

NOTIFICATION OF DECISION FOR URGENT IMPLEMENTATION

(Decision either included or not included on the current Forward Plan but needs to be implemented immediately by virtue of the urgency of the actions that need to be undertaken. This decision will not be subject to call-in.)

ORIGINATOR'S DETAILS

Name & Contact details:

Marcus Mayne, Principal Surveyor 020 7525 5651

DETAILS OF THE REPORT

Title and brief description of the nature of the business to be considered:

Title of report: Proposed acquisition of freehold interest in land in the Old Kent Road opportunity area

Summary of decision

Approval of revised terms for the acquisition of the freehold interest in land in the Old Kent Road opportunity area

Reasons for urgency

The site is of significant importance to the council's future strategic options for use and for comprehensive site redevelopment, and the vendor is not in a position to wait for revised terms to go to Cabinet in September.

- *Why has this decision been delayed until now?*

On 9 May 2017 Cabinet agreed to approve in principle the acquisition of the freehold interest in land within the Old Kent Road opportunity area, subject to completing due diligence and agreement of final heads of terms.

In progressing due diligence and negotiating final terms it has come to the council's attention that the existing overage on the site was to be extended for a significant number of years, binding the council to share with the vendor any uplift in value resulting from redevelopment substantially into the future.

To resolve this ongoing liability council officers have submitted an offer of an additional upfront payment to remove this overage extension. This offer has been accepted by the vendor. However, the offer requires formal approval in order that exchange can take place.

The Leader of the council delegated this decision to the Director of Regeneration on 14 August 2017.

- *Why can't the decision be reasonably deferred?*

The vendor is not in a position to await the next Cabinet in September and is requiring the Council to exchange contracts at the end of August 2017.

- *How long has the department known the decision was to be taken?*

Since 27 July 2017 following discussions with the vendor and submission of the offer.

- *If scheduled on the forward plan for a particular period, what's changed to make it so urgent now?*

This decision is not on the forward plan.

- *Why is it important that this decision is taken now?*

The vendor requires the Council to exchange contracts by 29 August 2017.

- *What is the potential cost to the council if the decision is delayed?*

The site is of importance to the council's future strategic options for use and for comprehensive site redevelopment, as reported to Cabinet on 9 May 2017. The cost to the council's future plans if the site cannot be secured is considered to be substantial.

Date decision to be taken by: 21 August 2017

Declaration

I agree with the Chief Officer/Head of Service that the proposed Decision is reasonable and that it can be treated as a matter of urgency.

Signed



Dated 16/8/2017

Chair of Overview & Scrutiny Committee

Please note reasons for refusal, additional points or further action required (as appropriate)

Further explanation was sought regarding the circumstances of this request from Officers. This information was provided.

Please return completed form to Chidilim Agada / Everton Roberts, Constitutional Team, 160 Tooley Street, PO Box 64529, London, SE1P 5LX – tel: 020 7525 7221