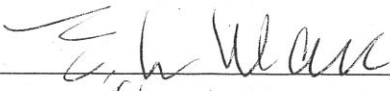


Record of Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision made by	Councillor Elaine Ware
Key decision?	Yes
Date of decision (same as date form signed)	
Name and job title of officer requesting the decision	Peter Beer Strategic Property Team Leader
Officer contact details	Tel: 01235 547617 Email: peter.beer@southandvale.gov.uk
Decision	To declare as surplus and give notice of the Vale Council's intention to dispose of Old Abbey House, Abingdon.
Reasons for decision	<p>The Vale strategic property review completed in 2012 considered the benefits and risks of retaining Old Abbey House as a council asset. The recommendation from the review was to seek a disposal of Old Abbey House. Abingdon Town Council and the Citizens Advice Bureau vacated to the Guildhall and Abbey House respectively earlier this year and the building was fully vacant by June. Officers advertised the disposal of Old Abbey House on the market for a freehold sale. A number of bids were received, which were being considered by cabinet members prior to making a formal decision.</p> <p>At the same time as the property was marketed for sale, the Vale Council received an application to have the property listed as an asset of community value under the Localism Act 2011. The property was listed on 14 July 2014. The listing has implications as to how the Vale Council can dispose of the property, in accordance with The Localism Act (2011) and the Assets of Community Value (England) Regulations 2012.</p> <p>As the property is now listed as an asset of community value, the Vale Council as the owner of the property must inform the local authority (also the Vale Council in this instance) of its intention to dispose of the listed asset. Therefore, the head of economy leisure and property must write formally to the head of corporate strategy and give notice of the intention to dispose of the property. This notice of intention to dispose triggers two moratorium periods.</p>

	<p>The first is the interim moratorium period, which is six weeks, during which time a community organisation can decide if it wants to be considered as a potential bidder. The corporate strategy team will carry out the necessary duties under the regulations to inform the listing organisation and advertise the intention to dispose.</p> <p>If any community organisations express an interest to bid for the property within the interim moratorium period, then the second (full) moratorium period commences. This is six months less the original six weeks, during which a community organisation can develop a proposal and raise the money required to bid to buy the asset.</p> <p>At this stage, it is not known whether any community organisations will express an interest to bid, although it is highly likely, given that a bid was received from one community organisation prior to listing. The process does not give the right of first refusal to community organisations to buy the asset. What it does do is give time for community organisations to put together the funding necessary to bid to buy the asset on the open market.</p> <p>Officers estimate that the open market value of the property is some £1 million, based on the bids received prior to listing. Therefore, once the community bids are received (if any), cabinet members will be asked to consider these bids against the open market value. The Vale Council can decide to use its powers under the General Consent (Disposal) Order 2003 to dispose at less than best consideration if it considers that the purpose for which the property is to be disposed is likely to contribute to the promotion or improvement of economic, social or environment well-being in the district.</p> <p>The Vale Council will also need to be mindful when making this decision of the implications of the Heritage Lottery funding, which affects part of the property and will require the Heritage Lottery Fund's consent to the disposal of any part of the car park or gardens.</p> <p>In addition, if any public open space is disposed of, then the Vale Council is required to advertise its disposal for a minimum two week period in a local newspaper,</p>
<p>Alternative options rejected</p>	<p>None. The strategic property review outlines the business case for disposing of this property, which is not required for operational, investment or other purposes by the Vale Council. Officers and the Vale Council's estates advisors do not recommend retaining the property and offering it on a lease. It should be noted that any long-term lease of over seven years is seen as a 'disposal' under the regulations.</p>

Legal implications	Given that the property has been listed as an asset of community value, then this disposal must be conducted in accordance with the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012.		
Financial implications	None at the moment, other than the continued holding costs, including empty rates, which the Vale Council has to continue paying. Once a preferred bidder is chosen, then a capital receipt will be paid, although at this stage it is not known how much this will be.		
Other implications	None.		
Background papers considered			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?			
List consultees		Name	Outcome
	Ward councillors		
	Legal	Pat Connell	Agreed 4 December 2014
	Finance	Rhona Bellis	Agreed 5 December 2014
	Human resources		
	Sustainability		
	Diversity and equality		
	Communications Corporate Strategy	Yvonne Cutler Greaves	Agreed 16 December 2014
	Strategic Management Board	David Buckle	Agreed 17 December 2014
Confidential decision? If so, under which exempt category?	No.		
Call-in waived by Scrutiny Committee chairman?			
Cabinet member's signature To confirm the decision as set out in this notice.	Signature <u></u> Date <u>16/12/14</u>		

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

For Democratic Services office use only		
Form received	Date: 19 December 2014	Time: 9:30
Date published to Scrutiny Committee	Date: 19 December 2014	
Call-in deadline	Date: 6 January 2015	Time: 17:00