

**Decision Report - Property and Investments Executive Sub-Committee Decision**



Forward Plan Reference: N/A – Non-Key

Decision Date – 08 May 2024

Key Decision – no

Confidential Information – Appendix A

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**Report on tasks from April 2024 Property & Investments Sub-Committee**

Executive Member: Lead Member for Economic Development, Planning & Assets

Lead Officer: Oliver Woodhams, Strategic Asset Management Service Director

Author: Robert Orrett, Head of Commercial Investments

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**Summary / Background**

1. The Executive at its meeting on 8 November 2023 approved the disposal of the commercial investment portfolio. At the same meeting the Executive noted and approved the decision of the Leader of Council to establish a Property and Investments Executive Sub-Committee to respond to the anticipated volume of work and level of business scrutiny required for the disposal programme.
2. At the last Property and Investments Executive Sub-Committee on 15 April 2024, an amendment to the recommendations was approved:

That this Executive Sub Committee tasks officers with the following:

- i That the Service Director - Strategic Asset Management write to Elbit UK requesting an urgent meeting to discuss and clarify the current and future use of their premises at Aztec West and report back to the next meeting of this Sub Committee following that meeting.
- ii That the Interim Head of Legal Services and the section 151 Officer report to the next meeting of this Sub Committee on the potential options available to the Council as landlord of the office building at 600 Aztec West in the light of the recent public concerns and protests and the risks and benefits attached to each of those options, including (a) the implications (if any) for the financial stability of Somerset Council and (b) the opinions of the Section 151 officer, the Monitoring Officer and the External Auditor.

3. This report is:
  - a. To confirm that officers have progressed the identified actions.
  - b. For officers to report back on the tasks.
  - c. Gives recommendations in a confidential appendix as the information is legally privileged.

### **Recommendations**

4. The Sub-Committee agrees:
  - a. The case for applying exemption information provision as set out in the Local Government Act 1972, Schedule 12A and therefore treat the attached confidential Appendix in confidence, as it contains commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.
  - b. To consider passing a resolution having been duly proposed and seconded under Schedule 12A of the Local Government Act 1972 to exclude the press and public from the meeting, on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, within the meaning of Schedule 12A to the Local Government Act 1972.
  - c. To approve the recommendations set out in the confidential Appendix A.

### **Reasons for recommendations**

5. The information being reported is within the description of exempt information set out in Schedule 12A of the Local Government Act 1972 being information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority and/or information relating to the financial or business affairs of any particular person (other than the authority).

### **Other options considered**

6. Other options are reported in the confidential appendix to this report.

### **Links to Council Plan and Medium-Term Financial Plan**

7. The disposal of the commercial investment portfolio is in line with current Financial Strategy and the Medium-Term Financial Plan (MTFP).

### **Financial and Risk Implications**

8. Financial and risk implications are set out in the confidential appendix to the report.

### **Legal Implications**

9. Financial and risk implications are set out in the confidential appendix to the report.

### **HR Implications**

10. There are no associated HR implications.

### **Other Implications:**

### **Equalities Implications**

11. There are no associated equalities implications.

### **Community Safety Implications**

12. There are no associated community safety implications.

### **Climate Change and Sustainability Implications**

13. There are no associated climate change or sustainability implications.

### **Health and Safety Implications**

14. There are no associated health or safety implications.

### **Health and Wellbeing Implications**

15. There are no associated health or wellbeing implications.

### **Social Value**

16. There are no associated social value impacts

### **Scrutiny comments / recommendations:**

17. This report has not been considered by a scrutiny committee.

### **Background**

18. The role of the Sub-Committee is to ensure the Council has appropriate governance arrangements in place to protect and maintain the value of the Council's non-treasury and commercial investments, and to deal with real and personal property disposals or acquisitions and other matters within the scope of the Non-Treasury Management Investment Strategy (the Strategy). The Executive has previously taken the in-principle decision that the commercial investment portfolio is to be disposed of. The current Capital Strategy relies on the implementation of that decision.
19. All further background set out in the confidential appendix to this report.

### **Background Papers**

20. None

### **Appendices**

21. Confidential Appendix A

## Assurance checklist

|                                      | Officer Name   | Date Completed  |
|--------------------------------------|--|-----------------|
| Legal & Governance Implications      | David Clark  | 29/04/2024      |
| Communications                       | Peter Elliott  | N/A             |
| Finance & Procurement                | Jason Vaughan  | 29/04/2024      |
| Workforce                            | Alyn Jones   | N/A             |
| Asset Management                     | Oliver Woodhams  | 29/04/2024      |
| Executive Director / Senior Manager  | Jason Vaughan  | 29/04/2024      |
| Strategy & Performance               | Alyn Jones   | Sent 29/4/2024  |
| Executive Lead Member                | Cllr Ros Wyke, Lead Member for Economic Development, Planning and Assets | 29/04/2024      |
| <b>Consulted:</b>                    | Councillor Name  |                 |
| Local Division Members               | N/A  |                 |
| Opposition Spokesperson              | Cllr Mark Healey for Prosperity, Assets and Development                  | Sent 29/4/2024  |
| Scrutiny Chair Corporate & Resources | Cllr Bob Filmer – Scrutiny Committee – Corporate & Resources             | Sent 29/04/2024 |