

Executive decision taken by Leader/Cabinet portfolio holder



Decision taken by:

Councillor Zoe Nicholson

Date of decision:

17 September 2021

Subject of report:

Asset Regeneration Newhaven

Exempt matter (if any as given under Schedule 12A of the Local Government Act 1972):

This report contains exempt information as defined in Schedule 12A of the Local Government Act 1972.

Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Key decision?:

Key

Open summary of decision made:

(1) That funds be allocated from the Council's capital programme for the acquisition of the Headlease and Sublease of the former UTC.

(2) That, subject to legal title due diligence and a valuation personal to LDC, the Director of Regeneration and Planning, in consultation with the Leader, be given delegated authority to:

- conclude acquisition of the former UTC, comprising both the Headlease and the Sublease as described in this report;
- conclude all legal agreements

In accordance with section 17 of the Council's Policy and Performance Advisory Committee Procedure Rules, the call-in procedure shall not apply to this decision given its urgency. A decision is urgent if, in the view of the decision maker, any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests.

In accordance with this section, it is the opinion of the decision maker that this decision is an urgent one and therefore exempt from call-in.

Reason(s) for decision:

The former UTC has been empty since July 2019. A successful bid was made to the Getting Building Fund last year to enable the property to be brought back into use. At its meeting on 24 September 2020, Cabinet delegated approval to the Director of Regeneration and Planning, in consultation with the Leader of the Council, to conclude acquisition of the property.

Negotiations involving the legal arrangements for acquisition of the property have been protracted. If the acquisition is to go ahead the Council now needs to agree funding to acquire the Headlease and the Sublease interests in the property and authorise the Director of Regeneration and Planning to conclude the acquisition.

Alternative options considered:

The building has been empty for around one year, and no viable alternative uses have been presented to the current leaseholder during this period.

Was an executive councillor(s) consulted before decision was taken? If so, what was the result of this consultation?

Cabinet Member for Regeneration and Prosperity – Councillor MacCleary

Does the proposal involve any unplanned expenditure? If so, please confirm that you have consulted with the Chief Finance officer and include the date of consultation

Consultation has been undertaken with the Deputy Chief Finance Officer on behalf of the Chief Finance Officer and comments included within the body of the report.

Date of consultation:.....17th August 2021

Signed:

Councillor Zoe Nicholson, Leader of the Council

Leader