

EAST HERTS COUNCIL

OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS

2014

OFFICER DECISION WRITTEN RECORD

Reference:	OD/2035
Subject Matter:	Virement of capital funding to enable the council to acquire Rectory Hall, Stanstead Abbots
Date of Decision:	3 rd August 2020
Exempt/Confidential information (Yes/No):	Yes
If Exempt/Confidential – reason why:	The information contained in the report attached to the decision is EXEMPT in line with Part 1 of Schedule 12A of the Local Government Act 1972 as it relates to financial information of, in this case, Millstream Property Investments Ltd and the council, the publication of which could compromise the council's ability to achieve best value for the council in relation to the acquisition of, and works to, Rectory Hall, Stanstead Abbots
Name of Officer taking decision under delegated authority:	Richard Cassidy, Chief Executive
Source of delegated authority (constitution/express delegation/etc):	At its meeting of 29 th January 2020, Council approved Millstream's Property Investments

Reference:	OD/2035
	<p>Ltd's 2020/21 Business Plan which included the acquisition of Rectory Hall, Stanstead Abbots. At the same meeting, Council approved capital funding, in the form of monies to be lent to Millstream, totalling £6.45m. (See the exempt report attached for details of the capital associated with Rectory Hall in the Millstream business plan)</p> <p>The decision to vire the capital resources from the agreed use as loan funding to Millstream to purchase Rectory Hall to instead enable the council to directly purchase the building has been made by the Chief Executive under his delegated authority in Appendix 1 to Part 4G of the council's Constitution which states that there is <i>"no financial limit [to the level of] virements across services, within overall budget levels"</i> that the Chief Executive (or Deputy Chief Executive) may approve. (See the exempt report attached for details of the capital subject to this virement decision)</p>
Exercise of delegated authority approved by: <i>(if different from Officer taking decision)</i>	n/a

Reference:	OD/2035
Decision:	Virement of capital funding approved for lending to Millstream Property Investment Ltd for the purchase of Rectory Hall, Stanstead Abbots, to a budget held directly by the council to enable the council to directly acquire Rectory Hall
Reason(s) for Decision:	<p>Since approval of Millstream's business plan on 29th January 2020, which included acquisition of Rectory Hall by the company, the council's need for temporary accommodation has increased (including as a result of the Covid 19 pandemic) such that there is now a strong business case for Rectory Hall to be acquired for use as temporary accommodation for homeless households. The council may legally own accommodation for homeless households without it needing to be held by a company</p> <p>Members of the council were consulted about the proposed virement during an informal briefing session held on 16th July 2020 and expressed no concerns about it proceeding. The Executive Member for Neighbourhoods, Cllr Boylan has been consulted and is supportive of the proposal.</p>

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Details of alternative options, if any considered and rejected:	Not make the virement and proceed with acquisition of Rectory Hall by Millstream as previously approved – REJECTED as there is now a strong business case for acquiring the building for temporary accommodation rather than private rental as previously envisaged. (See the exempt report attached for more details)
Name of Officer who has confirmed with all Members involved in taking this decision whether they have pecuniary or non-pecuniary interest:	Not applicable as the Constitution affords the Chief Executive authority to make this decision without involving members directly
Name(s) of any Member who has removed himself/herself from contributing to this decision because of a conflict of interest:	n/a
Signature of Decision Maker:	Richard Cassidy Chief Executive
Signature of any Executive Member consulted by Decision Maker:	Cllr Peter Boylan Executive Member for Neighbourhoods

SIGNATURES ARE REDACTED