



Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B063/23

OFFICER DECISION RECORD

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution)

Subject:

Whether to approve to serve notice to activate the option to purchase the parcel of land within the Ivy Farm housing development in Royston, and; approval of the allocation of identified s106 monies towards the acquisition costs.

Type of Decision: Executive

Key Decision (Executive Functions only): Yes

Executive Member: Terry Douris; Bob Deering

Portfolio (Executive Functions only): Terry Douris, Executive Member, Education, Libraries & Lifelong Learning; Bob Deering, Executive Member, Resources & Performance.

Officer Contact: Kate Ma

Tel: 01992 556669

1. Decision

- (i) Approval to serve notice to activate the option to purchase the parcel of land within the Ivy Farm housing development in Royston
- (ii) Approval for the allocation of identified s106 monies towards the acquisition costs (outlined in Appendix 1 of the report)

2. **Reasons for the decision**

The county council negotiated an option to purchase an adjacent parcel of land to facilitate the delivery of a 2-form-of-entry (fe) first school, enabling land assembly sufficient to build a new 2fe first School, compliant with DfE site size guidelines.

The option agreement allows the county council to purchase the additional land for a fixed price of £1m. This agreement expires after midnight on 4th February 2024.

In April 2018, the Director of Resources approved entering into an option agreement with any future decision to exercise the option to be authorised separately via a Chief Officer decision.

It is now proposed to exercise the option as the ownership of the land has changed hands and, should the county council not exercise the option now, it would be required to enter Deeds of Covenant in respect of a change to the Trustees which would incur additional costs.

Securing this land ensures the county council will be able to provide sufficient first school places to meet demand into the long term. Although there is no immediate need to increase first school places in the town, it is proposed that positive action is taken now to secure the additional land.

Failure to exercise this option prior to the expiry date will result in the county council losing the rights to the land and requiring the purchase at Market Value which is considerably more than the option price by at least 50%. Without the additional land the school site would be significantly constrained, non-compliant in site size for a 2fe first school and restricted to education use.

3. **Alternative options considered and rejected** None

4. **Consultation**

Was any Councillor consulted? Yes

If yes:

(a) **Comments of Executive Member**

The Executive Member has no comments other than to concur with the Executive Director's intention to agree the proposal.

(b) **Comments of other consultees** None

5. **Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

None

6. **Following consultation with the Executive Member, I am proceeding with the proposed decision.**

Signed: Steven Pilsworth

Title: Director of Finance

Date: 18th May 2023

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.