



Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	25 th March 2015
Decision Maker (Officer):	The Corporate Director (Corporate Services) and the Corporate Director (Life Opportunities) having consulted the Portfolio Holder for Regeneration, Inward Investment and Asset Management, the Section 151 Officer and the Monitoring Officer
Authority for Delegated for Decision (Cabinet Decision or Scheme of Delegation – provide reference):	Cabinet decision – 27 February 2015 Cabinet delegated approval to the Corporate Directors (Corporate Services) and (Life Opportunities) in consultation with the Leader of the Council and the Council's Section 151 and Monitoring Officers to complete acquisition of the various parcels of land within Jaywick on such other terms and conditions that the Corporate Director (Corporate Services) considers appropriate.
Identify which Cabinet Member(s)/Portfolio Holder(s) consulted?	Portfolio Holder for Regeneration, Inward Investment and Asset Management (the Leader).
Is it a Key Decision?	Yes
Is it subject to Call In?	No - exemption approved by Chairman of Corporate Management Committee by virtue of Rule 18(i) of the Overview and Scrutiny Procedure Rules in Part 5 of the Council's Constitution.
Decision Made:	Agree the various acquisition terms set out in the Appendices, including the purchase price for the additional former commercial site in Jaywick and proceed to exchange of contracts and completion of the land purchase to be funded from the Housing

	Revenue Account and any available grant funding.
Reason for Decision (if a report was produced to support the Decision, refer to):	A Report supporting the Officers Decision sets out the detailed reasons for the Decision. In summary the results of legal enquiries, title investigations and contamination surveys have all been taken into account before agreeing the terms of each acquisition.
Highlight any associated risks/finance/legal/equality considerations:	<p>As part of the potential acquisitions the usual investigations have been carried out including a survey of the land and legal enquiries through the vendors' Solicitors and the results have been received and summarised in 'Report on Title' prepared by Legal Services. The Title Report and other investigations highlighted some areas of risk which required further consideration before purchasing the absolute freehold title of the land from the vendors. These risks can be mitigated and some may involve further expenditure to protect the Council so that it can develop the land for housing purposes. A summary of acquisition terms and matters affecting the land to be purchased containing information on the site has been prepared and contained within Appendix B which is attached the Report supporting the Officer's decision.</p> <p>The purchase price for the land can be met from the new build and acquisition budget within the HRA Capital Programme. In response to the financial risks that land ownership will bring, £0.170m has been set aside within the HRA to meet any on-going costs of the first phase of the project. Only 10% of the purchase price is required for a deposit payable within 2014/15, the balance upon completion.</p> <p>Section 17 of the Housing Act 1985 provides the principal power for the acquisition of land for housing purposes, including land as a site for the erection of houses, this includes the power to acquire land for the purposes of disposing of the land to a person who intends to provide housing accommodation on it.</p>
Details of any Alternative Options Considered and rejected (together with reasons):	The context of the decision being made and an important value for money consideration is that it is not a question of whether the Council should intervene but how it intervenes and whether it has the tools and resources to make a difference.

<p>Details of any declarations of interest (by Cabinet Member/Portfolio Holder who was consulted by the officer, which related to the decision)</p>	<p>Not applicable</p>	
<p>Reason Decision or supporting Report is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	x	<p>The Report supporting the Decision contains confidential information</p>
	x	<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A Local Government Act 1972 Information:</p>
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
	x	<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime <p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p><u>Reasons:</u></p> <p>The Report and Appendices produced by Officers supporting the Decision contains confidential information which is commercially sensitive regarding the transactions until the individual purchases are completed.</p>

Officers:

Signed:
Services)



Title: Corporate Director (Corporate

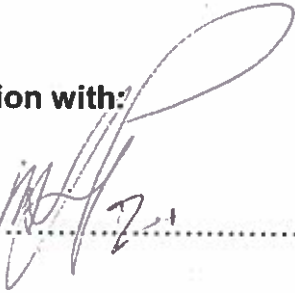
Signed:



Title: Corporate Director (Life Opportunities)

In Consultation with:

Signed:



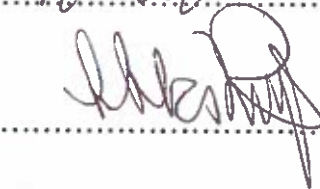
Title: Portfolio Holder for Regeneration, Inward Investment and Asset Management (the Leader of the Council)

Signed:



Title: Section 151 Officer

Signed:



Title: Monitoring Officer

Dated:

25th March 2015