

Appendix 2a – Schedule of Decision Making Levels for Property Matters (December 2017)

Transaction	Cabinet	Property Sub-Committee	Officers Director of Corporate Services (See Note 1 Below)
Acquisitions	<p>All acquisitions at market value of £2m or above.</p> <p>Final Terms and any variation in Terms for ALL transactions to be approved by relevant Portfolio Holder</p>	<p>All acquisitions at market value of between £200,000 and £2m</p> <p>Final Terms and any variation in Terms for ALL transactions to be approved by relevant Portfolio Holder</p>	<p>All acquisitions at market value of up to £200,000, and all Terms for those transactions</p>
<p>Disposals</p> <p>1 Freehold – at best consideration</p>	<p>All disposals for best consideration at a market value of £2m or above.</p>	<p>All disposals for best consideration, at a market value between £200,000 and below £2m</p>	<p>All disposals for best consideration, at a market value of below £200,000, and all Terms for those transactions</p>
<p>2 Freehold – at undervalue</p>	<p>Final Terms and any variation in Terms for ALL transactions to be approved by relevant Portfolio Holder</p> <p>Any disposal of a freehold at an undervalue, where the undervalue value is £2M or more</p> <p>NB: For an undervalue of £2m or more approval by the Secretary of State is required under Section 123 of the Local Government Act 1972 and General Disposal Consent 2003</p>	<p>Final Terms and any variation in Terms for ALL transactions to be approved by relevant Portfolio Holder</p> <p>Any disposal of a freehold at an undervalue, where the undervalue value is £2m or less</p> <p>Final Terms and any variation in Terms for ALL</p>	



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	Final Terms and any variation in Terms for ALL transactions to be approved by relevant Portfolio Holder	transactions to be approved by relevant Portfolio Holder	
3 Leasehold at best consideration (Granting or surrendering (including farm business tenancies))	All leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of £2m or above. Final Terms and any variation in Terms, <i>including Right of Renewal</i> , for all transactions to be approved by the relevant Portfolio Holder	All leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of between £200,000 and below £2m Final Terms and any variation in Terms, <i>including Right of Renewal</i> , for all transactions to be approved by the relevant Portfolio Holder	All leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of below £200,000, and all Terms for those transactions, <i>including Right of Renewal</i>



<p>4 Leasehold at undervalue</p>	<p>Any disposal of a leasehold interest in land for a term of 7 years or more where the undervalue value is £2M or more.</p> <p>NB: For an undervalue of £2m or more approval by the Secretary of State is required under Section 123 of the Local Government Act 1972 and General Disposal Consent 2003. However, disposals by way of a short tenancy (which is granted for seven years or less, or the assignment of a term, which has not more than seven years to run) do not need consent.</p> <p>Final Terms and any variation in Terms, including Right of Renewal, for all transactions to be approved by the relevant Portfolio Holder</p> <p>Any disposal of a leasehold interest in land for a term of 7 years or more where the undervalue value is £2M or more.</p> <p>NB: For an undervalue of £2m or more approval by the Secretary of State is required under Section 123 of the Local Government Act 1972 and General Disposal Consent 2003. However, disposals by way of a short tenancy (which is granted for seven years or less, or the</p>	<p>Any disposal of a leasehold interest in land for a term of 7 years or more where the undervalue value is £2m or less</p> <p>Final Terms and any variation in Terms, including Right of Renewal, for all transactions to be approved by the relevant Portfolio Holder</p>	<p>All leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of below £200,000, and all Terms for those transactions, including Right of Renewal</p>
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	<p><i>assignment of a term, which has not more than seven years to run) do not need consent.</i></p> <p>Final Terms and any variation in Terms, including Right of Renewal, for all transactions to be approved by the relevant Portfolio Holder</p>		
Easements and Wayleaves	Any Easement or Wayleave where the total premium, consideration and/or rent over the term is £2m or more	Any Easement or Wayleave where the total premium, consideration and/or rent over the term is between £200,000 and below £2m	Any Easement or Wayleave where the total premium, consideration and/or rent over the term is below £200,000
Charges – to be granted to SCC over land disposed of with payments by instalments	Where land is disposed of with payment of a consideration in instalments in the future with a <i>total</i> value of £2m or more	Where land is disposed of with payment of the consideration in instalments in the future with a <i>total</i> value of below £2m	
Leases (where SCC is the Tenant) - Taking or surrendering	Any lease where the total rent over the term or a premium plus the total rent is £2m or more	Any lease where the total rent over the term or a premium plus the total rent is between £200,000 and below £2m	Any lease entered into where the total rent over the term or a premium plus the total rent is below £200,000
Licences (and tenancies at will) – Taking or granting	Any licence where the total licence fee over the licence period is £2m or more	Any licence where the total licence fee over the licence period is between £200,000 and below £2m	Any licence where the total licence fee over the licence period



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			is below £200,000.
Appropriations of Land	All Appropriations as authorised under section 122 of the Local Government Act 1972 (or any subsequent re-enactment thereof) including land for planning purposes as defined in section 246(i) of the Town and Country Planning Act 1990 (or any subsequent re-enactment thereof)		
Other Transactions	Any disposal of land by Staffordshire County Council which contains overage or clawback should be reported to Property Sub-Committee but escalated to Cabinet if required.		
Notices to Terminate a Lease	To be covered by general delegations to Director of Corporate Services (Head of Property) and Director of Economy Infrastructure and Skills.		
Rent Review			
Authorised Guarantee Agreements (where SCC is the tenant)	Any departure from the policy of SCC of not entering into Authorised Guarantee Agreements in the capacity of Tenant – to be reported to Property Sub-Committee for initial consideration.		
Dilapidations-Settling of claims where SCC has been the tenant	Any claim totalling £2m or above	Any claim totalling between £200,000 and below £2m	Any claim totalling below £200,000
Acquisition of land by private treaty in connection with a Compulsory Purchase Order	Acquisitions made in furtherance of a compulsory purchase order to be delegated to the relevant Director in accordance with the original cabinet authority for the compulsory purchase order		
Development Agreements	-	All [<i>but escalated to Cabinet if required</i>]	-
Joint Use Agreements	Covered in main Scheme of Delegation to SLT members		



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Removal of Restrictive Covenants	Any removal where the payment is £2m or more	Any removal where the total payment is between £200,000 and below £2m	Any removal where the total payment is below £200,000
Exclusivity/Lock out Agreements	-	All [<i>but escalated to Cabinet if required</i>]	-
Memorandum of Understanding	Covered in main Scheme of Delegation to SLT members		
Pre-emptions and Options	Where the total value of the property is £2m or above	Where the total value of the property is between £200,000 and below £2m	Where the total value of the property is below £200,000

Notes

- Officers are reminded that before exercising any of the delegated powers below consideration should be given to whether there are any wider issues which should be taken into account which make it more appropriate for the decision to be made at member level.

To assist, the following criteria is provided as a guide (although not exhaustive):

Officer Decision	Uncontroversial
	Covered by the sub-scheme of delegation
	In accordance with agreed policy and budget provision
	Related to current/existing service provision
Member Level Decision	Controversial
	Direct impact on 'Customers'
	Politically sensitive
	Not covered by policy or budget provision
	Related to new service provision/innovation

