



# AGENDA

For a meeting of the  
**GROWTH OVERVIEW AND SCRUTINY COMMITTEE**  
to be held on  
**FRIDAY, 1 DECEMBER 2017**

at  
**2.00 PM**

in

**WITHAM ROOM - COUNCIL OFFICES, ST. PETER'S HILL,  
GRANTHAM. NG31 6PZ**

Aidan Rave, Chief Executive

**Chairman**

Councillor Robert Reid

Councillor Michael Cook

Councillor Peter Stephens

Councillor Barry Dobson (Vice-Chairman)

Councillor Mrs Brenda Sumner

Councillor Graham Jeal

Councillor Paul Wood

**Invited Cabinet Members**

Councillor Adam Stokes, Cabinet Member for Finance

Support Officer:  
Anita Eckersley

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**Members of the Committee are invited to attend the above meeting to consider  
the items of business listed below.**

**1 COMMENTS FROM MEMBERS OF THE PUBLIC**

**2 MEMBERSHIP**

The Committee to be notified of any substitute members.

**3 APOLOGIES**

**4 DECLARATION OF INTERESTS**

Members are asked to disclose any interests in matters for consideration at the meeting.

## EXCLUSION OF THE PUBLIC

**It is anticipated that, in accordance with Section 100A(4) of the Local Government Act 1972 (as amended) the public may be excluded from the meeting during consideration of the following item of business because of the likelihood that otherwise exempt information, as described in paragraph 3 of the Act (as amended) would be disclosed to the public.**

### **6 CABINET MEMBER DECISION 6 NOVEMBER 2017 - COMMERCIAL INVESTMENT PROPOSAL (Pages 4 - 43)**

The following decision taken by the Cabinet Member for Finance on Monday 6 November 2017 has been the subject of a call-in request by Councillors Ashley Baxter, Phil Dilks, Charmaine Morgan, Bob Sampson, and Ian Selby, in accordance with 6.19 of Article 6 of the Constitution on the following grounds:

#### **REASONS FOR EXERCISING CALL-IN:**

In April this year Cllr Adam Stokes led a 'Call-In' against a decision by the then Cabinet Member for Finance to spend £2 million of this Council's resource to purchase an office building outside South Kesteven, in a neighbouring authority's area.

Those calling in the decision were – and remain – all members of the administration and included four current Cabinet members including Cllr Stokes. They argued strongly that SKDC should invest in South Kesteven rather than outside the District to support our local economy.

They also pointed out that the April decision was taken with inadequate/sufficient consultation and insufficient consideration of all options/relative weighting of options and that the decision was

*"a big risk and could be spread far better than the present proposal."*

However, seven months later, Cllr Stokes, has himself made a decision to spend £3 million of this Council's resource to purchase an office building outside South Kesteven.

His decision has been taken behind closed doors, without any reference to any of the Council's Overview and Scrutiny Committees, and even any discussion by Cabinet, all of which goes against the stated aims and ethos of this Council to be 'open and accountable' in its decision-making.

Spending £3 million outside South Kesteven appears to be contrary to the principles of 'InvestSK'. Indeed, the idea that the Council was even considering making such a substantial investment outside South Kesteven was not mentioned in the recent launch of "InvestSK", nor was it mentioned in the Council Leader's recent public statements at Stoke Rochford and elsewhere relating to plans to grow the *local* economy.

Although not listed as a 'key decision' - and despite commercial sensitivities - we believe that an unprecedented and potentially controversial decision to spend £3 million of SKDC taxpayer's money to purchase a building outside of South Kesteven should only be considered following proper pre-scrutiny and the opportunity for public awareness and informed debate.

**Non Key Decision:**

That approval is granted in accordance with the Investment Strategy.

A copy of report PD060 (contains exempt information under paragraph 3 of Schedule 12A of the Local Government Act 1972) and associated plan together with a copy of the decision notice is enclosed.



## CABINET MEMBER DECISION

### Decision:

That approval is granted to proceed with the commercial investment proposal as contained within report PD060 which contains exempt information under paragraph 3 of Schedule 12(A) of the Local Government Act 1972.

#### (1) Details of Decision

To seek authority to proceed with the acquisition of office property.

#### (2) Considerations/Evidence

As contained within report PD060 which contains exempt information under paragraph 3 of Schedule 12(A) of the Local Government Act 1972.

#### (3) Reasons for Decision:

As contained within report PD060 which contains exempt information under paragraph 3 of Schedule 12(A) of the Local Government Act 1972

### Conflicts of Interest

(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded).

NONE

### Dispensations

(Any dispensation granted by the Monitoring Officer in respect of any declared conflict of interest to be noted).

NONE

### Decision taken by:

Name: Councillor Adam Stokes  
Cabinet Member for Finance

### Date of Decision: 06 November 2017

**Date of Publication of Record of Decision:** 07 November 2017

**Date decision effective** (i.e. 5 days after the date of publication of record of decision unless subject to call-in by the Chairman of an Overview and Scrutiny Committee or any 5 members of the Council from any political groups):

**15 November 2017**

## SOUTH KESTEVEN – Commercial Property Investment Strategy

July 2017

### **Background**

As an integral part of the Council's approach to commercialisation, this draft strategy sets out a framework in order to make investments in property to increase its revenue streams. The strategy adopted should reflect a suitable balance between the risks inherent in the types of property to be acquired and the financial rewards obtainable from those investments, limiting such risks appropriately. In addition, the portfolio of properties being acquired should be diversified in order to spread risks via a balanced portfolio, such diversification principally being across geographical location and the use type of properties held.

The investments are to be made using capital from the General Fund into which the resulting rental revenue streams will flow. Any capital receipts arising from subsequent sales will also be returned to the General Fund for use into further capital investment.

***Objective: to provide income from commercial property rents through a balanced strategy of acquisition, retention and management of good quality property investments. Long-term retention and growth of capital values is also a key objective.***

**The objective is specifically to acquire income-producing property in order to enhance Council revenue streams as opposed to making investments in potential development sites and development schemes within the district, (the latter being a separate strategy). Property development is a distinct activity with very different risks which is not the subject of this report.**

### **Performance measurement**

The financial performance of the investment property portfolio and of each property within the portfolio will be measured and reported on an annual basis. Performance measurement will be based on annual external revaluations of the properties. Reports will be presented to the Cabinet including analysis of the performance with a view to making recommendations concerning amendments or alterations to the adopted strategy to ensure that the main objectives continue to be achieved. Suitable benchmarking can be set up, as required, so that the performance of the property portfolio may be measured against a suitable peer group or against nationally reported indices of property investment performance.

In the event of a failure to achieve the performance targets in the case of individual assets, the business plan for the property will be reviewed and amended as necessary to address the underperformance noted, or alternatively the asset can be disposed of.

**Scope:** The proposed quantum of investment is a capital allocation of £5 million from the General Fund with subsequent annual allocations of further tranches thereafter, subject to annual performance reviews of the portfolio and the adopted strategy.

*It is suggested that the geographical spread of acquisitions is primarily focused in the South Kesteven district but will also encompass the East Midlands and South Yorkshire region*

*including Lincolnshire, Nottinghamshire, Leicestershire, Northamptonshire, Rutland and Cambridgeshire.*

**Strategy:** To continue the review of the Council's existing asset portfolio.

The strategy to be adopted should include restructuring and rebalancing of the existing portfolio to achieve a satisfactory spread of properties through the main use sub-sectors (Retail; Offices; Industrial/Warehouse). The review should also seek to enhance the portfolio income levels through disposal of lower-yielding assets and reinvestment in a properly risk-controlled manner in higher yielding properties without introducing unjustified increased risk into the portfolio.

Achieving a spread of risk across a greater number of assets and by acquiring properties across the range of different property asset classes, namely retail, leisure, office and industrial, is to be a fundamental objective of the strategy. Whilst the portfolio remains relatively small, rigid target percentages for the main property sub-sector allocations are not appropriate. It is suggested that investment is spread initially in approximately equal proportions across the three main sub-sectors, namely retail/leisure, offices and industrial/warehouse.

### **Locations**

*The South Kesteven district, specifically Grantham, Stamford and Bourne, are the preferred locations for acquisitions of investment properties, so that reinvestment is retained within the local economy and any additional capital expenditure is made in the local area. Therefore all efforts will be directed to source suitable fresh investments within South Kesteven. However there is a finite supply of property within the local area and of that supply, only a small proportion may be available for purchase at any time.*

*A wider area will also be considered for fresh acquisitions encompassing the East Midlands and South Yorkshire including Lincolnshire, Nottinghamshire, Leicestershire, Northamptonshire, Rutland and Cambridgeshire. The availability of suitable investments in the wider region would considerably reduce the risk of any failure to buy replacement investments locally within South Kesteven in advance of or simultaneously with disposals from the existing portfolio.*

### **Target assets**

The following assets will be sought;

1. Retail investments with the following characteristics;

- *Lot sizes of up to £5m*
- *Good locations in town centres or in good out-of-town retail clusters/parks*
- *Quality tenants on leases with a minimum of five years unexpired terms*
- *Income yield range to be considered on a case by case basis*

2. Office investments with the following characteristics;

- *Lot sizes of up to £5m*
- *Modern specification, likely to be built since 1990*
- *Good locations in town centre or in good out-of-town business parks*

- *Quality tenants on leases with a minimum of five years unexpired terms*
  - *Multi-let properties to be considered with average unexpired lease terms of 3 years, subject to a spread of expiry dates*
  - *Income yield range to be considered on a case by case basis*
3. Industrial/Warehouse investments with the following characteristics;
- *Lot sizes of up to £5m*
  - *Modern specification with flexible standard layout*
  - *Good locations on major road routes and good access to motorways*
  - *Quality tenants on leases with a minimum of five years unexpired terms*
  - *Multi-let properties to be considered with average unexpired lease terms of 3 years, subject to a spread of expiry dates*
  - *Income yield range to be considered on a case by case basis*
4. *Investment in health and care facilities, opportunities to invest in land that would provide a commercial return, investment in different leisure opportunities such as public houses, restaurants and health & fitness centres with similar characteristics as above.*
5. Mixed-use investments would also be potentially suitable additions to the portfolio. These may include a mixture of commercial and residential uses, or a mixture of retail and office use. Again, similar characteristics as set out above for office investments will apply.

### **Assessment of risks**

A rigorous assessment of all risks is required in each case of fresh investment in order firstly to value each property and then to check its suitability for inclusion in the portfolio. The risks fall into two categories, firstly property market risks in specific property market sub-sectors and locations and secondly asset-specific risks (as set out below). These can be measured and an assessment made of the likely future performance of the investment carried out to determine the ranges of likely future rental growth of the property and also the disposal price. Financial returns are modelled over a medium-term horizon of say five years, based on proposed offer prices, to determine the acceptability of each investment, and can be compared against general market forecasts.

### **Asset-specific risks**

Income returns for property will depend principally on the following five main characteristics;

- Location of property
- Building specification quality
- Length of lease unexpired
- Financial strength of tenant(s)
- Rental levels payable relative to current open market rental values

**Location** – this is the single most important factor in considering any property investment. In the retail sector prime or good secondary locations in major regional or sub-regional shopping centres are likely to provide good long-term prospects, or alternatively prime locations in sub-regional or market towns.

Industrial and warehouse property has a wider spectrum of acceptable locations with accessibility on good roads to the trunk road and motorway network being the key aspect.

Experienced knowledge will be required to ensure that good locations are selected where property will hold its value in the long term.

**Building specification quality** – In office property especially it is important to minimise the risk of obsolescence in building elements, notably mechanical and electrical plant. Modern, recently-built office and industrial property should be acquired to ensure longer term income production and awareness of the life-cycle of different building elements and costs of replacement is critical in assessing each property's merits. For town centre retail property trends have been towards larger standard retail units being in strongest demand from retailers.

As part of the due diligence process to be undertaken in respect of every property acquisition surveys will be undertaken by Council appointed building surveyors and mechanical & electrical engineers to assess the quality of specification of the building and its current condition.

**Length of lease unexpired** – At present capital values are highest for long-term leased property and values tend to reduce significantly when unexpired lease terms fall below five years, as owners expect significant capital expenditure to be necessary when leases expire and tenants may not renew leases and continue to occupy. Fresh investments should be made ensuring that diminishing lease terms will not either adversely affect capital value or that significant capital expenditure and voids are experienced. Annual reviews of unexpired lease terms across the portfolio should be undertaken.

**Financial strength of tenant(s)** – Assessment will be required of each tenant of potential acquisitions through analysis of their published accounts and management accounts. Such assessment forms part of the due diligence process prior to acquisition and may be carried out by Council-appointed or in-house accountants. Risk of tenant default in rent payment is the main issue but the relative strength of a tenant's financial standing also impacts upon capital value of property which is let to that tenant and careful analysis of financial strength is a key part of due diligence prior to purchase of investments.

### **Sourcing of investment property**

Generally speaking property investment markets are controlled by national and regional commercial property agencies and establishing links and relationships with a number of such property agents is the best method of sourcing suitable properties for acquisition in accordance with the adopted strategy.

Staffing resources will need to be made available consisting of officers with the necessary experience of operating in the property investment market in order to source suitable property assets for acquisition that match the criteria set under the adopted strategy. This can be done either by recruitment into the existing Council property estates management team or by employing external expertise.

### **Governance and decision making**

Owing to the normal processes when a property comes to the market and is bought and sold, decision-making on property purchases needs to fit in to the due diligence processes and

## Appendix A

timetables usually followed by private sector property owners. This may require urgent items being brought to the Cabinet for approval prior to bids or offers being submitted. A normal timetable in the purchase of commercial property would be a two to three week marketing period, followed by a week for submission of offers and confirmation by the seller of the preferred buyer and preparation of Heads of Terms, followed by a 4-6 week period for due diligence investigations by the buyer and the buyer's solicitor prior to exchange of binding unconditional contracts on the purchase. Completion will usually follow within a further four weeks.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
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