to Finance			
File Closed/Audit			

Asset Ref	Description	Disposal Date	Notes
58	Bungay District Office	08/10/2020	Transferred to Bungay Town Council
000058/001	Bungay District Office-Land	08/10/2020	Transferred to Bungay Town Council
110	Fen Lane Pcons - Bldg	26/05/2020	Transferred to Beccles Town Council
000110/001	Fen Lane Pcons - Site	26/05/2020	Transferred to Beccles Town Council
472	Harbour Master Beccles - Bldg	26/05/2020	Transferred to Beccles Town Council
000472/001	Harbour Master Beccles - Site	26/05/2020	Transferred to Beccles Town Council
196025	Kiosk, The Quay, Beccles	26/05/2020	Transferred to Beccles Town Council
196025/001	Kiosk, The Quay, Beccles - Land	26/05/2020	Transferred to Beccles Town Council
196038	Links Road Car Park	01/05/2019	transferred Lowestoft Town Council
198005	North Quay Car Park	26/05/2020	Transferred to Beccles Town Council
198007	Quay South Car Park	26/05/2020	Transferred to Beccles Town Council
208371	Land North West Wangford Rd	02/01/2019	Transferred to Suffolk County Council
300414	East Of England Park	01/11/2020	Transferred to Lowestoft Town Council
100440 (FH0647)	Public Open Space, Hall Farm Close, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100261 (FH0648)	Sports Ground, Hall Farm Road, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100460 (FH0655)	Land At, Winifred Fison House, The Street, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100752 (FH0657)	Public Open Space 1, Love Lane, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100753 (FH0658)	Public Open Space 2, Love Lane, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100499 (FH0659)	Land To The North Of, Beresford Drive, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100770 (FH0660)	River Bank Land Opposite Fayrefield Road, River Deben, Melton, Suffolk, IP12 1BJ	23/03/2021	Transferred to Melton Parish Council
100498-01 (FH0661)	Area 1, Land To The South Of, Beresford Drive, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100498 (FH0662)	Area 3, Land To The South Of, Beresford Drive, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101265 (FH0663)	Land Rear Of, 28-66 Saxon Way, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100751 (FH0664)	Land Adjacent 31, Bury Hill, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101329	Sewage St Site, Heath View, Westleton	01/04/2020	Transferred to Anglian Water Oct 2015
114 (FH0129)	Public Conveniences, South Car Park, Priory Lane, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208353 (FH0133)	Open Space, Mountbatten Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
291 (FH0139)	Trinity Meadow And Playing Field, Meadow Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208172 (FH0140)	Amentity Areas South Of, Waveney Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208070 (FH0141)	Part Land South East Of , 25 Meadow Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208290 (FH0142)	Playground, Wherry Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208152 (FH0143)	Junction Land, Staithe Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208273 (FH0146)	Land Between George Baldry Way And, Elizabeth Bonhote Close, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
800014 (FH0148)	Part Land At Junction Of Hillside Road West And, St Johns Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council

208193 (FH0149)	Land At, Ethel Mann Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
FH0171	Land Adjacent 19, Thomas Bardwell Drive, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208192 (FH0150)	Part Land Rear Of 23, Ethel Mann Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
208181 (FH0151)	Part Land Rear Of 17, Ethel Mann Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
112 (FH0153)	Public Conveniences, Cross Street, Bungay, Suffolk, NR35 1AU	30/11/2021	Transferred to Bungay Town Council
FH0170	Open Space, Pilgrims Way, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council
100751-01 (FH0665)	Land Adjacent 19, Bury Hill, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100751-02 (FH0666)	Land Between 19-21 And 31-33, Bury Hill, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100751-03 (FH0667)	Land Between 25-29 And 37-43, Bury Hill, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101071 (FH0668)	Land Adjacent 5, Friars Court, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101072 (FH0669)	Land Adjacent 20, Friars Court, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100694 (FH0670)	Land Between 1 And 3, Coppice Close, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101266 (FH0671)	Land Corner Of Coppice Close And, Saxon Way, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100762 (FH0672)	Land At, Riverview, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101264 (FH0676)	Land To The North Of, Bury Hill, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
100263 (FH0677)	Public Open Space, Saxon Way, Melton, Suffolk	23/03/2021	Transferred to Melton Parish Council
101264 (FH0676-01)	Bus Stop, Land To The North Of, Bury Hill, Melton, Suffolk	20/04/2021	Transferred to Melton Parish Council
800025 (FH0826)	Allotments, Parkside Drive, Lowestoft, Suffolk	29/04/2021	Transferred to Lowestoft Town Council
208089 (FH0128)	Girl Guide Hall And Premises, Kings Road, Bungay, Suffolk, NR35 1RR	30/11/2021	Transferred to Bungay Town Council
208089 (FH1085)	Recreation Ground, Kings Road, Bungay, Suffolk	30/11/2021	Transferred to Bungay Town Council