

TORBAY COUNCIL

Report No: F/59/04

Title: Leasehold Disposal for more than 21 years/Contract valued in excess of £25,000

To: Executive on 14 September 2004

1. Purpose

- 1.1. To seek approval from the Executive to proceed with proposals which will involve a leasehold disposal for more than 21 years or expenditure of a sum in excess of £25,000.

2. Relationship to Corporate Priorities

- 2.2 To raise awareness of organisational and strategic risks and use this to inform decision making and resource allocation.

3. Recommendation

- 3.1 The recommendation for each matter is set out in each appendix to this report.

4. Reason for Recommendation and associated Key Risks

- 4.1 The reason and risks for each matter are set out in each appendix to this report.

5. Alternative Options (if any)

- 5.1 Any alternative options are set out in each appendix to this report.

6. Background

- 6.1 In accordance with paragraphs 2.11 and 2.12 of Part 3 of Torbay Council's Constitution (responsibility for functions), the attached appendices contain details of proposals that require approval in relation to one of the following matters:

- (i) leasehold disposals where the term is for more than 21 years, the premium exceeds £25,000 or the rent exceeds £10,000 per year or (if a transaction is linked to another transaction) where the aggregate relevant amounts exceeds those limits;
- (ii) goods or services where the estimated or actual (whichever is the higher) total contract value exceeds £25,000 or (if a contract is linked to another contract) where the aggregate estimated or actual value exceeds that amount.

7. Appendices

- 7.1 Appendix 1 – Site for office/ training facilities at Victoria Square, Paignton for Torbay Citizens Advice Bureau
- 7.2 Appendix 2 - The letting of book supply contracts
- 7.3 Appendix 3 - Details in relation to Appendix 1 (Exempt by virtue of paragraphs 7 & 9 of Part 1 of Schedule 12 A of the Local Government Act 1972).
- 7.4 Appendix 4 - Details in relation to Appendix 2 (Exempt by virtue of paragraph 9 of Part 1 of Schedule 12 A of the Local Government Act 1972).

Appendix 1 to Report No. F/59/04

Directorate: Finance	Service/Division: Estates
Details of contract/address of property: Part of Victoria Centre, Paignton	Reason for Expenditure: N/A
Recommendation: That Members consider the granting of a 79 year lease (which will make it co-terminus with the lease of the adjoining Council owned shopping centre) for a site for office and training facilities for the Torbay Citizens Advice Bureaux, (as opposed to the already approved 40 year lease for the site, which was granted on 15th November 2002).	Reason for Recommendation: To assist with funding of the project.
Suggested Value: Ground Rent under £25,000 per annum - can be dealt with under delegated powers. Other details are referred to in Appendix 3 (which is exempt by virtue of paragraphs 7 & 9 of Part 1 of Schedule 12 A of the Local Government Act 1972).	Is budget available? N/A
	Is this a Key Decision? No
Alternative options/Key Risks: To confirm the decision of 15th November 2002 to grant a 40 year lease.	Legal implications: A new lease will need to be drawn up. Other legal implications are referred to in Appendix 3 (which is exempt by virtue of paragraphs 7 & 9 of Part 1 of Schedule 12 A of the Local Government Act 1972).
Name of Executive Member with responsibility for this matter: Councillor Stringer	Is the Executive Member in agreement with the proposal? Being consulted
Contact: Name of responsible officer: Karen Howe Telephone no: 207918	

Directorate: Learning and Cultural Services	Service/Division: Cultural Services
Details of contract/address of property: The letting of book supply contracts on behalf of Torbay Library Services.	Reason for Expenditure: The purchase of books.
Recommendation: That Torbay Library Services' participation in the letting of book supply contracts from April 2005 by the South West region's Consortium for United Stock Purchasing (CUSP), with Wiltshire County Council as lead authority, be approved. The contract to run for a period of three years with a possible extension of one further year thereafter.	Reason for Recommendation: To enable Torbay Library Services to secure best value in its purchase of library books.
Suggested Value: See Appendix 4 (which is exempt by virtue of paragraph 9 of Part 1 of Schedule 12A of the Local Government Act 1972).	Is budget available? Yes
	Is this a Key Decision? Yes – Reference number X26/2004
Alternative options/Key Risks: Torbay Library Services makes its own arrangements for the supply of books on less favourable terms.	Legal implications: The only legal requirements relate to the agreement of the terms and conditions of the contracts to be let.
Name of Executive Member with responsibility for this matter: Councillor Lomas	Is the Executive Member in agreement with the proposal? Yes
Contact:	Name of responsible officer: Peter Bottrill Telephone no: 01803 208285