

Assets and Procurement
Committee

Democratic and Members' Services
Emma Duncan
Service Director: Legal and Governance

Wednesday, 11 March 2026

New Shire Hall
Alconbury Weald
Huntingdon
PE28 4YE

10:00

Red Kite Room

New Shire Hall, Alconbury Weald, Huntingdon, PE28 4YE

Agenda

Open to Public and Press

CONSTITUTIONAL MATTERS

- 1 Apologies for Absence and Declarations of Interest

Guidance on declaring interests is available in [Chapter F2 \(Members' Code of Conduct\)](#) of the Council's constitution.

- 2 A&P Minutes - 13 January 2026

5 - 18

Minutes of the Previous Meeting

A&P Minutes 5 February 2026

To follow

- 3 Public Questions and Petitions

KEY DECISIONS

4	Disposal of Hawthorns, Cambridge	19 - 24
5	Procurement of Microsoft Licensing and Software Agreement	25 - 28
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7	Cleaning and Grounds Contract Re-procurement	33 - 38

OTHER DECISIONS

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10	Agenda Plan, Training Plan, and Appointments to Outside Bodies and Internal Advisory Groups	119 - 120
	Date of Next Meeting	
	28 April 2026	

The County Council is committed to open government and members of the public are welcome to attend Committee meetings. Public speaking related to the items listed on this agenda is also welcomed and encouraged. Requests to speak need to be submitted by 12.00 noon three working days before the meeting, with information on how to do this on the '[Getting Involved in Meetings](#)' section of the Council's website. Full details of arrangements for public participation are set out in [Chapter B1 \(Participation in Meetings\)](#) of the Council's constitution.

The Council supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking to communicate with people about what is happening, as it happens. These arrangements operate in accordance with a protocol agreed by the Chair of the Council and political Group Leaders, which can be accessed on the '[What Happens at Meetings](#)' section of the Council's website. The Council does not guarantee the provision of car parking on the New Shire Hall site. Information on travel options is available on [the Council's website](#).

Livestreams and recordings of previous meetings can be found on the '[Live Web Stream](#)' of the Council's website.

The Assets and Procurement Committee comprises the following members:

Councillor Karen Young (Chair) Councillor Rory Clark (Vice-Chair) Councillor Henry Batchelor Councillor Chris Boden Councillor Adam Bostanci Councillor Simon Bywater Councillor Michael Fisher Councillor Ian Gardener Councillor Darren Green Councillor Ros Hathorn Councillor Tom Hawker-Dawson Councillor Ricky Ioannides Councillor Elisa Meschini Councillor Matthew Morgan and Councillor Edna Murphy

Clerk Name:	Jenna Harron
Clerk Telephone:	01945482685
Clerk Email:	jenna.harron@cambridgeshire.gov.uk

Assets and Procurement Committee: Minutes

Date: 13 January 2026

Time: 10:00a.m. to 11:42a.m.

Venue: Red Kite Room, New Shire Hall, Alconbury Weald

Present: Councillors Batchelor, Boden, Bostanci, Bywater, Clark (Vice Chair), M Fisher, Gardener, Green, Hathorn, Hawker-Dawson, Ioannides, Meschini, Morgan, Murphy, Young (Chair)

22. Apologies for Absence and Declarations of Interest

There were no apologies for absence and no declarations of interest.

23. Minutes – 18 November 2025 and Action Log

The minutes of the meeting held on 18 November 2025 were agreed as a correct record and signed by the Chair.

The action log was noted.

24. Petitions and Public Questions

No petitions or public questions were received.

25. Shared Service ERP Print Procurement

The Committee was reminded that ERP Gold was one of the Council's key systems, providing financial management, payroll and procurement functions. The system was shared with three other principal Councils (West Northamptonshire Council which hosted the contract, North Northamptonshire Council, and Milton Keynes City Council) through a lead-authority model. The report under consideration focused on the print and postage solution integrated with ERP Gold, which operated on a pay-as-you-use basis.

Officers explained that the Council had been actively working to reduce print and postage expenditure. In accounts receivable, the Council had achieved a 12% reduction in printing over the previous two years by shifting clients toward direct debit and other digital solutions, and similar progress had been made in payroll by reducing paper payslips.

The report recommended pursuing a compliant route to re-procure the current supplier. Officers outlined the factors supporting this recommendation in the report, including the existing technical integration with ERP Gold and the results of cost comparisons undertaken as part of the review.

In response to the report:

- A query was raised regarding the wording 'pay-as-you-use' with no minimum spend and it was confirmed that it meant the Council could enter into the contract without ever using the provider or paying anything.
- A Member questioned the report's wording that in March 2028 after Local Government Reorganisation, successor Councils could 'choose to novate' the contract after local government reorganisation in March 2028. The response confirmed that the contract would indeed automatically novate to successor Councils, who would be free to decide whether or how much to use it.
- The report's four-year cost calculations were based on a known, one-off 7.5% postage increase that had been confirmed and would be written into the contract. It was acknowledged that further postage cost rises were likely over the life of the contract due to market fluctuations such as pricing changes, but these were difficult to predict and therefore had not been forecast. It was explained that postage, rather than printing, formed the largest portion of overall costs, and that the Council's aim to reduce mailing volumes was a key factor in managing these potential future increases.
- Suppliers had undergone a quality and price assessment and a review showed that while the incumbent provider ranked highest on quality, it was third out of five on price. Although not the cheapest, switching to a different supplier would create a substantial one-off cost estimated at £370k based on previous experience of changing contracts, along with additional time, business disruption, and opportunity costs. When these wider impacts were considered, the overall assessment indicated that directly awarding the contract to the current provider would be more cost-effective than selecting a lower-priced alternative.
- Quality was described as covering several aspects of the printing and dispatch service, with reliability identified as a key component. The service requirements were noted as complex, especially because they operated across multiple partner organisations. Quality included the flexibility to handle documents differently rather than simply printing and posting everything in one batch. This required providers to give clear breakdowns of what was printed, posted, or returned. Additional quality factors included the ability to manage special workflows, such as returning some items to the Council for internal distribution and consistently meeting strict service-level timescales. Providers were expected to print and dispatch items the same day files were received, making reliable turnaround an essential measure of quality.
- Feedback was given that the price appendix had been difficult to interpret because it displayed large volumes of numerical data without being easy to compare, suggesting that future papers present pricing information in a more accessible and intuitive format. Officers agreed to improve the presentation of competitive pricing in future, noting that a simple summary might have been more effective.
- While significant opportunities to reduce print volumes and shift toward digital channels had been identified, no specific trajectory or percentage reduction target had been set for the four-year term. Several initiatives were already underway, such

as pilots using text messaging in areas like accounts receivable and Adult Social Care, but these were still at an early stage. Although reductions in print had already been achieved, the team felt it was premature to commit to fixed targets. The focus on cost savings remained strong within the Council's wider budget planning process, where print-related savings had already been considered and incorporated for the current financial year.

- It was explained that the contract did not require explicit social value or net zero commitments from the supplier, nor did it include any cost implications tied to such measures. However, the supplier had expressed a willingness to explore opportunities to deliver social value, including participation in the 'Match My Project' initiatives, though these were not formal contractual obligations. Any additional social value negotiated with the supplier would not affect the fixed prices set under the framework agreement.

It was resolved unanimously to:

- a) Approve procurement for the ERP Print service, using the Procurement for Housing (PfH) framework – Lot 3: Print, Mailing and Digital Communications to pursue a direct award.
- b) Delegate authority for awarding and executing a contract for the provision of ERP Print starting 1 May 2026 for the period of 3 years and 1 year extension periods to the Executive Director of Finance and Resources, in consultation with the Chair and Vice Chair, and in turn to West Northamptonshire Council (WNC) in accordance with the Shared Services agreement.

26. Property Disposal – Signet Court, Cambridge

The report considered the freehold disposal of 18-20 Signet Court, Cambridge, a Cambridgeshire County Council office building identified for disposal following an asset challenge and office portfolio review. Staff contractually based at the site were consulted in line with HR policy and were all relocated by 1 October 2025. The property was first offered to This Land Limited and Cambridge City Council under the Council's disposal policy, but both declined.

An external agent was then appointed, and open marketing began at the end of October for an eight-week period, including targeted outreach, where a small number of viewings took place. In accordance with the Member Engagement Protocol, the Chair and Vice Chair of Assets and Procurement Committee as well as the local Member were notified of the intention to market. The selling agent, the Council's chartered surveyor, and legal colleagues all confirmed that the final bid met the best consideration requirements of Section 123 of the Local Government Act 1972.

The prospective purchaser intended to convert the building to residential use under permitted development rights, though this was not a condition of sale. The report set out the financial terms, purchaser identity, and due diligence findings. Approval of the sale was expected to generate a substantial capital receipt, reduce ongoing property

costs (including maintenance, utilities, and business rates), and support the Council's business and budget plans.

Members noted the officer responses to their queries:

- The agreed sale price was a very small percentage below what had been assumed in the business plan and budget, and very close to the guide price, with no significant changes in market conditions or key drivers affecting the outcome. The amount supported the conclusion that the sale remained compliant with Section 123 requirements.
- The Council had not commissioned a formal valuation, as its disposal policy relied on open marketing to establish market value. In line with the Local Government Act and best consideration requirements, the Council's policy required the appointed agent to provide a letter confirming that, in their professional view, the sole offer received and accepted represented the best consideration achievable. Officers agreed to provide a copy of this letter to Members. ACTION REQUIRED
- There was a question as to whether permitted development rights would be easy to obtain for a proposed office-to-residential conversion and how this factored into decisions about selling the property. While not absolutely guaranteed, the property appeared to meet the necessary criteria for prior approval because it was not in a conservation area, was not listed, and had no other constraints likely to block conversion. The team had taken this into account before marketing the site and had offered it to a range of potential buyers without restriction. More generally, it was noted that, when selling properties, they routinely assess whether securing planning permission in advance could enhance value, and they pursue this where it is likely to be beneficial.

It was resolved unanimously to delegate authority to the Executive Director of Finance and Resources in consultation with the Chair and Vice Chair of the Assets and Procurement Committee to agree any outstanding terms, to approve the execution of all necessary documentation, and to complete the disposal of the property.

27. Refresh of the Land and Property Strategy

After 19 months of implementation, the land and property strategy was being refreshed to ensure it remained up to date and aligned with the Council's wider Strategic Framework. Officers explained that the refresh aimed to update members on the approved strategy, reaffirm awareness of its purpose, and confirm that its 2024 direction continued to reflect current organisational priorities. The update also sought to highlight progress made against the existing delivery plan and to acknowledge the implications of Local Government Reorganisation (LGR) for future decision-making.

Members were advised that changes to other key Council strategies, particularly the new Strategic Framework and the Climate Change and Environment Strategy had also been considered. Officers emphasised that the core principles previously agreed were still consistent with the Council's current and proposed priorities, meaning that only minimal adjustments had been required, primarily to reflect LGR guidance.

The report presented general improvements achieved within the property service resulting from the strategy's direction. It included a refreshed Land and Property Strategy document with tracked changes for transparency, commentary on progress against the original delivery plan actions, and a set of new actions intended to guide work over the following two years.

Resulting from discussions of the report:

- With LGR approaching, the Council needed to plan its asset decisions more broadly by engaging not only with district Councils, but sensibly also with Peterborough City Council to avoid future duplication or gaps in resources.
- The Council was committed to embedding carbon net-zero principles and decarbonising its estates, including county farms and operational buildings. Future costs and investment plans for meeting net-zero goals would be aligned with the forthcoming Climate and Environmental Strategy and the wider asset review. Past funded work had already supported decarbonisation efforts, and further external funding would continue to be sought. It was also noted that fully costed options, ranging from minimum compliance versus net-zero-maximising scenarios, could be brought forward, and that a new strategy for the rural estate was being developed, given its significant contribution to the Council's carbon emissions. Work was underway to develop a programme based on baseline data to determine the investment needed, noting the responsibilities of increase climate and net-zero obligations would potentially be shared between the Council and county farm tenants.
- Though the Community Asset Transfer Policy sounded positive in principle, challenges arose when dealing with ageing or historically significant buildings that required substantial maintenance. It was noted that a guidance document was in place, but with no clear, transparent, and consistent process for carry it out. The proposed development of a formal policy aimed to create a fair framework for assessing community bids, incorporating factors such as environmental and historical considerations during the evaluation and scoping stages, ensuring consistency across the Council for future applications.
- The financial struggles faced by tenant farmers was addressed, with concerns raised about ensuring they benefited from any renewable projects so they could continue producing essential food and maintain a reasonable quality of life. It was acknowledged that managing carbon impacts on the rural estate would be challenging because farmers operated as businesses, and long-term sustainability needed to be protected. The plan involved working collaboratively with tenants to diversify and support them, with an understanding that progress would be gradual rather than a quick solution.

- The Asset Programme Board was chaired by the Executive Director of Place and Sustainability and functioned as one of the Council's five change boards. The board included senior representatives from across all service areas to enable high-level, well-rounded discussion.
- A Member noted that achieving net zero carried costs, but these were outweighed by the far greater financial and existential risks of inaction, such as rising expenses from climate-related impacts like flooding and road damage. The direct financial costs to the Council of sustainability measures were also noted, such as insulating buildings thereby lowering energy use and reducing ongoing costs.
- It was confirmed that the intention was for the County Farms Estate Strategy to be brought to the Assets and Procurement Committee in June 2026.
- Addressed was the refresh Land and Property Strategy that combined routine estate management with wider climate-driven ambitions. Support was expressed for data-driven oversight of Council assets, rationalising surplus buildings, and generate capital receipts, but concerns were raised that the document aligned the estate plan with broader political goals such as achieving net-zero emissions, decarbonising buildings, and reshaping rural estates for climate purposes without providing clear costings or payback analysis. It was argued that the absence of quantified financial implications contradicted references to significant decarbonisation work and risked creating open-ended commitments. Officers explained that the strategy functioned purely as a framework reflecting the Council's agreed direction, with any specific investments to be separately approved and fully costed, potentially funded through disposals, fees, or grants. It was suggested that updating aging properties for climate resilience was evidence-based, financially sensible, and necessary, and that the strategy simply set out principles rather than authorising spending.
- A Member raised concerns around how the developing Property Strategy would be used during the transition period for LGR. Concerns were raised that combining the various Councils' existing property documents would likely prove more complex than expected, particularly once emerging boundary details became clearer. It was noted that significant input would be needed as officers from different authorities began working together to determine the allocation and use of buildings. Also acknowledged was the scale of the negotiations ahead, indicating that substantive matters would return to the Committee. It was explained that extensive data sharing and background discussions were expected, with the shadow authority assuming responsibility for asset-related decisions from May 2027. While some asset allocation might appear geographically straightforward, it was recognised that service patterns, especially in rural areas, would complicate decisions about which buildings would best support ongoing service delivery.

It was resolved to consider and approve the refreshed and amended Land and Property Strategy 2024-2029 which took account of impacts of Local Government Reorganisation along with its accompanying Delivery Action Plan which included new actions.

28. Procurement Compliance Report

The report noted a reduction in procurement breaches compared with previous periods. Two breaches were identified, one low-value and specialist, and another involving the rural estate, which was noted for attention. The latter was uncovered through enhanced financial controls and transparency measures. The report outlined the remedial actions taken, including moving current spending onto a compliant framework and beginning work to establish a sustainable long-term procurement approach.

The report prompted questions and comments:

- The rural estate accumulated a spend of over £850k, with over £780k classed as non-compliant. This occurred because officers correctly tendered individual works valued between £5k and £30k, but they did not record and aggregate those amounts over time. As a result, it wasn't identified that the cumulative value awarded to certain contractors exceeded procurement limits. The issue was neither deliberate nor negligent, rather stemmed from a missing aggregation check. Once new monitoring controls were introduced around 18 months earlier, the issue was identified, a compliant term contract was put in place, and officers began preparing a formal contract position to return to the Committee for decision.
- It was noted that the Council had significantly strengthened its governance over the previous eight years, with substantial improvements made over that period. The reported figures covered several years and reflected legacy issues, including a recent spike caused by the single systemic failure of officers not identifying to cumulative value of procurement between £5k and £30k, though this was unintentional and officers were found to have acted in good faith. Ongoing actions included mandatory training, updating contract registers, and tighter monitoring. Confidence in an imminent reduction in the total value of compliance failures was not expressed, however the transparency in the Council's reporting was emphasised and commended.
- A Member queried how future procurement systems were being designed to ensure small independent contractors could still bid, even when contracts were aggregated into larger packages. Concerns were raised that smaller firms, which might deliver parts of the work more effectively or cheaply, could be excluded if required to bid for all elements. It was explained that some rural estate tasks required niche local skills not typically offered by larger organisations, so bidder days and engagement events were used to shape tender documents in ways that supported smaller providers.

The aim was to avoid higher costs and protect local capability while procurement plans continued to develop.

It was resolved unanimously to note the content of this report.

29. 2026-2029 Business Plan and Budget

The Committee was presented the proposed budget and Strategic Framework, following training given to Councillors earlier in the month. It was explained that Strategy, Resources and Performance (SRP) Committee would receive feedback from all committees before making recommendations to full Council for debate on 10 February 2026. The officer noted confidence that the previously identified £6.4m gap would be closed following the provisional settlement, though detailed work was still underway. The Committee heard that the wider capital programme totalled £750m over ten years, with borrowing requirements and related revenue impacts outlined. For this Committee, the focus lay in the part of the report covering savings in building rationalisation, procurement, and property management. Highlighted was the capital programme for assets and procurement areas, mainly property and digital contracts, along with the accompanying fees and charges schedule.

Members identified significant points and raised questions:

- Several property disposals had been in progress for some time, and clarification was given on how these were reflected in the capital programme. It was explained that the report assumed £32.5m in future capital receipts arising from asset rationalisation, with these funds not earmarked for other purposes and therefore set aside for Treasury management. Assumptions had been built in regarding the timing of asset disposals over the coming years. It was also acknowledged that some issues, such as carbon considerations cut across multiple committees, and that related comments would be captured and fed into SRP alongside input from other relevant committees.
- The discussion focused on concerns about whether the Council's targets for over £1m in revenue savings and £5m in capital receipts by March 2027 remained achievable, given the slowdown in the commercial property market and delays to the assets change programme caused by LGR. It was explained that the asset change programme had experienced slippage, prompting a pause while the implications were assessed and a revised, backloaded plan was developed. Officers had identified alternative savings in the interim and undertook soft market testing, staff and trade union discussions, relocation planning, and mothballing of some buildings to strengthen assumptions. Several assets were considered deliverable within the year, with examples given of properties nearing vacancy and others requiring further work. It was acknowledged that further slippages remained possible, but ongoing monitoring through integrated financial reports and contingency measures would be used to manage risks, with updates brought to Committee as needed.

- Addressed was the Council's £300k savings forecast for maintenance, which assumed reducing planned and reactive work to essential levels without compromising statutory testing and compliance. Concerns were raised that no allowance had been made for higher maintenance and lifecycle costs associated with ground sourced heat pumps, which were known to be more expensive to maintain than gas systems. It was acknowledged that the approach carried risks, particularly given the need to maintain building safety, heating reliability and compliance. It was explained that decisions would depend on each building's future use, and that buildings with limited remaining life might not justify continued investment, potentially leading to relocation. Although condition surveys and ongoing compliance maintenance were in place, the ageing estate meant difficult choices could arise. A £2.1m capital programme was available to be drawn down on, but financial pressures might still require mitigation measures or estate reduction. Concerns were ultimately expressed about the deliverability of the savings and the potential impact on safety.
- Concerns were raised that a £40m funding gap still remained and that the business plan lacked clear costings showing how proposals would affect residents. Although debt reduction and efficiencies were welcomed, it was argued that wider ambitions, including environmental goals, were embedded in other strategies without transparent financial implications, creating uncertainty about value for money. In contrast, it was argued that the Council had already cut spending to the minimum, with most spending driven to statutory services outside its control. The proposed budget and property strategy were viewed as realistic measures to reduce debt and manage ongoing financial pressures.

The Executive Director of Finance and Resources summarised the discussion as follows:

- *Councillors were generally supportive of asset rationalisation and using receipts to manage the Council's borrowing, thus recognising the importance of capital receipts. There was challenge to the assumptions around the assurance of delivering revenue and capital savings from the Change Programme, with Councillors recognising this needed to be monitored closely throughout the coming financial year.*
- *There was challenge in relation to the maintenance savings, particularly the desire to ensure that colleagues across the organisation remained safe in compliant buildings, and that this would be prioritised and monitored throughout the year.*
- *There was support for the full cost charging for electric vehicles.*

It was resolved to:

- a) Consider and scrutinise the proposals relevant to this committee within the 2026-29 Business Plan and Budget put forward by the Strategy, Resources and Performance Committee on 11 December 2025.
- b) Recommend changes and/or actions for consideration by the Strategy, Resources and Performance Committee at its meeting on 29 January 2026 to enable a business plan and budget to be proposed to Full Council on 10 February 2026.
- c) Receive the fees and charges schedule for this committee included at Appendix 2.

30. Agenda Plan, Training Plan, Appointments to Outside Bodies and Internal Advisory Groups and Panels

It was resolved to note the Agenda Plan.

Chair

Assets and Procurement Committee – Minutes Action log

This is the updated action log and it captures the actions arising from the most recent Assets and Procurement Committee meetings and updates Members on the progress on compliance in delivering the necessary actions.

Assets and Procurement Committee minutes of 28 November 2023

Minute	Item	Officer	Action	Comments	Status
22.B	Major Energy Projects – Progress Update	Sheryl French Eithne George Nicola Young	Actual income figures for Triangle Farm and St Ives to be provided once those schemes started generating.	Triangle Farm/North Angle information circulated to Committee on 9 September. St Ives info to be circulated when available. Summary table provided to Cllrs on 08/11. St Ives Smart Energy grid started producing electricity on 31 Jan 2025. The details of generation and income will be supplied when actuals are available later in 2025.	In progress

Assets and Procurement Committee 17 September 2024

Minute	Item	Officer	Action	Comments	Status
62.	Contract Management Update	Clare Ellis	A Member queried the silver portfolio of contracts which was valued at £725m, with each contract valued at over £2m, yet the category was identified as low risk. The Officer explained that these contracts were routine, and	Will be resolved when the next Contract Management Update comes before Committee.	In Progress

			though each was high value, integral mitigations in terms of risk management were in place. Officers agreed to provide further information at a future meeting.		
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Assets and Procurement Committee 18 November 2025

Item		Officer	Action	Comments	Status
19.	Single Supplier Contract for the ICT Service	John Chapman	The committee discussed the evaluation criteria, specifically the weighting of price and quality compared to social value and net zero considerations. Officers agreed to circulate an evaluation matrix detailing the scoring split.		In Progress
20.	Procurement of Schools' Insurance	Tom Kelly	Comparison was drawn with per-pupil insurance costs under the Schools Academy Insurance Framework (SAIF), questioning whether it was cheaper annually. A member asked whether the Council held claims and loss ratio data for Cambridgeshire schools to confirm overall value. Officers agreed to circulate this information.		In Progress
22.	Procurement Compliance Report	Clare Ellis	The issue in the report regarding S12 doctors was raised, which appeared to involve the transfer of responsibility from the ICB to the Council. The importance of		In Progress

			<p>ensuring proper consideration of procurement arrangements during negotiations with other bodies was highlighted, particularly when responsibilities were taken on quickly, as this could lead to delays in resolving issues. A Member expressed interest in how such structural processes could be managed more effectively. Officers agreed to investigate the background of how the service was transferred, including the notice given and contractual arrangements</p>		
23.	Procurement and Commercial Annual Report	Clare Ellis	<p>A Member addressed that the report stated that the Corporate Services and Digital Procurement Team had 25 projects averaging £440k, the Places Procurement Team had 50 contracts averaging £1m, and the People Procurement Team had 37 contracts averaging £30m each, totalling £1.3b. Officers confirmed the figure was correct because the People Procurement Team managed dynamic purchasing systems, and the valuation reflected the total potential placements rather than annual spend. It was explained that several multi-year procurements which opened in the year caused the high figure.</p>		In Progress

			Officers agreed to circulate details of the top five procurements by value to the committee.		
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Assets and Procurement Committee 13 January 2026

Item		Officer	Action	Comments	Status
26.	Property Disposal – Signet Court, Cambridge	Chris Ramsbottom / Mark Freer	The Council had not commissioned a formal valuation, as its disposal policy relied on open marketing to establish market value. In line with the Local Government Act and best consideration requirements, the Council's policy required the appointed agent to provide a letter confirming that, in their professional view, the sole offer received and accepted represented the best consideration achievable. Officers agreed to provide a copy of this letter to Members.	Email sent 03/03	Complete

Assets and Procurement Committee 5 February 2026

Item		Officer	Action	Comments	Status
33.	Cambridge Biomedical Campus – Commercial Land Matters	Michael Hudson	Action in confidential minutes.		In Progress

Property Disposal - Hawthorns, Cambridge

- To: Assets and Procurement Committee
- Meeting Date: 11 March 2026
- From: Executive Director of Finance and Resources
- Electoral division(s): King's Hedges
- Key decision: Yes
- Forward Plan ref: 2026/049
- Executive Summary: This report considers the disposal of The Hawthorns, Haviland Way, Cambridge, CB4 2RA (the subject property).
- The Council's disposal policy requires the Assets and Procurement Committee approval for the disposal of any land or property interest where the consideration received is greater than £750,000.
- Cambridgeshire County Council is bound by the requirements of Section 123 of the Local Government Act 1972 in its decision making to dispose of any property interests.
- Recommendation: The Assets and Procurement Committee is invited to:
- a) Review and approve the recommended offer in accordance with Section 123 of the Local Government Act 1972.
 - b) Delegate authority to the Executive Director of Finance and Resources in consultation with the Chair and Vice Chair of the Assets and Procurement Committee to agree terms, execute the necessary documentation, and complete the disposal of this property.

Officer contact:

Name: Mark Freer
Post: Principal Surveyor (Urban)
Email: mark.freer@cambridgeshire.gov.uk

1. A healthy, fair and sustainable Cambridgeshire

1.1 This proposal aims to indirectly support all the Council's key ambitions and vision set out in the Strategic Framework 2026-29, by disposing of a surplus property to provide a capital receipt which will support wider service delivery.

2. Background

2.1 The subject property is the freehold land and buildings known as the Hawthorns, Haviland Way, Cambridge, CB4 2RA, shown edged in red on the plan provided below. The property is registered at HM Land Registry under title number CB62 and Cambridgeshire County Council is the registered owner, and the class of title is absolute freehold. The property is situated in Kings Hedges within a predominantly residential area and is bound by residential dwellings to the north and east, with a care home to the south and playing fields to the west which form part of the North Cambridge Academy.



2.2 The property consists of a former care home premises, comprised of a two-storey building on a self-contained site of 0.4 hectares (0.98 acres) with associated parking and landscaping. The current building is understood to date from the 1960's and is of brickwork construction under a pitched roof with a single storey rear addition. The existing building has a gross internal floor area of 767.62 sq m (8,262.65 sq ft). The current planning use falls within Use Class C2 (Residential Institutions). A regulation 3 planning permission was granted in August 2020 for a change of use from a care home to a supervised contact and social care centre, including meeting rooms and office use, with the construction of an extended car park (Planning ref: FMW/082/19). Please refer to the photographs of the property provided below.



- 2.3 The Hawthorns property is no longer used by the County Council for operational purposes and has been declared surplus to the Council's requirements. The property had previously been used as a supervised contact centre; however, this activity has since been re-located to the Bottisham Locality Centre. The supervised contact service were using this property up until the Autumn of 2022 when they subsequently moved to Bottisham, and they were the last occupants to use the property. After they vacated, the property had been earmarked for a respite project to create an intensive therapeutic support hub. However, this project did not move to full design stages and was aborted due to the excessive cost of the refurbishment and after an unsuccessful bid to the NHS for grant funding which made the scheme financially unviable. After this, the Council's adults' social care team expressed a new interest in the property, however a viable business case in support of the proposal and the capital funding required was not approved and therefore this project was not commissioned and the decision was made to declare the property as being surplus to the County Council's requirements.
- 2.4 In accordance with the County Council's current disposal policy and prior to disposal on the open market, it was necessary to offer the property to This Land (the County Council's housing development company) and to Cambridge City Council. This process took place in July 2025 with This Land declining the pre-emptive option to purchase. Cambridge City Council did express an initial interest in acquiring this property but were subsequently unwilling to commit to the purchase despite having been given the opportunity to appraise

and consider the purchase for a period of 2 months and therefore in September 2025, the decision was made to offer the property for sale on the open market.

- 2.5 Given that the Cambridge City Council's initial interest in purchasing the property had not come to fruition and in line with the Council's member engagement protocol for property transactions, the local member for King's Hedges was informed on the 17th September 2025 that it was the County Council's intention to market the property for sale given that it had been declared surplus to the County Council's requirements.

3. Main Issues

- 3.1 A suitable agent was appointed in accordance with the Council's procurement policies and formal marketing activities commenced during November 2025. The appointed agent is particularly active in the local commercial property market in the Cambridge area and County Council officers were satisfied with the chosen agent's ability to execute and deliver a comprehensive marketing campaign and disposal strategy on appointment.
- 3.2 After an encouragingly high level of early interest and after a significant number of viewings having taken place during the first stage of the marketing process, the agent recommended that a bids deadline be established which would give the parties sufficient time to complete all necessary due diligence and for any new interest in the property to also come forward. The interested parties were all invited to submit written bids by the bids deadline and all bids were to include the following information: identity of the purchaser; their best offer; details of any conditions attached to the offer and the anticipated timescales for clearing these conditions; proposed timescales for completion; details of funding and proof of funds; the due diligence undertaken and details of the solicitors acting on their behalf. As part of this process, all bids submitted were on a "subject to contract" basis and subject to any stated conditions and on the basis that the Council (as the seller) reserved the right not to accept the highest offer, or any of the offers received.
- 3.3 This process attracted a total of eight separate bids to purchase the property. In line with best consideration requirements, all bids were assessed in respect of the capital receipt that the County Council would receive from the sale of the property and the deliverability of each bid in terms of planning risk, conditionality, funding implications, and timescales for completion.
- 3.4 The agent went back to the top 5 bidders on the list and asked for best and final offers by 5 pm on Friday 13th February. Three bids were increased and two bids were unchanged. Please see confidential **Appendix 1** for a summary of the bids received
- 3.5 The Council is bound in its decision making to dispose of any property interests under the requirements of section 123 of the Local Government Act 1972. This includes that disposals of land and property must be for the best consideration that can be reasonably obtained.

4. Alternative Options Considered

- 4.1 There were no suitable alternative options to consider, the property had been declared surplus to the County Council's requirements and therefore in accordance with the Council's current disposal policy, the property needed to be disposed of on the open market at the best consideration achievable.

5. Conclusion and reasons for recommendations

5.1 Not stated.

6. Significant Implications

6.1 Finance Implications

Accepting the recommendations within this report will deliver a further revenue saving albeit small and a significant capital receipt during the first half of the financial year 2026/27. The recommended bid is slightly higher than the estimate included within the 2026-27 Business Plan.

6.2 Legal Implications

The contracts for sale will be completed by legal representatives from both seller and buyer which will be aligned to the Council's legal requirements in respect of the sale and Pathfinder Legal Services are already instructed to advise the Council on all aspects of the disposal.

The Council's core policy is that all surplus property should be disposed of, and that disposals should be at best consideration to meet the requirements of s.123 of the Local Government Act 1972. A disposal is defined as the transfer of a legal interest in land or property, other than the grant of a lease of less than 7 years in duration which are exempt from the requirements of s.123. Best consideration is accepted as being the best price, which would be expected to follow an open marketing process, or as certified in a formal valuation by an appropriately qualified RICS Registered Valuer (a 'Red Book' valuation).

There are instances where the Council may want to consider a disposal at less than best consideration. Such a disposal would require the consent of the Secretary of State (SoS). There is however a General Disposal Consent (GDC) granted by the SoS, which gives the Council the ability to forego up to a maximum of £2m of value. Despite this, the Council's current policy remains that all disposals should be at best consideration. In accordance with the current disposal policy, surplus land and property will be disposed of on the open market, using appropriate agents as selected by the Head of Assets.

6.3 Risk Implications

There are no significant risks to the Council other than the buyer not completing the sale. In such circumstances, the property would be re-marketed for sale or revert to the second bidder. This may result in a decreased sale price or the second bidder no longer being available/renegeing their offer.

The buyer has not yet supplied evidence of funding and whilst this will be resolved during the legal process this could lead to an increased risk of the transaction falling through where funds have not been evidenced at the outset.

6.4 Equality and Diversity Implications

None stated.

6.5 Climate Change and Environment Implications

There are no direct climate change and environment implications from disposal of the property.

7. Source Documents

7.1 None

Procurement of Microsoft Licensing and Software Agreement

To: Assets and Procurement Committee

Meeting Date: 11 March 2026

From: Executive Director of Finance and Resources

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2026/052

Executive Summary: This report sets out the background to procure and award the new Microsoft Enterprise Software agreement.

The outcome, if agreed, is a contract that provides value for money and meets the licensing needs of the Council over the next three years.

Recommendation: The Assets and Procurement Committee is asked to:

- a) Agree the procurement of the Microsoft Enterprise Agreement contract.
- b) Delegate authority to the Executive Director for Finance and Resources in consultation with the Chair and Vice Chair of Assets and Procurement for awarding and executing a contract for the provision of Microsoft Enterprise Agreement starting 1 October 2026.

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1. Creating a healthy, fair and sustainable Cambridgeshire.

- 1.1 This Microsoft Enterprise Agreement provides all the licencing required to function as a service and an employee, including logging into a laptop/phone, accessing emails, writing and saving document and collaborating with all internal and external partners and stakeholders. It therefore supports all services delivering all the councils business plan.

2. Background

- 2.1 Cambridgeshire County Council uses Microsoft software extensively across all Directorates and their services. The Council is licensed to do so under the terms of its Microsoft Enterprise Agreement.
- 2.2 As well as providing all staff with the traditional software of email, calendar, Word and Excel that underpin the day-to-day function of the Council, the Office 365 suite of products includes a wide variety of tools that enable people to work collaboratively, differently and more effectively. A prime example of this is Teams, which, with its focus on collaboration and multiple means of communication supports flexible and remote working across all levels of the organisation and enhanced collaboration with external organisations and partners. This functionality is currently in regular use throughout the Council.
- 2.3 Currently, the Council's agreement is managed by Boxxe after it was awarded the contract after tender process in 2023 and with its guidance, the Council was able to secure £180,000 of cost avoidance by moving away from a direct like-for-like renewal and using various Microsoft initiatives identified by them to better fit our needs.
- 2.4 This procurement will be to select a new reseller for the licenses and services as the current supply agreement runs out at the same time as the Microsoft Agreement.

3. Main Issues

- 3.1 The current Agreement expires in September 2026 and there are no options to extend.
- 3.2 While the Customer & Digital Service continue to evaluate alternative software options for both new and existing systems currently the best and most cost effective in this instance is Microsoft software.
- 3.3 Microsoft pricing for all public sector has been agreed with central government and held under a Memorandum of Understanding via Crown Commercial Services, this is accessible via one of its framework agreements or via an aggregation opportunity. It is our experience that while aggregation does provide some like-for-like savings on licensing it often lacks the further support and advice so often required when licensing a large estate.
- 3.4 Previous similar procurements have shown receiving the correct advice on licensing models from a third-party supplier has led to large savings in terms of cost avoidance.
- 3.5 Our intention is to run a further competition tender under Crown Commercial Services Technology Products 2 framework (RM6098) for a new three-year Enterprise Agreement awarding on a balance of Price and Quality.

- 3.6 To date, over the past three years the spend on the current contract has been £5.5m. This is made up of three annual licensing renewals and the costs for support on Microsoft software related projects as the Council's software estate has been consolidated around Microsoft Office 365.
- 3.7 Microsoft have announced a 9% price increase across many of their software product lines last year and even though the Council has consolidated and reduced various licenses over the past twelve months, Crown Commercial Services have warned of potential further price increases in Microsoft licensing costs in the coming 12 months.
- 3.8 The new contract will be no higher than £5.3m (£1.8m per annum). The current year's budget allocated for Microsoft licensing is £1.817m and will increase to £1.828m in 2026-27 which takes into account the reductions and savings in licensing costs of £251k achieved during 25/26 in preparation for the renewal, plus inflation of 13% to reflect recent price increases. Inflation thereafter is included at 3%.
- 3.9 It is recognised that the proposed term of this contract extends beyond April 2028 and therefore beyond the timetable for Local Government Re-organisation. Officers have considered this and determine this to be necessary because market engagement/procurement planning has shown that a longer-term contract will secure best value for money both now and in the future and support the resilience of the market. Successor councils can choose to novate this contract thereby securing stability and continuity of service. All of our council partners also hold Microsoft agreements.

4. Alternative Options Considered

- 4.1 Alternative options that have been considered in formulating the recommendations contained in the report against the following:
- (a) Do nothing – we will simply stop being able to access any functions, hardware, systems or data currently licenced. In effect, the authority will stop functioning.
 - (b) Go out to tender – current recommendation
 - (c) Move to an alternative operating model - would take several years to embed and may be a consideration for the new unitary councils. However, this is not an option for the Council at the moment.

5. Conclusion and reasons for recommendations

- 5.1 All of the authorities in the LGR footprint have Microsoft EA's, as previously stated, it would take several years to move to an alternative platform. The Council review the licence numbers quarterly and adjust types and numbers of licenses used to ensure we get best value for money, and therefore recommend the authority progress with the procurement of a new Microsoft Agreement ready for 1st October 2026.

6. Significant Implications

6.1 Finance Implications

The contract is valued at £5.3 million over three years, which is within the allocated budget.

6.2 Legal Implications

The procurement must comply with the Procurement Act 2023, the Council's Contract Procedure Rules, and the requirements of the Crown Commercial Service framework used for the competition. A valid Enterprise Agreement must be in place to lawfully license all Microsoft products relied upon across the authority; failure to procure a replacement before expiry would leave the Council without the rights needed to access critical systems. Pathfinder Legal Services will review the procurement route and contract documentation prior to award.

6.3 Risk Implications

Not procuring an agreement in time would result in loss of access to Microsoft systems and services and the Council would not be able to carry out essential functions.

6.4 Equality and Diversity Implications

No implications identified.

6.5 Climate Change and Environment Implications

Microsoft have pledged to be Carbon Neutral by 2030

7. Source Documents

N/A

Procurement of Laptop Supply Contract

To: Assets and Procurement Committee

Meeting Date: 11 March 2026

From: Executive Director of Finance and Resources

Electoral division(s): All

Key decision: Yes

Forward Plan ref: 2026/051

Executive Summary: This report sets out the background to competitively reprocure a “Call-off” contract for the supply of Laptops and related repair services. A call-off contract is a purchase order which enables bulk orders over a period of no more than 5 years. This is a form of framework agreement.

The outcome, if agreed, is a guaranteed supply of devices at a particular specification and refresh of the current fleet for Cambridgeshire County Council staff and Members in line with corporate strategies for the period specified.

Recommendation: The Assets and Procurement Committee is asked to:

- a) Approve the procurement of the Laptop Supply contract for three years, with two optional extensions of up to two additional years.
- b) Delegate authority to the Executive Director for Finance and Resources in consultation with the Chair and Vice Chair of Assets and Procurement for awarding and executing the contract.

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1. Creating a healthy, fair and sustainable Cambridgeshire.

1.1 This supply contract provides the necessary equipment required for staff to function as an employee, It therefore supports all services delivering against the Councils business plan.

2. Background

2.1 Cambridgeshire County Council currently has 4417 laptops deployed to staff across the council; the majority of these were purchased as part of a joint procurement with Peterborough City Council in 2021

2.2 The Council supports remote working for most of its staff. To enable this, staff are issued a standard laptop device that will work from any location with wireless Internet access.

2.3 Remote working is fundamental to our ways of working. This has been facilitated by the provision of laptops which have enabled the Council to move to flexible working which in turn has greatly reduced the pressure on office space.

2.5 Through this framework it will be easier to forecast costs ahead of time and to better coordinate the replacement of laptops as they reach the end of their useful lifecycle.

2.7 The Customer and Digital Services team will look to advertise this procurement alongside Peterborough City Council to try and drive further discounts on the joint level of spend through procuring a higher volume of devices for the specified period.

2.8 The total new contract value is expected to be £1.7m over the contract period. Within the existing Customer and Digital Services budget £385k is allocated to device refresh in 2026-27, and each year thereafter. Therefore, over the five-year period the total budget allocated will cover the contract value. The contract will also include ongoing repair costs for the existing fleet to help limit the number of new devices that may be needed.

3. Main Issues

3.1 Of the 4417 laptop devices deployed to staff, by the end of the 26/27 FY, 977 are over five years of age leading to increased risk of hardware faults and higher repair costs.

3.2 We are currently seeing global component shortages affecting stock levels for all suppliers. This makes it increasingly difficult for small, ad-hoc purchases to be an effective on-going solution to our needs.

3.3 With this procurement we hope to create a strategic partnership with a supplier to secure a regular supply of devices in line with the Council's needs.

4. Alternative Options Considered

4.1 The alternative options that have been considered in formulating the recommendations contained in the report where:

- (a) Do nothing - Eventually devices would reach beyond our in-house ability to repair making it harder to keep staff supplied with reliable working equipment
- (b) Go out to tender - This is our chosen option
- (c) E-auction - this would require a large financial investment up front and wouldn't include support for existing devices

5. Conclusion and reasons for recommendations

- 5.1 By going to market for a new end user device supply partner we will be able to work along side them to obtain best value covering a refresh cycle that balances our replacement requirements with our revenue, with necessary repairs to our current devices.

6. Significant Implications

6.1 Finance Implications

The contract is valued at £1.7 million over five years, is within the allocated budget. It covers device refresh and repair costs to help minimise the need for new equipment.

6.2 Legal Implications

The procurement must be conducted in accordance with the Procurement Act 2023, the Council's Contract Procedure Rules, and the terms of the chosen framework. A compliant competitive process must be followed, including publication and transparency requirements under the Act. The resulting call-off contract must be executed in line with the framework rules and the Council's governance procedures. Pathfinder Legal Services will review the procurement route and contract documentation prior to award.

6.3 Risk Implications

By not refreshing or replacing devices in a timely manner there is an increased risk in faults, disruption to members of staff and supply issues which will affect staff ability to deliver services.

6.4 Equality and Diversity Implications

None identified.

6.5 Climate Change and Environment Implications

Suppliers who respond to the tender will need to provide statements on sustainability and commitment to the environment

7. Source Documents

N/A

Re-procurement of the Cleaning and Grounds Contract

To:	Assets and Procurement Committee
Meeting Date:	11 March 2026
From:	Executive Director of Finance and Resources
Electoral division(s):	All
Key decision:	Yes
Forward Plan ref:	2026/007
Executive Summary:	This report considers the re-procurement of the corporate properties cleaning and grounds contract that is due to expire on 31 March 2027.
Recommendation:	<p>The Assets and Procurement Committee is invited to:</p> <ul style="list-style-type: none">a) Approve the commencement of the re-procurement of the Cleaning & Grounds Maintenance Facilities Management Contract for a term of two years from 1 April 2027 to 31 March 2029 with the option to extend for two one-year periods. (2+1+1)b) Delegate authority to the Executive Director of Finance and Resources in consultation with the Chair and Vice Chair of the Assets and Procurement Committee to re-procure the Cleaning and Grounds contract under the agreed terms.

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1. A healthy, fair and sustainable Cambridgeshire

- 1.1 This proposal aims to indirectly support all the Council's key ambitions; by ensuring the Council continue to provide good quality public services from our properties.

2. Background

- 2.1 The Council's non-school operational properties require regular statutory cleaning and grounds maintenance to keep buildings healthy, safe and operational for the delivery of Council services and use by colleagues and public.
- 2.2 There is currently a combined cleaning and grounds maintenance contract in place across 72 buildings. This contract expires in March 2027.
- 2.3 The cleaning contract is currently managed by shiftwork, using a workforce of around 80 cleaners who are all employed locally. The grounds maintenance team consists of two staff dedicated to the Council contract, with backup teams providing cover and several tree teams used as required. TUPE applicability will be determined by bidders as part of the procurement process, and all relevant employee information will be shared in accordance with legal requirements to allow bidders to make that assessment.
- 2.4 The procurement strategy of the Cleaning and Grounds Facilities Management Contract will be by way of Restricted Tender due to the potential for a high degree of market interest and will be advertised at the Find a Tender (FATS) website, which has replaced the previous requirement to advert at the OJEU (Official Journal of the European Union), as approved by our procurement colleagues.

3. Main Issues

- 3.1 The value of the current contract is approximately £2.0m per annum, with a total value of £4.0m over the initial term of the contract, with a potential for two further 1 year extensions. However, mitigation work carried out in the last 12 months to remove routine window cleaning and reduce cleaning services across the estate by 20% have saved approximately £170k per year. Cleaning services are provided at 72 buildings and grounds maintenance at 41 locations, The combined service provision provides efficiency savings the Council in contract administration and management.
- 3.2 As part of the financial review supporting this re-procurement, it has been identified that inflationary pressures, particularly the Real Living Wage (RLW) uplift, were not fully reflected in earlier modelling for the current contract. This underestimation contributed to the contract value exceeding initial forecasts; this position has now been corrected in the updated financial model. For planning purposes, a 6.7% RLW inflation estimate has been applied for 2026/27, equating to an uplift of approximately £123k. This ensures the revised baseline budget accurately reflects true delivery costs and prevents recurrence of previous estimation shortfalls.
- 3.3 The contract value will fluctuate as buildings are added to or removed from the contract schedule as the estate evolves. This fluctuation will be particularly relevant as Local Government Reorganisation (LGR) progresses and decisions are confirmed as to how the

future estate and service contracts will be managed. Some buildings will close and others may be added to this contract, if it remains in place. Changes resulting from the internal Asset Challenge process and ultimate building rationalisation prior to LGR and possible new ways of working will further influence the contract.

- 3.4 Primary cleaning functions include internal cleaning of all types of Council buildings (e.g kitchens, carpets, communal areas, library furnishings etc), washroom services, supported by a reactive cleaning function (for spillages, window cleaning and additional deep cleaning etc) deployed via the Council's Property Helpdesk.
- 3.5 Grounds maintenance includes grass management, hedge maintenance, weeding of borders, litter picking, gritting and other activities. This is also supported by a reactive callout function via the Council's Property Helpdesk.
- 3.6 As part of preparing this re-procurement, the current service specifications have been reviewed to assess whether any further reductions, efficiencies or alternative delivery models could be applied without compromising statutory obligations or building safety. While previous changes, such as the removal of routine window cleaning and the 20% reduction in cleaning frequencies have already realised savings, additional reductions were considered but discounted. Further service reduction would materially affect hygiene standards, increase health and safety risk, and lead to a higher volume of reactive callouts, which are more costly per intervention. The revised specification instead focuses on outcome-based delivery, innovation, and improved KPI measures to drive efficiency and quality rather than reducing core service levels.
- 3.7 The procurement process will follow a Competitive Flexible Procedure with a shortlisting and final tender stage. Fenland District Council (FDC) has accessed the cleaning element of this contract for the past three iterations and intends to continue to do so. The contract will also be available, where appropriate, to the other Cambridgeshire District Councils and to other local authorities within the county should they wish to access either the cleaning or grounds maintenance elements during the life of the contract.
- 3.8 The contract specification will be based upon outputs designed to encourage cost saving and improved performance through innovation, adoption of environmentally friendly techniques and materials, use of new technology and socially responsible practices.
- 3.9 A waiver to extend the current arrangement was considered; however, this is not recommended because extending the contract would limit competitive tension, restrict opportunities for innovation and environmental improvements, and may not provide best value for money. These reasons are set out further in section 4.2. In addition, procurement colleagues advise that a further extension would require strong justification, which is not present unless Members determine that LGR uncertainty prevents re-procurement.
- 3.10 The cleaning contract in place is finely tuned around costs. If the Council do not have a cleaning and ground maintenance contract in place or further reduce the current contract, issues would present around the lack of safe and clean spaces to work and for the public to visit and the lack of reactive services to make good any areas after an emergency such as water leaks. Issues would also present around the upkeep of grounds, tree work and litter picking services at our sites. Given these reasons and the fact that on demand orders would breach procurement rules and thresholds to not award a contract is not an option.

3.11 In line with section 71 of the Procurement Act 2023, the new contract will require the Council to publish performance against three mandated KPIs annually to ensure compliance with the Act. These KPIs will be selected to reflect the most material aspects of service delivery and will ensure transparency of contract performance throughout the life of the contract. Performance monitoring is currently measured against KPIs including:

- Site audit scores (target 95% compliance)
- Response times for reactive cleaning (target within 2 hours for urgent requests)
- Completion of scheduled tasks (target 98%)
- Grounds maintenance cycle completion (target 95%)

Performance has remained consistently strong, with audit scores averaging 94–96% over the past 12 months and reactive response times met in over 97% of cases. The new contract will retain these KPIs but introduce clearer outcome-based standards, environmental measures (e.g., sustainable materials, fleet emissions) and options for applying financial deductions where material non-performance occurs.

3.12 While the current provider maintains performance at a level where penalties have not been routinely required, the ability to apply service credits or deductions will be explicitly retained in the new contract. The reactive nature of the service means that when issues arise, the contractor is required to recover service standards immediately, which has prevented prolonged underperformance to date.

3.13 Where scheduled cleaning tasks are missed due to staffing issues or emergencies, the provider will be required to deliver equivalent additional cleaning time within an agreed period (usually the same week) to ensure standards are restored without additional cost to the Council.

4. Alternative Options Considered

4.1 Do nothing / in-house delivery. As part of the options assessment, the potential for bringing the service in-house was considered to establish whether this could offer savings or greater control. Benchmarking against neighbouring authorities and commercial market rates shows that in-house delivery would be materially more expensive due to staffing overheads, equipment investment, and management structures required. This option was therefore discounted but remains recorded as having been explored. Updated cost modelling, including RLW-driven inflation, demonstrates that the baseline cost of service delivery is higher than historic estimates, further reinforcing that in-house delivery would not provide a cost-effective alternative.

4.2 An extension or waiver was considered but was not recommended. The contract has already undergone a mid-term amendment (e.g., removal of routine window cleaning and revised cleaning frequencies), and further extension may not deliver best value for money. A waiver would also limit market competition, potentially reducing opportunities for innovation, social value, environmental improvements and cost efficiencies. Procurement colleagues advise that a waiver at this point would not be justified unless Members determine that LGR uncertainty prevents a re-procurement.

4.3 A separate cleaning and grounds contract was considered but rejected due to the loss of

efficiencies associated with a combined soft Facilities Management (FM) model. The integrated approach enables streamlined contract management, consolidated supply chains, consistent service standards, and economies of scale. Splitting the services would increase contract administration costs, operational complexity and may result in higher overall service costs.

- 4.4 Re-procurement via a restricted competitive tender process for a new contract is recommended. This approach enables multiple local authorities, including FDC, to call off services as required, supports flexibility during LGR-driven estate changes, and ensures compliance with procurement regulations while maximising competition and innovation.

5. Conclusion and reasons for recommendations

- 5.1 Re-procuring the Cleaning and Grounds Maintenance Facilities Management Contract will ensure continuation of essential soft FM services that support safe, operational and compliant Council buildings. The current contract expires in March 2027 and cannot be relied upon beyond this point without triggering commercial, operational and legal risks.
- 5.2 The recommended procurement route will maximise supplier interest, support value for money and ensure the Council complies with statutory procurement requirements through Find a Tender. The new contract will incorporate updated specifications that promote environmental sustainability, innovation, modern methods of working, and social value outcomes, while retaining flexibility to accommodate changes to the corporate estate as LGR progresses.
- 5.3 Approval of these recommendations ensures the Council continues to provide safe, clean and accessible buildings for staff, residents and service users, supporting service delivery and reducing risks associated with non-compliance, hygiene standards and grounds management.

6. Significant Implications

6.1 Finance Implications

The current combined cleaning and grounds budget for 2025/26 is £1.805m for cleaning and £0.211m for grounds, totalling £2.016m. The £170k efficiency reduction included within the Council's Business Plan has been incorporated into the forward model for this re-procurement. To ensure financial accuracy for the new contract period, updated inflation assumptions have been applied, including a 6.7% Real Living Wage uplift for 2026/27. This equates to an estimated increase of £131k in year one of the contract and £140k in year two.

For the two-year initial contract period, the estimated value is:

- Year 1: £1.964m + £131k = £2.095m
- Year 2: £2.095m + £140k = £2.235m

Should the Council exercise one or both of the optional one-year extensions, the financial impact would continue to follow the projected inflation profile. On current assumptions, the indicative year-three value would increase to £2.385m, with the full 2+1+1 term therefore estimated at approximately £9.3m in total. These figures will be kept under review as inflation

forecasts and national pay policy evolve. Revenue budget provision exists to support the revised cost profile, subject to the annual budget setting process.

The procurement will be structured to maintain flexibility in pricing and service levels so that budget impacts can be managed effectively.

There are no additional capital implications arising from this decision. Revenue budget provision for these services already exists within the Facilities Management budget.

6.2 Legal Implications

A competitive restricted procurement process is required to comply with UK Public Contract Regulations 2015 and the Council's Contract Procedure Rules. Advertising on Find a Tender is mandatory at the contract value threshold. Legal Services will support development of the contract terms to ensure clear specification, performance measures and risk allocation.

There are no additional legal risks anticipated beyond normal contract management requirements.

6.3 Risk Implications

Failure to reprocure the contract would present significant operational and health and safety risks, including inadequate cleaning and hygiene standards, unmanaged grounds risks (e.g., slips, trips, tree safety), and reduced ability to respond to urgent reactive issues.

No new corporate risks are required at this stage.

6.4 Equality and Diversity Implications

No negative impacts have been identified. The contract specification will include requirements for fair employment practices, workforce equality standards and accessibility within buildings. An Equality Impact Assessment will be completed as part of the procurement process and appended where required.

6.5 Climate Change and Environment Implications

The re-procurement provides an opportunity to strengthen the Council's environmental requirements. The new specification will encourage:

- Use of environmentally friendly cleaning materials and reduced chemical use.
- Reduced carbon emissions through efficient scheduling and modern fleet.
- Biodiversity-positive grounds maintenance approaches.
- Waste reduction and increased recycling.
- The use of technology to improve energy and water efficiency in service delivery.

7. Source Documents

N/A

Land and Property Disposal Policy

To: Assets and Procurement Committee

Meeting Date: 11 March 2026

From: Executive Director of Finance and Resources

Electoral division(s): All

Key decision: No

Forward Plan ref: N/A

Executive Summary: The Council's property disposal processes were reviewed through relevant committees in 2014, 2017 and 2018. This policy will replace all previous guidance and provide a clear, transparent process and framework for Members and officers to adhere to in the disposal of land and property.

All land and property disposals are carried out within the delegations of the Council's Constitution and adherence to the legislative requirements for achieving best consideration within Section 123 of Local Government Act 1972.

It is a recommendation within the delivery plan of the Land and Property Strategy 2024-29, refreshed at A&P Committee in January 2026 that a Land and Property Disposal Policy would be developed and brought forward for Committee approval.

Recommendation: That Assets and Procurement Committee is recommended to approve the Land and Property Disposal Policy and the appendices accompanying the Policy.

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1. Creating a healthy, fair and sustainable Cambridgeshire

- 1.1 The Land and Property Disposal Policy will enable and deliver outcomes which will both directly and indirectly contribute to the Council's three ambitions and their twelve ambition priorities through the disposal of surplus land and property to provide capital receipts and revenue savings which will support wider service delivery.
- 1.2 The main ambitions this policy will contribute to are:
- **Support a green and sustainable county:** Low carbon council, tackling climate risks, and restoring nature.
 - **Enable full healthy lives for all:** Active living, and independent living.
 - **Ensure fairness and opportunity wherever we can:** the best start in life for children and young people and well connected.

2. Background

- 2.1 The disposal policy provides an update to the existing land and property disposal processes which were previously reviewed in 2014, 2017 and 2018. The new policy document is supported by several appendices.
- 2.2 On 21 March 2024, the Assets & Procurement Committee approved the Land & Property Strategy 2024-29. This strategy established a framework for the safe, effective, efficient, and environmentally sustainable management of the Council's property assets, enabling a structured response to service needs and priorities, with a key principle to challenge all assets with a potential recommendation for disposal.
- 2.3 The disposal policy will promote the disposal of assets which will support the council's Strategic Framework and Council Change Strategy, is aligned with the Land and Property Strategy 2024-29 (which was refreshed and approved at A&P Committee on 13 January 2026) and adheres to the legislative duty to obtain best consideration for its surplus land and property assets. The new disposal policy will continue to provide transparency and demonstrate compliance with legislation and best practice and is adopted in order to support effective property disposal decision making within the council and to ensure that disposal of council owned assets are carried out in a fair and consistent manner and achieves the best possible outcomes for the council and its residents.
- 2.4 The Council adopts a Corporate Landlord model for managing property assets, transferring responsibility from individual service areas to a central corporate function. All property transactions are managed through Property Service as the Corporate Landlord. A key responsibility of the Corporate Landlord model is the disposal of property assets that are no longer required or meet the operational and strategic requirements of the Council.
- 2.5 The Delivery Plan within the current Land and Property Strategy includes an action to develop a Council Land and Property Disposal Policy.
- 2.6 Democratic services confirm that the content of the policy does not result in the requirement for any changes to the Council's constitution.

3. Main Issues

- 3.1 The land and property disposal policy document, which is included as Appendix 1 to this report, is structured to give officers and members a detailed understanding of the process the council will follow in the disposal of surplus land and property assets. It has been confirmed by democratic services that none of the changes within the policy warrants a change to the council constitution.
- 3.2 Disposal of property assets used for mainstream educational purposes is governed by the School Standards & Framework Act 1998 and subsequent legislation. In September 2016, the Commercial & Investments Committee approved a specific disposal strategy for surplus freehold land on Academy School sites, and this remains the strategy we comply with for the disposal of Academy school land.
- 3.3 The Asset Programme Board has five workstreams, one of which is the Asset Challenge review of all our property assets, this process and assessment determine the suitability of the existing council property assets for retention (in their existing condition or after refurbishment), redevelopment or disposal and is covered in more detail within section 5.1 of the policy document.
- 3.4 In the case of the latter option of disposal, these property assets will be classed as surplus to internal council use, where some or all the following criteria are met.
- The asset no longer makes a positive contribution to the delivery of council services nor aligns with the Strategic Framework of the Council.
 - The revenue and capital demands to maintain the asset far outweigh any income, financial or policy benefits
 - It has no potential for future internal strategic regeneration and/or redevelopment purposes but may offer other external regeneration opportunities.
 - An alternative site can provide and deliver a more cost-effective and efficient service.
 - The asset does not align with current or emerging council strategies.
 - The property or land is surplus to operational requirements and if disposed of would contribute to the council's financial sustainability.
 - No potential to share use with partners (One Public Estate/Community).
 - The asset does not contribute towards the Council's commitments to a net zero carbon energy efficient estate.
 - The property is of a poor condition, has sufficiency, suitability issues and/or environmental issues which do not meet service and legislative standards, compliance and/or health and safety and has excessive running costs.

- Better public and social value can be obtained by transfer of the asset to another public or community body.
- A service area informs property of their intention to vacate the building.
- The building is underutilised, and/or large areas unused.

3.5 Section 2.0 of the policy details the scope and aims of the policy.

3.6 Section 4.0 of the policy informs the legislative and regulatory context the council must follow in disposing of assets with particular focus on the requirements within s123 Local Government Act 1972 and the requirement to achieve best consideration.

3.7 Section 5.0 covers the general policy approach and process for a disposal of a surplus asset from initially declaring it surplus through to completing the contractual disposal.

3.8 The main changes to current practices we propose for consideration and approval within this policy are detailed below:

(a) Assets and Procurement Committee approval before marketing.

Currently, approval for property disposals is obtained at the Assets and Procurement committee **after** the property has been marketed, and bids have been received (for those over £750,000 in value).

Proposed Change:

- For assets valued at over £750,000 and intended for open market sale, it is proposed that the committee grants approval for the disposal **prior to marketing**, rather than after bids are obtained. Agents and internal valuers will estimate the value.
- The Executive Director of Finance and Resources will be delegated authority to finalise disposal terms in consultation with the Chair and Vice Chair of the Committee.
- The reason for this suggested change is that approvals can be subject to delays arising from committee dates, which can result in decisions being deferred for a few months following the receipt of bids. Such delays increase the risk of purchaser withdrawal, extend the duration of holding costs (such as council tax and business rates) and postpones the receipt of sale proceeds.
- Under this proposal officers would present a report detailing the proposed marketing strategy and details of an asset for disposal with a capital value above £750,000 to Committee for approval. The report would detail the site particulars, and method of marketing for consideration. Within the report officers will recommend whether it is felt that on receipt of bids we would return to committee for approval to complete, or if this would be delegated following due diligence and legal agreement to the Executive Director Finance and Resources in consultation with the Chair and Vice Chair to complete the sale. The recommendation is not removing the consideration of the committee rather it is providing under the agreement of committee members the

flexibility to complete disposals more efficiently if it is agreed that the sale is in no way contentious nor has a particular member or community interest.

Examples where we would still refer to Committee for approval following receipt of bids:

- Shire Hall, Cambridge.
- Former Mill Road Library, Cambridge.

Examples of non-referral:

- Straightforward office sale with no identified community or member interest.

(b) Sales to This Land Ltd.

The Council's arm's length wholly owned development company, This Land Ltd, is currently offered **all** sites before they are openly marketed, to enable them to express an interest to purchase.

Proposed change:

- It is proposed that This Land Ltd will only be offered potential development sites which are suitable for residential development and at a market value, and if the size of site is aligned and meets their agreed business plan. The agreed scope for sites will be agreed between This Land Ltd, the Executive Director Finance and Resources and the Shareholder Sub Committee. Any subsequent valuation will be determined by an independent RICS Registered Valuer.

(c) Sales to public sector partners.

Currently:

All assets are currently offered to the local District Council, before being marketed openly.

Proposed change:

- All sites will continue be offered at market value to the local District Council, with valuations determined by an RICS Registered Valuer, in line with the valuation matrix. The only change to this will be the adoption of guidance and legislative changes which will be introduced within the progress of Local Government Reorganisation, this will be effective within this policy once implemented.

(d) De minimis sales threshold

Requests are received for purchases of small areas of land, for example to extend a garden. In these cases, the legal and surveyor's costs can exceed the value of the sale.

Proposed change:

Establish a de minimis threshold of £5,000 for the land/property asset value, and that these potential disposals are not to be prioritised, however if any do proceed the Council's legal

and surveyor costs will be paid by the purchaser.

3.9 This report includes the following Appendices.

3.9.1 Appendix 1: The Land and Property Disposal Policy document.

3.9.2 Appendix 2: A Threshold Disposal Matrix document which details the various different types of disposal we may deal with, the purpose of disposal, the term, process required to determine value, the value thresholds which then will be applied to the constitution delegations and confirmation who has the authority to approve at that value level.

3.9.3 Appendix 3: Community Asset Transfer (CAT) guidance process, the council currently has a guidance document dated 2009 which covers this process. This proposed new process builds on the existing guidance and provides transparency and consistency for both officers and community groups to follow. The process confirms the required conditions for a council asset to be considered for a transfer, as well as stating where an asset would not meet the criteria for consideration. It also includes the required governance stages involved in the process.

3.9.4 Appendix 4: Includes two flow charts, the first showing the process in determining a council asset to be declared surplus from further internal use, and the second flowchart covers the process from being declared surplus to obtaining approval to market the asset.

3.9.5 Appendix 5: An EQIA has been completed and approved by the team.

4. Alternative Options Considered

4.1 None, the approved Land and Property Strategy have an action within its delivery plan to provide a new Land and Property Disposal Strategy.

5. Conclusion and reasons for recommendations

5.1 The Land and Property Disposal Policy alongside prudent asset challenge and service asset management will provide the framework to enable the council to only retain assets that support service delivery and corporate ambitions within the council's Strategic Framework.

5.2 The policy will support existing budget planning through generating asset disposals as well as delivering revenue savings and reduce the requirement for capital borrowing. The financial returns in the form of capital receipts delivered from this policy will support the council in its delivery of essential services for the residents of Cambridgeshire.

5.3 The policy will provide clarity, consistency and transparent governance in all land and property disposals, ensuring all legislation and regulatory guidance is adhered to.

5.4 The policy will adopt the specific requirements set out within the Local Government Reorganisation for the disposal of assets once implemented.

6. Significant Implications

6.1 Finance Implications

The policy itself does not directly have financial implications, however the reviewed policy enables a more efficient process which will directly impact positively on the ability to deliver capital receipts and revenue savings aligned to the budget planning of the council.

6.2 Legal Implications

This policy will ensure all Council constitution, legislative and professional statutory requirements for disposals within a local authority environment are adhered to.

Any specific requirement and guidance on property disposal during Local Government Reorganisation will become effective and adhered to once implemented.

6.3 Risk Implications

We currently operate within existing guidance, the statutory and regulatory processes and follow the Council's constitution, however this policy will make this process more explicit and consistent for all stakeholders to refer to and follow. If the policy is not adhered to and we do not meet the legislative requirements the council has for best consideration there is a risk of challenge.

6.4 Equality and Diversity Implications

A completed Equality, Impact Assessment (EqIA) form was submitted Ref number 06693 and approved by the team.

6.5 Climate Change and Environment Implications

The policy impacts this area, as due to the policy enabling asset management and rationalisation of the portfolio, the reduction of assets will have a positive impact on the carbon footprint of our asset portfolio by reducing the number of operational assets through their disposal.

7. Source Documents

Appendix 1: Land and Property Disposal Policy document.

Appendix 2: Disposal Thresholds Matrix.

Appendix 3: Community Asset Transfer guidance process

Appendix 4: Flow Chart to determine (a) asset surplus, and (b) process to enable marketing.

Appendix 5: Equality Impact Assessment form.

Cambridgeshire County Council

Property and Land Disposal Policy

Appendix 1

March 2026

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Appendix 1: Land and Property Disposal Policy

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Appendix 3: Community Asset Transfer Guidance and Process.

Appendix 4: Disposal process Flow Diagram

Appendix 5: Equality Impact Assessment Document (EQIA)

1.0 Introduction.

The council has not previously operated within a single written policy document regarding property and land disposals; a review of the existing disposal principles has previously been included within the body of written committee papers and reviewed in 2014, 2017 and 2018. The existing principles and processes follow the council's constitution regarding delegations and adheres to the best consideration legislative requirement and fully complies with all required regulatory requirements, however this is not currently captured within one policy document.

This new policy is intended to provide a more efficient, expedient and evidence led process in the way disposals are approved whilst adhering to statutory and legislative requirements and acknowledging there will be further guidance and requirements introduced which we will be required to adhere to, as we approach Local Government Reorganisation.

This policy supports and contributes to Cambridgeshire County Councils (the council) three corporate strategic ambitions and their twelve priorities detailed within the Strategic Framework.

- **Support a green and sustainable county:** Low carbon council, tackling climate risks, restoring nature, and a circular economy.
- **Enable full healthy lives for all:** Independent Living, Active living, Eating well, and good health and wellbeing.
- **Ensure fairness and opportunities wherever we can:** The best start in life for children and young people, well connected, financial security and jobs for the future.

Delivery of public services and the ownership of property assets are intrinsically linked. The main reasons for the Council to hold property are, for the purpose of direct service delivery, to support service delivery, and to support the Councils wider policy objectives and contribute to the ambitions within the Strategic Framework.

Whilst the Councils Constitution delegates a broad range of powers to dispose of land and property it is important that a coordinated and transparent policy approach is applied to disposals in line with statute and government policy and be adopted by all stakeholders and partners across the council.

To enable a consistent, transparent and professional approach in how we identify surplus land and property, this policy complements the adopted Land and Property Strategy 2024-29 first approved at committee in March 2024 and subsequently refreshed and approved at Assets and Procurement Committee in January 2026, which sets a framework for the safe, effective, efficient, and environmentally sustainable management of the council's land and property assets, enabling a structured but flexible response to service needs and priorities and compliance with legislation and best practice.

Whilst the primary focus of this document is to provide key policy guidance and procedures for officers, elected members, businesses and the general public, it is important to note each individual case will be assessed on its own merits, and there may be on occasions other exceptional circumstances when officers may need to depart from the procedure set out in the policy depending upon the circumstances of a disposal, we will ensure that any departure will still align with the constitutional requirements of the council if thought to be the most suitable way forward, and will be approved in line with the delegations within the council constitution.

The Council's land and property portfolio is made up of a range of asset types comprising a variety of land and buildings which support the Council's delivery of services and the achievement of key outcomes within the Strategic Framework.

These assets can broadly be broken down into the following four categories:

- Operational Estate: To support the delivery of council services.
- Strategic Estate: To acquire and hold property and land to support and deliver economic development and future place shaping.
- Commercial Estate: To retain property as part of a diversified investment portfolio to provide a sustainable revenue income.
- Community Estate: Taking a place-based approach to support community resilience and improved resident outcomes.

The Council operates a Corporate Landlord model for managing property assets, with responsibility transferred from individual service areas to a central corporate function. The disposal policy applies to all stakeholders and partners across the council but is driven and delivered by the councils Corporate Landlord.

A key responsibility of the Corporate Landlord model is the disposal of property assets that are no longer required and/or meet the operational and strategic requirements of the council. The constitution already ensures the council manage its land and property disposals in accordance with regulations. This policy will assist to operationalise these requirements and give clear understanding and transparency to all stakeholders.

As part of its medium-term financial plan (MTFP) and wider budget management processes, the council requires a targeted capital receipts programme that will support, reduce and replace, where possible, council borrowing requirements. This programme is reviewed by property and finance colleagues monthly.

The Delivery Action Plan within the Land and Property Strategy 2024-29 refreshed in January 2026 includes an action to produce a Council Land and Property Disposal Policy.

2.0 Scope and Aims of Policy

This policy will relate to all general fund property and land owned or controlled by the council, which applies to all operational property assets, including small parcels of surplus highway land, rural county farm estate land and property, commercial investment portfolio, maintained schools, and major land development opportunities.

The principles of this policy include the County Farm Estate and the Commercial Investment Portfolio, as these are predominantly retained for financial income and commercial and economic return the criteria regarding asset challenge of both these portfolios will focus on the financial return of the investment and economic outcomes in their recommendations and decision making.

Speculative development enquiries received from third parties such as commercial developers, occupiers and adjoining landowners will be encouraged and dealt with on a case-by-case basis based on their merits with cross council contributions invited towards assessing their suitability prior to obtaining formal approval through the delegation requirements of the council constitution. These are more common within our land holding assets.

The main aims of this policy are:

- To set out procedures that council officers will follow when dealing with disposals, to ensure they are dealt with in a consistent, evidence led and transparent way.
- All actions recommended within this disposal policy document will strive to promote the disposal of assets in a way that positively supports the delivery of the council's Strategic Framework.
- To enable actual and latent capital value tied up in potentially surplus assets to be realised.
- To eliminate / minimise future liabilities through the disposal of surplus assets.
- To maximise the proceeds or land use benefit from disposals for the benefit of the council and its residents.

3.0 Definitions

Disposal: For the purposes of this policy, a disposal of property is a disposal if it consists of the transfer of the freehold interest or the surrender, assignment of a leasehold interest held and owned by the council. This definition does not cover land owned by another party that the Council occupies under a market rent lease. This

policy is only intended for disposals and potential development relating to Council owned land and property assets.

Common Land: land subject to rights enjoyed by one or more persons to take or use part of a piece of land or of the produce of a piece of land which is owned by someone else – these rights are referred to as ‘rights of common’. Those entitled to exercise such rights were called commoners.

Community Asset Transfer: The transfer of an interest in property and or land from the council to a community group, or Town or Parish Council to secure community benefits.

Freehold: means to own a property, including the land it’s built on, with no fixed time limit.

Leasehold: is a property that you own for a fixed length of time. The land that the property sits on is usually owned by the freeholder.

One Public Estate (OPE): is a national programme that supports locally led partnerships of public sector bodies to collaborate around their public service delivery strategies and estate needs. The programme is jointly managed by Cabinet Office and the Local Government Association. The aim of the programme is to help partners to repurpose surplus public estate for housing, regeneration, and other locally determined uses.

Open Space: is defined in the Town and Country Planning Act 1990 as any land ‘laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground’. It is generally considered to be a valuable community resource, to be enjoyed by the wider community and there will be a general presumption against the disposal of these assets.

Royal Institute of Chartered Surveyors (RICS): Is the official body of property professionals that issues and monitor the standards of a chartered surveyor. All RICS accredited surveyors must pass a thorough competence process before they receive their chartered status.

Cambridgeshire County Council Land & Property Strategy (2024-29) refreshed January 2026: is a strategic document of intent and a strategic asset management strategic framework. It specifies how the Council’s ambitions are to be converted into asset management objectives and describes the approach for achieving those objectives.

Asset Challenge: A 5-year cycle to challenge the use of every asset within the portfolio from a property and service delivery perspective.

4.0 Legislative and Regulatory context.

4.1 Best Consideration Section 123 of Local Government Act 1972

A Local Authority may dispose of land it owns as it wishes; however, any disposal is subject to compliance with certain statutory provisions. Section 123 Local Government Act 1972 ('s123') imposes the overriding duty to obtain the best consideration that can reasonably be obtained for relevant disposals of land and property.

For the purposes of Section 123, a disposal includes the sale of a freehold, granting a lease, assigning any unexpired term of a lease and the grant of an easement. It may also extend to the grant of an option to purchase a freehold or to take a lease. Section 123 does not apply to the grant of a short-term tenancy of less than 7 years or an assignment of an existing term with no more than 7 years to run.

The Local Government Act 1972 general disposal consent (England) 2003 provides a mechanism for Local Authorities to proceed with disposals at an undervalue, without the need for specific consent from the Secretary of State, subject to conditions. Examples may include those where the local authority considers that such disposal will help to secure the promotion or improvement of the economic, social or environmental well-being of its area, although this should not be considered an overriding factor.

The general consent is subject to a condition that the undervalue does not exceed £2 million. The undervalue is calculated by assessing the difference between the market value of the land or property (known as the unrestricted value) and the actual consideration received. If the undervalue exceeds £2 million or the authority considers for any other reason that the general consent cannot be applied to the disposal, then specific consent from the Secretary of State must be obtained for the disposal to proceed.

The full extract from the Local Government Act 1972 can be viewed via:

<https://www.legislation.gov.uk/ukpga/1972/70/section/123>

RICS (2011) Local Authority Asset Management 07: Disposal of Land at Less than Best Consideration

The Royal Institute of Chartered Surveyors (RICS) notes that disposals at less than best consideration may only be justified if they involve indirect benefits and they cannot be considered in assessing best consideration. Such disposals would need to demonstrate how they would maximise value for money in pursuit of wider strategic objectives and outcomes. There are many instances where this may arise, provided always that the local authority has the powers to seek the benefits involved.

The RICS also notes that if a local authority is to meet its legal obligations (and avoid legal challenge), it must demonstrate that a consistent, transparent and well-structured approach has been taken, and that value for money will be obtained.

The RICS therefore recommends that a business case should be prepared and that a clear audit trail in decision-making is held. The RICS helpfully outlines key essential information that should be contained in this business case,

- The best consideration that would otherwise be received;
- The consideration likely to be received on the proposed particular terms and conditions
- Any direct and indirect benefits associated with the disposal in monetary terms where possible.

The RICS also advises that a local authority should also note in its decision report an assessment of the likely on-going holding and opportunity costs and any benefits arising from the retention of the assets so that a balanced view about the costs and benefits to the authority are noted.

It recommends that the approach must be commensurate to the complexity of the case, and that the assessments undertaken should be both quantitative and qualitative.

Best practice to demonstrate how the Council achieves best consideration includes (but is not limited to):

- Establish the legal status of the land in question and how it was acquired and purposes for which it is held.
- Satisfy itself that the land is held under powers that permit the land to be disposed of under the LGA 1972. Land that consists of, or forms part of, a common and is held or managed by the local authority in accordance with a local Act cannot be disposed of under section 233(2) of the TCPA 1990 without the Secretary of State's consent.
- Obtain the views of a RICS professionally qualified valuer as to the likely amount of any undervalue, if applicable.
- Ensure that any legal advice that is obtained on the disposal is considered, followed or both. Any decision to take a lower price than the one offered must be capable of justification.
- Formally document the powers upon which it relied when making a decision to dispose of land.
- Disposals must comply with the Subsidy Control Act 2022.
- Demonstrate that the council has achieved the best consideration possible by: (i) marketing the property; (ii) obtaining an appropriate independent valuation; or (iii) both of the above.

This process shall apply to all disposals of a less than best consideration and by all means of disposal identified and irrespective of whether the authority considers it necessary to obtain the Secretary of State's consent.

The agreement to proceed with a disposal at less than best consideration is explicitly recorded and the following are informed of the intention, the property team, Asset Programme Board, Executive Director Finance and Resources and Chair and Vice

Chair of the A&P Committee and the Committee itself dependant on the constitutional delegations.

It also recommends that the local authority's legal and audit teams be consulted in advance.

The RICS also highlights that Subsidy Control implications are investigated and complied with, as this may impact on a local authority's ability to dispose of an asset to a particular organisation.

4.2 Open Spaces

Open Space: Section 10 of the Open Spaces Act 1906 states: "A local authority who have acquired any estate or interest or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest or control was acquired:

(a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose; and

(b) maintain and keep the open space or burial ground in a good and decent state..."

4.3 Other general legislative considerations.

Other legislative considerations, although not exhaustive, for consideration when disposing of an asset are included below for reference to note, all legislative requirements within each disposal will be considered by the legal team as part of the contractual process of the disposal.

The provisions regarding the disposal of Common Land require consent from the Secretary of State and replacement land to be made available where the area of land to be sold exceeds 200m².

European Commission Communication on State Aid elements in sales of land and buildings by public authorities (97/C 209/03) – also known as the 'State Aid Rules'.

Procurement Act 2023

Government Guidance on the Disposal of Local Authority Asset 2016

The Local Government Transparency Code Subsidy Control Act 2022

Localism Act 2011 and the Community Right to Challenge Regulations 2012

RICS Valuation – Professional Standards 2019 UK VPGA 17 – Local authority disposal for less than best consideration. (updated Jan 2019)

Proposals for disposal of assets used by the public [e.g. Libraries] will be subject to Equality Impact Assessments and potential mitigation measures under the Equalities Act 2010 and detailed impact assessments will be required for each individual disposal proposal.

Bribery Act 2010 and Proceeds of Crime Act 2002

Section 117 of the Charities Act 2011 provides that the Council has additional responsibilities which arise from its role as trustee of charitable lands and will be subject to the disposal requirements set out in the Charities Act 2011.

The Council Constitution.

Local Government Reorganisation requirements once confirmed.

Crichel Rules - In 2015 the Department for Communities and Local Government updated a circular entitled "Compulsory Purchase and the Crichel Down Rules" which prescribed the way in which all Government departments and executive agencies that are subject to a power of direction from a Minister must manage the disposal of land previously acquired using compulsory powers. Local authorities, which are not subject to a ministerial power of direction, are not subject to such a prescription but are still recommended to also follow the rules.

The General Rule of these guidelines states that "where a department wishes to dispose of land to which the Rules apply, former owners will, as a general rule, be given the first opportunity to repurchase the land previously in their ownership, provided that its character has not materially changed since acquisition." Disposals to former owners under these arrangements will be at current market value.

The disposal of property assets used for mainstream education purposes is Governed by the School Standards and Framework Act 1998 and subsequent legislation. In September 2016 the Commercial & Investments Committee of the council approved a specific disposal strategy for surplus freehold land on Academy school sites and this remains the strategy we comply with for the disposal of academy school land which is aligned to the legislation mentioned.

5.0 Policy Approach and Process

5.1 Asset Challenge

The council owns many properties ranging in type and size with an operational portfolio varying from offices, libraries, highways depots and land through to schools to waste recycling sites; the largest local authority rural estate in the country; and an investment portfolio which varies from student accommodation to a cinema complex.

All land and property within the portfolio is subject to an Asset Challenge review on a five-year rolling programme, this process is detailed within the Land and Property Strategy 2024-29 document, and it evaluates the strategic purpose for holding land and property and highlights the opportunities to repurpose, redevelop or dispose of an asset to better deliver objectives. considering financial value alongside operational, environmental, social, economic and community values. The process may include assets that are no longer needed by the Council, are unaffordable to repair, or that are unlikely to be required for any future use. Alternatively, the Council may consider assets that provide a benefit that is disproportionate to the opportunity cost of capital tied up in the asset.

As a result of the asset challenge process and the collection of evidential data which includes condition, utilisation, running costs, valuation, strategic impact, service use suitability and sufficiency, local plan opportunity, Local Government Reorganisation, and potential to add value an asset may be deemed suitable for disposal if one or more of the following principles apply:

- The assets no longer make a positive contribution to the delivery of council services nor align with the Strategic Framework of the council.
- The revenue and capital demands to maintain the asset far outweigh any income, financial or policy benefits.
- It has no potential for future internal strategic regeneration and/or redevelopment purposes but may offer other external regeneration opportunities.
- An alternative site can provide and deliver a more cost-effective and efficient service.
- The asset does not align with or contribute to current or emerging council strategies.
- The property or land is surplus to operational requirements and if disposed of would contribute to the council's financial sustainability.
- No potential to share use with partners (One Public Estate/Community).
- The asset does not contribute positively towards the Council's commitments to a net zero carbon energy efficient estate.
- The property is of a poor condition, has suitability issues and/or environmental issues which do not meet service and legislative standards, compliance and/or health and safety and has excessive running costs.

- Better public and social value can be obtained by transfer of the asset to another public or community body.
- A service area informs the Estates team of their intention to vacate the building.
- The building is underutilised, and/or large areas unused.
- Strategic Development may require the need for a disposal in certain circumstances such as where there would be a beneficial effect on the Council's surrounding assets, a disposal would reduce revenue cost or resources needed including where the long-term cost of management and maintenance of the asset exceeds its value, and where there is an opportunity for a place-based regeneration project.

The Asset Review process is one of five workstreams which report into the Asset Programme Board and is responsible for the Asset Challenge to all our property assets alongside service area reviews, one possible recommendation from this process to the Asset Programme Board may be to dispose of the asset.

It should be noted that some land or property assets which meet the surplus or underperforming criteria may still be held by the council with the aim of enabling long term development or future infrastructure projects, as part of wider strategic regeneration or place shaping. Further, some property disposal may be compulsory transfers driven by statute rather than the identification of surplus or underperforming assets.

The Service Director Property is responsible for recommending that a property is surplus for requirements having taken account of the principles of good asset management through the asset challenge process. Once an asset has been confirmed as surplus and a prospect for disposal via the Asset Challenge process, the property will be logged on the surplus land register for further consideration, and this will be reported to the Asset Programme Board.

All decisions made will be recorded and contained within the property file within the concerto system to ensure an audited decision-making process.

The Asset Challenge evaluation process is highlighted below, the visual is taken from the Land and Property Strategy 2024-29.

Strategic Purpose	Opportunities and Risks	Performance Appraisal	Option Appraisal	Pre Implementation Consultation	Outcome
Why does the council currently hold the asset?	Are there any opportunities that could be exploited?	What financial and non-financial outcomes have been delivered?	Balance performance, opportunities, and risk.	Internal stakeholder consultation	Recommendations presented in accordance with agreed governance arrangements.
What is its strategic purpose?	Are there any known barriers to exploiting these opportunities?	Can non-financial benefits be quantified and or are they qualitative? Suitability, Sufficiency, Condition.	What options are available?	Undertake Consultation with external stakeholders and partners as appropriate	Either <ul style="list-style-type: none"> • Retain, • Redevelop and invest, or • Release.
How do we measure the assets performance against its purpose?	Are there any risks that could be faced?	What are the operating and management costs? What is the utilisation rate?	What are the costs and benefits of these options?		
Is this financial, non-financial or both?	How could the financial and carbon performance be significantly increased through minor investment or better management	Assess social value it is offering and is it meeting the needs of the service area.	Do any options carry increased risk?		
How does the asset contribute to the council vision and ambitions and service delivery?	Commercial opportunities with diversification and innovation	Carbon Net zero baseline position	Is there an alternative strategic purpose		
	What is the decarbonisation baseline costs	How does the asset comply with appropriate statutory compliance and safety requirements.	What additional property needs do service areas have.		

5.2 The Governance process to declare an asset surplus:

In line with the Council's Land and Property Strategy 2024-29, the council's Service Director of Property will advise on all operational property assets identified through the Asset Challenge process, the Asset Programme Board will endorse this advice and is required to approve whether the asset will be declared as surplus to current operational requirements by either property or the residing service area.

The Council recognises that good governance is a key component of this policy, Appendix 4 flow charts show the process of declaring an asset surplus and the route to disposal.

Once the asset is identified and recommended as surplus through the Asset Challenge process, the various stages, the actions required and responsible persons, are also detailed in a little more detail below.

Stage 1:

Once confirmed as potentially surplus, the internal land/property is registered within concerto, the council's legal department should be engaged at an early stage to produce a report on title for the asset to be disposed of, to include any rights or obligations which might affect it. Consideration should also be given as to whether there is an obligation to offer the land back to a former owner under the Crichel Down Rules or whether the property has been the subject of funding in the past, which requires the repayment of grant monies.

The title report may highlight any restrictions in relation to future use or disposal routes for the asset. These will need to be considered and evaluated prior to proceeding further with any disposal.

The policy process requires an operational built asset which has been identified through the asset challenge process to be initially considered by other internal service areas within the council to establish if there is another internal use for the asset and a need for council service area delivery. A form completed by property detailing the asset and any conditions from the legal title searches is circulated to Asset Programme Board, where service area members of the board will be given the opportunity to express an interest in the asset from their service area. They will be given 14 days to express an interest.

If there is an expression of interest, the service area will be requested to provide a business case which has the approval of the relevant Executive Director to the Asset Programme Board for consideration. If the board approves and supports the initial business case, then the property will not be declared surplus and the process of realising the business case and ultimately transferring the use to the service area aligned to the business plan will be facilitated between the corporate landlord and service area.

If there is no interest to use internally or the expression of interest presented is declined by the board, the asset will then be declared surplus to council internal use. The service area will be informed of the decision and the reasons why.

The next stage once declared surplus internally and prior to marketing the asset openly is to seek an expression of interest from This Land Ltd. If they do express an interest an independent valuation of the site is commissioned. If This Land Ltd do require to purchase the asset/site it will be done so at full market value as a special negotiated purchase and aligned to the independent RICS regulated Valuation process.

If we have no expression of interest from This Land Ltd, we will then contact and seek any expression of interests from the local district council.

If we receive an expression of interest from the local district council, property services will negotiate with them and seek an independent valuation of the site with the option to either negotiate a sale as a special purchaser or alternatively could agree to market openly with the local district council a bidder alongside open market bids, with either option we would need to meet and be assured of best consideration.

There will be guidance and legislative requirements within the Local Government Reorganisation process regarding disposals of land and property prior to vesting day for the new unitary councils which we will duly adhere to but may not be fully aligned with this policy and will take precedent.

If we have no expression of interests, we also need to consider the potential disposal of a surplus asset via a Community Asset Transfer, this may include:

- Supporting the third-party organisation to continue delivery of a key activity for residents when the transfer will allow the organisation to bid for and secure funds and/or to support a more sustainable business model.
- Supporting the third-party organisation to deliver a specific service in line with the council's objectives where the service can best be provided through a council-owned asset.
- Protecting a heritage or otherwise important council asset that may fall into disrepair if stewardship is not provided by a third sector organisation.
- When a Town Parish/Council or third-party organisation is best placed to provide an alternative delivery model for an existing council service from an existing council-owned asset.

If the asset is suitable for Community Asset Transfer, then the Community Asset Transfer process should be considered, this is covered in more detail within Appendix 3 of this policy, which provides a guidance and process for the council to follow to ensure a consistent process is followed.

Stage 2

If there are no expression of interest from either Internal council service areas, This Land Ltd, district councils, and the asset is not suitable to be considered for a Community Asset Transfer then the council will prepare to market the asset for disposal.

Stage 3

The Service Director Property will agree a marketing strategy for the asset, which is covered in more detail within the following items.

5.3 Considerations before marketing

The disposal of land classified as 'open space', under the Town and Country Planning Act 1990, must be formally advertised in the press in accordance with s123 of the Local Government Act 1972. Examples of public open spaces include public gardens and recreational land. Additionally, before any disposal proceeds, public representations must be considered, as required by the Localism Act.

The council will where appropriate carry out pre-marketing technical investigations and considerations where the methods may secure added value:

- **Planning Benefit:** With a view to optimising sale proceeds, the planning potential of sites and premises will be explored by estates officers prior to marketing. If deemed cost effective the council will consider securing outline

planning permission for an added value development. By the council securing planning permission it reduces the risk and uncertainty for a potential purchaser and should provide an uplift in value above the existing use value.

- Contamination: If it is considered that there is a risk that the site is contaminated, a desk top evaluation should be carried out by external consultants prior to marketing. Subject to the findings a ground investigation survey warranted to future owners may be advisable.
- Development Considerations: With reference to development opportunities, we will undertake standard enquiries with respect to Highways, Services and Utilities, Lead Local Flood Authority and Environmental Agency to determine capacity and any significant issues. When dealing with sites which offer any possibility of long-term development opportunities, however remote, it is standard practice to protect the council's interests by placing an overage clause in the sale contract combined with a user restriction.
- Ransom Strip: A ransom strip is an example of where a parcel of land in isolation may have limited to no value. However, by ransoming another parcel or parcels of land the value of the ransom could be worth excessively more up to half of the development value of the whole. Ransom strips mainly relate to access arrangements.

5.4 Valuations

The valuation of sites will be undertaken by an accredited valuer under the RICS Regulated Valuation Scheme. Where a disposal is in respect of a major or complex site, additional independent valuation advice may also be sought. Independent advice is to provide a safeguard for the propriety of the Council's transaction, particularly if a situation arises where there has not been an open, competitive process - for example transacting with a special purchaser. The advice may include assistance with negotiations with the prospective purchaser.

Independent valuations will always be obtained for any sale which has not been openly marketed (e.g. to a Special Purchaser) where the in-house team estimate the Market Value exceeds £10,000. A Special Purchaser may include cases involving ransom strips, marriage value or sitting tenant. The disposal price in this instance will be based on the average of two independent valuations (or three if the first two differ by 10% or more). Sales must be completed within six months. For assets valued up to £10,000 the Council's team of RICS Registered Valuers, may choose to undertake valuations internally.

5.5 Method and Means of Disposal

The Head of Estates following discussions with the selling agent, will recommend the most appropriate method of disposal and a marketing strategy e.g. Auction, Private Treaty etc., for approval by the Service Director Property. The method of disposal will be assessed and determined on a case-by-case basis. All issues relating to the land or property, including best consideration, best value, sustainability, social, environmental, and economic benefit and legal issues and agreements, will need to be considered when determining the most appropriate method of disposal.

Where appropriate, the Council will give due consideration as to whether it will wish to dispose of a freehold interest of an asset or alternatively a long lease whereby it may be able to retain some long-term control or potential income.

Where the disposal is to be by way of a long lease, the Service Director Finance and Procurement will be consulted to assess the implications regarding VAT, Capital Controls and Treasury Management.

The disposal of land and property can be undertaken in a number of ways and the most appropriate sales mechanism for the asset will be used taking each asset on its own merits. The Council will usually use but does not restrict itself to one of the main means to dispose of land shown below. The Council's preferred and default method is to expose to the Open Market Informal Tender.

The methods of sale generally adopted are set out below, but these are not exhaustive, and alternative methods which are not listed below may be used to deal with unusual disposals.

All land and property assets which are released for disposal will be fully marketed except for disposals to nominated and special purchasers, which will be sold by private treaty negotiation.

The following modes of sale should be considered but is not restricted to:

- Private Treaty:

Private treaty is where a sale is negotiated directly with a third party and are usually by exception. It can be with or without marketing and is usually only suitable where a special purchaser is identified. This method should not be used unless there is either a special purchaser or there is a wider economic, social or environmental benefit to do so, as all surplus assets should be offered for sale via the open market to ensure transparency and obtain best consideration.

- Public Auction:

This is perhaps the most simple and effective way of conducting a sale for certain classes of property which have perhaps failed to sell under other methods or where there is an unknown or uncertain market. A sale will be publicly advertised in advance with a reserve price agreed. Providing the reserve price is achieved then the property will be sold to the highest bidder who will exchange contracts and agree a completion date on the day of the auction (usually 28 days). If the reserve is not reached the property will be withdrawn.

- Open Market Formal Tender:

A sale of land by a process of public advertisement and submission of tenders by a given date in accordance with a strict procedure. The Council creates a binding legal agreement upon the acceptance of a tender. Once the closing date has passed and offers submitted, there is no option to negotiate and once the Council accepts a formal tender it becomes a binding contract. This approach requires detailed preparation as the asset is marketed with a finalised contract, which becomes binding upon offer acceptance, removing any flexibility to negotiate.

- Open Market Informal Tender:

A sale of land after a public advertisement that requests informal offers or bids that meet a given specification of set objectives. The Council may then negotiate further or request more detailed terms with one or more individuals submitting the most advantageous bid or bids. A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder. Like formal tender but offers are subject to contract and do not constitute a binding contract upon acceptance. This method enables flexibility post-closing date if required and enables the ability for the Council to seek best and final offers where bids are considered too close to decide a clear preferred purchaser. The Council can invite unconditional and/or conditional offers, under the informal tender process. The main differences being: Unconditional offers invite the price which the party is willing to pay for the land/property as it stands without any further investigation. Conditional offers invite the price which the party is willing to pay subject to conditions. Such conditions may include obtaining full planning permission or undertaking intrusive ground investigations prior to completing the purchase. The evaluation scoring criteria is set before marketing and can be focussed on price and/or social value to ensure all benefits can be rewarded through the evaluation of bids.

- Exchange of Land:

A transaction involving council owned land in exchange with another landowner. The

land acquired by the council will meet at least one of its corporate ambitions and be commercially equal in value to the land exchange, either from the value of land or additional payment at exchange.

Independent valuations are not legally required for open market disposals; however, the appointed agent must provide a market value opinion in a marketing report as a guide before the marketing begins.

To ensure that an open market disposal receives wide exposure, external support from property agents is usually sought. The Council does not benefit from marketing presence on a regional, national or even international basis in the same way that a regional, national or international agent does. Property agents have the benefit of a wider exposure to the market and often retain a database of potentially interested parties whom they can introduce to an asset in addition to general marketing. Local, national and international agents all bring individual benefits to marketing an asset and these merits will be considered in the context of the asset being offered for sale, with the estate team ensuring the agent appointed is most appropriate in terms of market presence and knowledge for the asset being sold and not simply the cheapest quote presented.

The council will comply with the council procurement rules in engaging a selling agent. The council will always endeavour to ensure that its internal legal and surveyor's costs are recovered as part of a disposal. The Council's Contract Procurement Rules and Procurement Act 2023 and all associated national and international law must be complied with when procuring external support, with advice being taken from the Council's Head of Procurement and the monitoring officer where there is uncertainty.

Compulsory Purchase Order, another statutory body with the benefit of Compulsory Purchase Powers may exercise or threatens to exercise those powers over land by this Council and we need to be aware of this potential.

5.6 Marketing Particulars

Once we have procured, the appointed selling and letting agent will receive a schedule of required services, including valuation and marketing advice, agreement on a marketing strategy, sales particulars, erection of sale boards, and a proposed timetable from the council prior to marketing.

Marketing schedules will be agreed with the agent in advance. Use of online platforms for marketing is required, including the agent's own websites, but a

nationally recognised property marketing website must also be used for all disposals. All disposals will also be marketed on the council's website.

If only one offer is received after closure of marketing, the agent will report whether the offer represents best consideration aligned to s123 requirements, giving the reasons for their recommendation. The sale will proceed in line with the Council's scheme of delegation.

5.7 Localism Act 2011: Community Right to Bid and Assets of Community Value.

Under the Localism Act 2011, the Community Right to Bid and Assets of Community Value provisions enable local communities to protect buildings and land that are important to them. For all freehold disposals, the Council will consider the Community Right to Bid process if the asset is registered as an Asset of Community Value by the relevant District or Unitary Local Authority, in accordance with the Localism Act 2011. If the property is registered as an Asset of Community Value the council who is selling the asset is required to inform the council who has administered and registered the Asset of Community, who will then notify the qualifying community group and will enforce the prescribed moratorium timescale to allow the community group to register their interest and bid aligned to the regulations. This process does not preclude the selling council from marketing the site for disposal however it does restrict the timescales within which contracts can be exchanged with another party other than the qualifying community group.

5.8 Disposal Terms for consideration

The Council does not have a fixed policy on whether disposals should be prioritised for capital receipts (freehold sales) or revenue returns (leasehold disposals). Any preference will be recommended when properties are declared surplus.

Each site will be evaluated individually to determine potential alternative uses and whether best consideration is achievable through sale or lease.

Wherever possible, the Council will endeavour to keep land and property disposals simple and cost effective for both parties.

For certain types of disposals, it may be prudent for the Council to impose terms which are considered necessary to protect the Council's interests. Such terms may include:

- Development Obligations – The Council generally will only dispose of strategic development land for identified development proposals. Where appropriate, the Council will impose obligations to commence and complete the proposed

development within a reasonable timescale backed up with an option for the Council to re purchase the land.

- Development Agreements – Development agreements will be used for the disposal of strategic development sites where the principal aim of the disposal is to facilitate regeneration benefits from a particular scheme. These usually require planning support and advice to promote the site through the local plan process. These will have positive obligations on the promoter to pursue planning where the council has deemed it high risk or costly for the council to lead the promotion.
- Overage and claw back – Where appropriate, disposals will include provisions for securing a share of future enhanced values using overage and claw back clauses.
- Outline planning consent – Assessing whether an application for a change of planning use might have the potential to increase the value of the surplus land/property. If the change of use is obtained by the Council, it removes an element of risk and uncertainty for potential buyers, which may lead to an increase in the purchase price they are willing to pay.
- Prior to the marketing of land and property, the Council may seek planning permissions for alternative uses where this will help maximise value and where it is cost effective and expedient to do so.
- Where appropriate, the Council will seek to recover from third parties, its reasonable legal, surveying and administrative costs incurred in dealing with all matters involving the non-operational portfolio. The fee recovery will be determined on a case-by-case basis.
- Release/variation of covenants – The Council has the benefit of restrictive covenants placed on previous freehold and leasehold disposals. These covenants usually restrict the use to which land and property can be put, although they could also relate to other forms of restriction.

Any request to release or modify covenants will be considered having regard to the original purpose of the covenant and its current relevance. Where the Council is mindful to agree to a release or other modification, it will seek a reasonable commercial return by way of compensation if the release or modification is considered to have a value, otherwise just fee recovery.

- Public Open Space and Common Land – The disposal of land which is, or forms part of an area of Public Open Space or Common Land (excludes amenity land), is subject to special rules and procedures. Before disposing of such areas, the Council is obliged to publish the intention to dispose and consider any representations which are subsequently received. The provisions regarding the disposal of Common Land require consent from the Secretary of State and

replacement land to be made available where the area of land to be sold exceeds 200m²

- Disposal of School Playing Fields – Where the Council wishes to dispose of land forming part of a school playing field it will be necessary, in all but a minority of cases (area less than 50m²) to seek consent from the Secretary of State for Education under the protection of Section 77 of the School Standards and Framework Act 1998. The Department for Education will usually only agree to the sale of school playing fields if the sports and curriculum needs of schools and neighbouring schools can continue to be met. The Secretary of State for Education expects Local Authorities to have first investigated and exhausted all other possible sources of funding before considering the sale of school playing fields.
- Disposal of Former School Sites and Former School Caretaker's Houses – Where the Council wishes to dispose of a former school site it will be necessary to seek consent from the Secretary of State for Education, if the closure was in the last eight years.
- Appropriation

The Council may from time to time need to change the purpose for which it holds land, i.e. appropriate it for certain purposes. For example, land held by legacy authorities prior to vesting day may be required for different purposes in the new authority and therefore the process of appropriation would need to be adopted.

The Council has statutory powers of appropriation under the s.122 Local Government Act 1972. To use those powers, the Council must establish that the relevant part of the Land is required for planning purposes; and the relevant part of the Land that is no longer required for the purposes for which it is held. If the land is held for the purposes of open space, a statutory notice procedure will be adopted, and the Council will give proper consideration for any objections received.

- Easements and Wayleaves etc – The Council will not grant any new easements, private rights of way or privileges over Council owned land unless this is necessary to protect or promote the long-term interests of the Council.
- Any existing rights will remain until such time as the subject land may be released for development whereupon the land will be sold subject to the existing rights.
- Where permitted under the terms of the agreement, the Council will undertake a review of any payments due to the Council.
- The Council will continue to grant easements and wayleaves to statutory undertakers who have compulsory powers and rights to requisition services.

5.9 Consultation

Consultation Approach – Local ward members will be informed in the following circumstances: -

- Before marketing commences for disposal of surplus land or property and the release or variation of restrictive covenants.
- As part of the process for advertising the disposal of 'public open space' • Before submitting planning applications on Council owned land
- Prior to presenting a report to Asset and Procurement Committee – where an asset is to be disposed of within their ward, the local ward member is to be informed, they will be given at least 20 working days to respond and all comments whether in support or objecting to the proposal will be included in the report to the decision-making body.
- Chair & Vice Chair of A&P Committee and the wider Spokes Meeting: The Forward Plan will be used to keep Asset and Procurement committee members informed of programmed disposals coming forward to allow comment/consultation at spokes meetings in advance of a report being presented at committee.
- Public: Officers must consider whether the specific facts of a proposed transaction give rise to public consultation as a disposal may be subject to a statutory duty to consult for example as mentioned previously in the case of a proposed sale of a public open space. This will include member involvement. Where a disposal is complex or has a definitive community interest consultation with the community will be carried out.

5.10 Evaluation of Bids

An evaluation scoring matrix plan for bids will be agreed by property colleagues prior to marketing.

The scope of evaluation will be determined by the complexity of the disposal, the interest and impact from a community and member perspective.

For key decision disposals which are required to seek approval through the A&P Committee the suggested evaluation criteria will be shared within the report for committee approval at the point of approval to market.

The evaluation scope can range from a purely financial outcome, so the financial bids are the only assessment, to an evaluation with weighted evaluation criteria

which would include the scoring of the financial bid, deliverability, environmental impact, social value impact and economic impact.

If there are any differential in proposed completion timescales due to conditions i.e. whether the bid is conditional or unconditional, then an evaluation criterion to assess Net Present Value will also be used to determine best consideration.

An anonymised scoring matrix as an example is shown below.

DISPOSAL SCORING MATRIX						
Moderation Scoring						
	Scoring					
Bidder	BA291	Agent	Education	Mean Average Score	Bid Position (Based on Average score)	
1	93.00	99.00	99.00	97.00	1	
2	50.75	48.75	27.75	42.42	3	
3	57.75	46.75	39.75	48.08	2	
4	43.75	19.75	34.75	32.75	5	
5	16.25	11.25	14.25	13.92	7	
6	43.75	45.31	31.31	40.13	4	
7	28.00	30.00	24.00	27.33	6	
Summary of Bid Scores - Criteria based.						
Bidder	Bidder Number (Position)	Deliverability (Max Score 150)	Financial Offer (Maximum Score 60)	Economic Impact (Maximum Score 30)	Social Impact (Maximum Score 30)	Environmental Impact (Maximum Score 30)
1	1	145	60.00	29	30	27
2	2	25	47.25	26	26	20
3	3	95	47.25	2	3	1
4	4	26	48.94	10	22	11
5	5	16	47.25	12	11	12
6	6	14	0.00	19	24	25
7	7	3	33.75	1	4	0

5.11 Council Constitution

The Council's Constitution assigns authority for all property transactions to the Assets and Procurement Committee, with responsibility to **'consider, evaluate and agree property disposals (overseeing any public consultation where it is applicable/in line with policy), acquisitions, and investment opportunities,** in consultation with the relevant service committee.

Within the constitution there are delegated powers to the Executive Director: Finance and Resources for transactions and disposals of property with a capital value under £750,000 or an annual rental below £150,000. A Finance and Resources Directorate scheme of delegation provides further delegation to the Service Director of Property up to £500,000 and the Head of Assets up to £200,000 for capital transactions.

Therefore, all disposals of property above £750,000 in capital value and all disposals of property with an annual rental of £150,000 and above will be presented at Assets and Procurement Committee for approval. If the initial valuation is below £750,000 but the disposal process delivers a bid which exceeds this value a report will be brought to A&P Committee for approval aligned with the constitution.

The authority and declarations for the different types of disposals are detailed within Appendix 2: Threshold Disposal Matrix.

Protected leases are an exception where committee approval is not required. These leases have an automatic right to renewal, and courts may award terms of up to 15 years.

In all matters the councils' appropriate codes of conduct will apply to all officers and elected members involved in the process and decision making to dispose of any assets.

Depending upon the nature of the transaction, it is possible that a disposal at less than market value will be considered as a form of subsidy to the purchaser. If applicable the council must ensure that the relevant subsidy control rules are compiled with to ensure the disposal is not regarded as unlawful but in all cases details of the particular transaction must be referred to Legal Services for comment

5.12 Money Laundering

All transactions will be carried out in accordance with the Councils Contract Procedure Rules.

Legal services will carry out all due diligence on the purchasers and ensure that purchasers' solicitors have an up-to-date Anti-Money Laundering Policy and that they are registered with the Law Society.

5.13 Instructions to Legal

Once a potential purchaser has been identified and all the terms of the disposal have been agreed and approved (or earlier if appropriate), Legal Services will be instructed to prepare the relevant legal documentation. A programme detailing anticipated timescales to completion will be reported to the Service Director Property.

5.14 Completion

Once the disposal has been completed and contracts exchanged, Legal Services will advise the Head of Assets, and this will be reported to both the Asset Programme Board and the Capital Programme Board to allow for the amendment of the Capital Receipts Programme, to ensure that an up-to-date financial position is maintained.

Immediately following completion (no more than 14 working days) to avoid further unwarranted expenditure the Head of Assets will initiate the following important post sale processes.

- Instruct the Asset Records Manager to amend the Corporate Asset Register and Concerto (Property Management System) and record the sale on the database.
- Instruct the Property Helpdesk colleagues to cancel property repairs and statutory contracts for this site from the ordering system, Corporate Insurance officers to cancel insurance liability, estates surveyors to cancel rates/council tax liabilities and arrange any rebates and cancel any planned maintenance work.

The ward member and any residents who were consulted will be notified of the completion.

5.15 Community Asset Transfer Process

The Council has an existing Community Asset Transfer (CAT) Guidance Document 2009 which advises prospective community groups of the opportunities this process provides. If an asset is used for social, community and public purposes and the benefits of that service are deemed to outweigh the value of continuing ownership by the Council on behalf of its residents, the Council may consider the transfer of the asset to a parish or town council or a charity or community group, known as a Community Asset Transfer. Although an approved CAT Policy is not a legal requirement of a council a new revised CAT process is included within Appendix 3 of this policy, this will provide transparency and consistency in the process and alignment with this disposal policy and replace the existing guidance from 2009 and be implemented when approved alongside the Disposal Policy.

6.0 Policy Review

This policy will be reviewed on a periodic basis to ensure that it takes account of any changes in council constitution, professional and industry guidance and statutory legislation.

The vesting of the new unitary authorities as a result of Local Government Reorganisation will allow for this policy to be renewed as part of the new councils Constitutions.

7.0 Appendices

Appendix 1: Land and Property Disposal Policy

Appendix 2; Disposal Threshold Matrix

Appendix 3: Community Asset Transfer Guidance and Process.

Appendix 4: Flow diagram process to determine assets surplus

Appendix 5: EQIA document

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Hiring Agreements	Community Room within a library	Does not constitute a disposal under Local Government Act S123.	Ad-hoc/ on hourly or termly basis up to a year.	Strategic Assets to advise on hour hiring rates.	On hourly rate – booking feasible up to a year in advance	N/a – Not deemed a disposal under legislation. Strategic Assets to advise on market hiring rates to ensure principles of ‘best consideration’ are adhered to.	No exclusive use of premises as per Landlord & Tenant Act 1954
Licence	Shared use of space within a community building	Does not constitute a disposal under Local Government Act S123.	6- 24 months	Licence fee to be determined by Strategic Assets supported by an internal peer reviewed valuation report.	Licence Fee	N/a – Not deemed a disposal under legislation. Strategic Assets to advise on market hiring rates to ensure principles of ‘best consideration’ are adhered to.	No exclusive use of premises as per Landlord & Tenant Act 1954
Leasehold	Ex caretaker houses to be used for delivery of Looked after Children Services	Operational purposes tied to delivery of service contract.	Up to 20 years with break options. Aligned to service contract terms.	Bidders for Service Contract to submit market rent as part of procurement process	Market Rent up to £150,000 pa	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Leasehold	Preschool Buildings	Non-operational purposes but supporting community/preschool projects.	Up to 7 years with appropriate break options.	Market Rent to be determined by internal RICS Registered Valuer.	Market Rent up to £20,000 p.a.	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	Dynamic Purchasing system framework set up for tendering preschool provision lease linked to a service contract. Less than best process. Business Case supported by Education process to determine suitability for “less than best” rental
Leasehold	Preschool Buildings	Non-operational purposes but supporting community/ preschool projects	Over 7 years	Market Rent to be determined by internal RICS Registered Valuer.	Market rent over £20,000.p.a	Approval at Assets & Procurement Committee	Less than best process. Business Case supported by Education process to determine suitability for “less than best” rental

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Leasehold	Rural Estate properties	Farm and business tenancies	Up to 15 years	Market Rent to be determined by internal RICS Registered Valuer	Market rent up to £150,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	For business tenancies no exclusive use of premises as per Landlord & Tenant Act 1954
Leasehold	All other surplus property assets	To dispose of surplus asset to reduce liabilities and/or release a capital receipt/revenue as applicable	To be determined by commercial bid and site specific business case, e.g. 99 years, 125 years, 999 years	Open marketing of the asset	Market Rent up to £150,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	
					Market Rent over £150,000	Approval to be obtained from Assets & Procurement Committee	
Leasehold	Academy/foundation school	Academy lease	Long leases usually 125 years	Statute	0	Statutory Instruments (Academies Act etc)	

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Freehold	Surplus highways land	Sale of land declared surplus by Highways	n/a	Market Value (MV) to be determined by internal Registered Valuer (if special purchaser) or open marketing of site	Market Value up to £10,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	Stopping Up Order is required prior to disposal
				MV to be determined by independent valuation (if special purchaser) or open marketing of site	Market Value between £10,001 to £25,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	Stopping Up Order is required prior to disposal
				MV to be determined by two independent valuations (if special purchaser) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value between £25,000 up to £200,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	Stopping Up Order is required prior to disposal

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
				MV to be determined by two independent valuations (if special purchaser) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value between £200,000 up to £500,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property	Stopping Up Order is required prior to disposal
				MV to be determined by two independent valuations (if special purchaser) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value between £500,000 up to £750,000	Delegate to Executive Director Finance & Resources	Stopping Up Order is required prior to disposal

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
				MV to be determined by two independent valuations (if special purchaser) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value over £750,000	Approval from Assets & Procurement Committee	Stopping Up Order is required prior to disposal
Freehold	Surplus land held under the School Standards and Framework Act 1998.	To dispose of surplus asset to reduce liabilities and/or release a capital receipt	n/a	MV to be determined by internal Registered Valuer (if special purchaser) or open marketing of site	Market Value up to £10,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	As per agreed Academy School Site Disposal Policy 2016, proceeds are split on a 50:50 basis with Academy Trust. Department of Education in giving approval requires all proceeds to be reinvested in education within local area.

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Freehold (including options)	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce revenue liabilities and release a capital receipt	n/a	MV to be determined by internal registered valuer (if special purchaser) or open marketing of site	Market Value up to £10,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	
Freehold	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce liabilities and release a capital receipt	n/a	MV to be determined by independent valuation (if special purchaser) or open marketing of site	Market Value between £10,001 to £25,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	
Freehold	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce liabilities and release a capital receipt	n/a	MV to be determined by two independent valuations (if special purchaser) of site) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained, or open marketing	Market Value between £25,00 to £200,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Freehold	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce liabilities and release a capital receipt	n/a	MV to be determined by two independent valuations (if special purchaser) of site) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value over £200,000 up to £500,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property	
	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce liabilities and release a capital receipt	n/a	MV to be determined by two independent valuations (if special purchaser) of site) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value over £500,000 up to £750,000	Delegate to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property	

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
	Surplus land within operational/rural estate portfolio (excluding highways)	To dispose of surplus asset to reduce liabilities and release a capital receipt	n/a	MV to be determined by two independent valuations (if special purchaser) of site) if more than £50,000 apart or 10% difference a 3 rd Valuation will need to be obtained or open marketing of site	Market Value over £750,000	Approval from Assets & Procurement Committee	
Easements	Ground utility supplies: water/gas mains	Required by statutory provider or private individual	In perpetuity	MV to be determined by internal Registered Valuer	Market Value up to £200,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	
				MV to be determined by independent valuer	Market Value between £200,000 to £500,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property	
				MV to be determined by independent valuer	Market Value between £500,000 to £750,000	Delegation to Executive Director Finance & Resources	

Appendix 2 – Threshold Disposal Matrix

Type of Disposal	Example of Asset	Purpose of Disposal	Term	Process to determine value	Value	Authority	Notes
Wayleaves	Suspended utility supply routes: BT/Electricity	Required by statutory provider or private individual	In perpetuity	MV to be determined by internal Registered Valuer	Market Value up to £200,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property and Head of Strategic Assets as appropriate	
				MV to be determined by independent valuer	Market Value between £200,000 to £500,000	Delegation to Executive Director Finance & Resources; Scheme of Authorisation delegating to Service Director of Property	
				MV to be determined by independent valuer	Market Value between £500,000 to £750,000	Delegation to Executive Director Finance & Resources	

Introduction

Cambridgeshire County Council's property portfolio is challenged through an Asset Challenge process which is detailed within both the Land and Property Strategy 2024-29, and the Land and Property Disposal Policy 2026. This Community Asset Transfer guidance and process is produced as Appendix 3 within the Land and Property Disposal Policy.

When one of the council services no longer has use for a property asset, or through the asset challenge process what is the best future use for this asset and how else it could be used. This could include consideration for:

- A different service using the asset for an operational purpose.
- Disposal at best value or market value.

Local Authorities have powers under the Local Government Act 1972 to dispose of assets that they own, such as land and buildings, in any manner that they wish. This broad power is limited by a duty to achieve the best consideration obtainable by a disposal which is to ensure, so far as reasonably possible, that public assets are not sold by public authorities at an undervalue, excepting where a 2003 General Disposal Consent applies, or consent has been granted by the Secretary of State.

- Using the asset to contribute to regeneration priorities by disposal at less than market value.
- Transfer to Community Organisations through a Community Asset Transfer.

The Policy requires that if there is a potential for a Community Asset Transfer that this guidance and process is applied. It should be noted that the use of this guidance is expected to be exceptional and the criteria set out must be fully met.

This guidance describes the process we follow when a Community Asset Transfer is being considered for a property and replaces the previous guidance in 2009. The policy is set out in three parts:

- **Part One: 'Understanding Community Asset Transfers'** explains what Community Asset Transfers are, and how the Council makes balanced decisions about property assets.
- **Part Two: 'Scope'** sets out the assessment of eligibility, and principles of Community Asset Transfers'.
- **Part Three: 'The Community Asset Transfer Process'** sets out the process for applying for a Community Asset Transfer.

PART ONE: Understanding Community Asset Transfers

1.1 What is a Community Asset Transfer?

The Local Government Association defines a Community Asset Transfer as:

“... transferring the ownership of land or buildings from a statutory body to a Community Organisation at “less than best consideration” – that is at less than its full market value – to achieve a public benefit”.

1.2 Why have Community Asset Transfers?

Community organisations make a significant contribution to community life and to the social and economic well-being of residents. Transferring an asset to a local Community Organisation can unlock local enterprise, engage, and develop volunteers, and offer local employment opportunities which can then attract capital investment to create a thriving community asset.

Working with our communities and partners is fundamental to enabling empowered and resilient communities that are better connected to the assets in their neighbourhoods. Community Asset Transfers are one way we can unlock the potential within our communities.

1.3 What are the benefits of Community Asset Transfers?

Changing ownership or management of assets within a community offers opportunities to extend the use of a building or piece of land, creating the potential to increase its value in relation to the numbers of people that benefit from it and the range of opportunities it can offer. Community-led ownership can also offer additional opportunities to secure resources within a local area and to empower residents and communities.

The benefits of Community Asset Transfers can be measured in different ways, from economic, social, or environmental wellbeing benefits for a community. Some potential benefits include:

- Building community empowerment and providing greater control over local services
- Physical assets providing sustainable wealth for the local community (e.g. creating jobs for residents and the wider county).
- Strengthening a Community Organisation’s ability to raise money (e.g. being able to access funding to refurbish the building or to support staff training and development).
- Greater financial sustainability helping a Community Organisation to escape short term grant-dependency.
- Being able to alter or modify a building to better suit the community’s needs.

Any proposal to transfer an asset to the community will need to clearly demonstrate a range of benefits for the local community that outweigh the benefits of the Council retaining or selling the asset.

Community Asset Transfers also provide potential benefits for the Council. A transferred asset may:

- Provide a more accessible and responsive base from which to deliver services that will benefit the local community and the wider county.
- Promote inward investment into the County.
- Help to progress neighbourhood regeneration plans.
- Provide opportunities for long-term working between different sectors within the community that support improved outcomes for our residents, businesses, and visitors.

1.4 How do we make balanced decisions about how we use our property assets?

As a local authority all decisions we make, including those about potential Community Asset Transfers, must balance a range of often competing factors guided by our corporate ambitions. These ambitions are set out in the Council's Strategic Framework. This can mean that, depending on the specific situation, we will need to balance our corporate priorities, the financial benefit of disposing of an asset, and the potential added value a Community Asset Transfer can bring to a community and its residents. The assessment of which is discussed in the next section. The decision making process is aligned to the disposal policy.

PART TWO: Scope, Eligibility, and Principles of Community Asset Transfers

2.1 Scope of the Community Asset Transfer Guidance

(a) Assets covered by the guidance.

For the purposes of this guidance, an "asset" is any tangible property asset in the ownership of Cambridgeshire County Council.

However, **the first step in the process to consider a CAT is the ability of the Council to consider any expression. The Council will exclude assets from potential transfer to a Community Organisation if they fall into one of the following categories.**

- assets that have been identified as having a potential capital receipt value, especially if the Council have already identified the asset for disposal, and the capital receipt is required to fund the councils capital programme.
- assets that the Council needs to retain for ongoing service delivery or future place shaping and regeneration purposes.
- assets where there is a continued need by the Council for fixed or core services (e.g. offices, schools, social care establishments, customer contact centres), although there may be circumstances where the relevant service proposes to offer such assets, for example as part of service transformation.
- The tenure of the asset may prevent transfer
- Those held for investment purposes

Assets are open for decision on a case-by-case basis subject to the operational requirements of the Council, but it is the council's role to determine whether an asset may be released for a community asset transfer or not.

(b) How are potential Community Asset Transfers identified?

Council assets may be identified for a Community Asset Transfer in a range of ways, including:

- Officers may identify assets that are surplus to the Council's operational needs may be identified as an opportunity for Community Asset Transfer as part of the routine asset challenge process completed by the council.
- The process is not restricted to property that the Council may deem from time to time to be "surplus to requirements" and includes property attached to the transfer of service provision.
- A Community Organisation, Charity, Voluntary Sector Organisation or other local stakeholder currently occupying, or not, all or part of a property providing existing services to the community may express an interest for control of the asset.

To enable robust oversight of opportunities for Community Asset Transfers that will add value to our communities and support the delivery of our corporate priorities, all surplus assets (or potentially surplus assets), Community Asset Transfer enquiries and applications are first to be considered at the Asset Programme Board on the advice of a CAT Panel.

Before any decision is made about a Community Asset Transfer the application process set out in this process must be followed including the provision of a robust and viable business plan.

2.2 Eligibility

We will consider an asset transfer to any community, voluntary or non-profitable local stakeholder organisation. Appropriate groups will be Cambridgeshire based, focused on a particular social group or have some other "community of interest". The Council will not transfer its assets under this policy to private businesses which distribute profit, or to political parties.

Fundamental to the success of any transfer is the Community Organisation demonstrating to the Council that they have a proposal with a clear business model rationale backed by a robust business plan showing their ability to manage the asset effectively, including evidencing the financial and organisational capacity of the organisation. Any organisation who wants to apply for a Community Asset Transfer will need to demonstrate this by meeting set criteria, discussed in the following section.

2.3 Principles for assessment of Community Asset Transfer

As described at 2.1 above all Community Asset Transfer applications will be taken to the Asset Programme Board, which is made up of officers from across the Council. This Group will ensure that Community Asset Transfers expressions have been appropriately assessed.

To enable open and balanced decision making the following principles inform our approach to Community Asset Transfers and our decisions to progress an asset transfer or not.

A - The Applicant body qualifies and intent if,

- They are an appropriately constituted voluntary / community sector organisation or social enterprise.
They have good governance and an appropriate legal structure, for example as:
 - Parish and Town Councils
 - Registered Charities
 - Development Trusts
 - Community Interest Companies
 - Community Benefit Societies
 - Companies Limited by Guarantee
 - A Constituted Body
- That the proposed use has measurable benefits to the community, which will be evidenced and will be open to all. Organisations that serve a particular interest group or area will be expected to demonstrate how they will be inclusive.
- They have the skills and capacity to effectively deliver services and manage the asset to be transferred and/or have access to the necessary skills and capacity.
- They can build capacity within their organisation and demonstrate how they intend to do this.
- They have a viable business plan that can cover the costs of holding the property and managing it effectively.

B - Best Value

- The cost to the council of maintaining the asset is greater than the release of the asset, provided that the value of the asset that the Council can reasonably expect to receive from a lease or sale is also significantly less than the transfer value.
- Organisations wishing to take on a Community Asset Transfer must demonstrate they are financially sustainable to ensure they are able to maintain the asset and their service delivery.
 - a. Where deemed appropriate, following the assessment process, the Council will always opt to include an 'asset lock' or 'clawback clause' to prevent an asset being sold on for excessive financial gain – unless this was the intention of both parties.
 - b. The test on whether to pursue clawback would be whether the disposal is in the interest of the public. For example, a disposal that enables cash to be reinvested in a local community project would be supported but a disposal that leads to the financial gain for an individual would not.

C - Supportive of ambitions

- The Council will balance the benefits of any transfer against corporate priorities, the potential to generate a capital receipt or income from the open market, and the potential for wider community benefit or social value.
- Where there are rival Community Organisation who bid the Council will consider all bids on their merits and assessed against the Assessment Criteria. Assessment criteria are set out in CAT Form 2 (Expression of Interest) and CAT Form 5 (Full Application). Where possible, competing groups will be encouraged to work together.

D - Communities First and inclusivity

- Organisations are required to show there is a demonstrable need for their service within the community and that they have considered how they would be able to continue to meet these needs in the future.
- proposals will not be accepted where the accommodated groups are considered to be too restrictive in their access policies or offer limited local community use and don't sufficiently benefit the local community (as this could conflict with the Council's legal duties under the Equalities Act 2010).

E - Economic, Social and Governance

- Organisations are required to articulate how, by taking on the community asset, they will be able to contribute to the economic and social growth of a community.
- Organisations can demonstrate they are not affiliated to any political party and have clear structural governance that supports strong ethics

Organisations are required to demonstrate how their bids have a positive environmental impact on the asset.

F - Fit for Purpose

- Where there is a transfer of service provision, a Community Asset Transfer may be accompanied by a Service Level Agreement (SLA) identifying the benefits and how these will be monitored and measured, together with the remedies available to both parties if the SLA conditions are not met. This SLA will be in effect a contract for provision of services.

G - Reversion to the Council terms

The Council will reserve the right to include some or all the following conditions on any transfer, whereby the asset could revert to the Council:

- If the organisation ceases to exist.
- In the case of bankruptcy.
- In the case of corruption.
- If the anticipated benefits of transfer are not realised.
- If there is a material breach of lease covenants or restrictive covenants.
- If a building does not remain open for the use of the intended community.
- If the organisation is a charity but loses its charitable status or there are changes to its legal structure.
- If there are significant reduction or changes of service to the community.

However, the Council recognises that the imposition of such conditions could reduce the value of the asset and will therefore review such conditions carefully during the assessment process.

For Community Organisations the presumption should be that a transfer of assets will be by a lease arrangement, except in exceptional circumstances. Restrictions would be placed on any freehold transfer at less than market value, requiring the organisation to:

- Limit the use to a specific community use.
- Seek approval from the Council for any future sale or sublease.
- Pay a clawback on any future sale except in exceptional cases.

Town and parish councils are part of local government as opposed to the community and voluntary sector and that any transfer to those local councils would remain in public ownership.

It is the presumption that once the transfer of the asset is complete the organisation will assume responsibility for the maintenance and financial sustainability of the asset, subject to the formal agreement to the terms of the asset transfer.

Part Three: The Community Asset Transfer Process

There are five stages in the Community Asset Transfer process:



Stage 1 – Expression of Interest (28 days from submission of Expression of Interest to decision)

The applicant is asked to complete an Expression of Interest form (see CAT Form 1). This form requires details of:

- The organisation's mission, purpose, and objectives and how they fit with the Council's values and priorities.
- The organisation's governance arrangements, management capacity and staffing structure
- The purpose and activities of the organisation.
- The proposed beneficiaries of the service.
- The benefit(s) users and / or the local community would receive from the transfer.
- The benefit(s) of the transfer for the organisation.
- How the need for the proposed service has been identified and any community support for the Community Asset Transfer application, including how this information has been gathered.
- The organisation's plans for managing the asset to ensure its financial sustainability.

The Expression of Interest will be considered by the Community Asset Transfer Panel (the 'CAT Panel'), which is made up of three Council Property officers.

The CAT Panel will decide whether the Expression of Interest should proceed or not, and how it should proceed. The CAT Panel will determine if an application for a transfer of an asset should not proceed for a CAT if:

- it relates to an asset that is not suitable for a Community Asset Transfer.
- more information is required for the Council to make an informed decision.
- the application does not fulfil the assessment criteria.

The applicant will be informed of the decision and reasoning within 28 days of receipt of a complete Expression of Interest. Where an applicant's Expression of Interest is assessed as not meeting the criteria to proceed the applicant will be informed of this in writing with details of where criteria were not met.

Stage 2 – Completion and Assessment of Full Application and Business Plan

Once the CAT Panel determines that the Expression of Interest meets the criteria for consideration, the organisation will be invited to complete the full application form and, where appropriate, submit a robust business plan. A business plan will be required to support the full application if it is deemed proportionate to the proposed CAT.

Details of what information is required is detailed CAT Form 3, with guidance available in CAT Form 4.

When completing the full application form it is important to note:

- It is the responsibility of the organisation to create and present the business plan, as this is part of them demonstrating their ability maintain the Asset.
- Organisations will be required to gather a range of information to evidence the viability of their application.
- Preparing the information and documents required for the application form can be a lengthy and time-consuming process, especially when a business plan is required. Community Asset Transfers from application to handover can take between 12-18 months or longer depending on the individual circumstances.

Once the full application form has been submitted the CAT panel will assess the robustness of the application and business plan against the Community Asset Transfer assessment criteria.

The CAT Panel may determine that the application:

- Meets the assessment criteria and should proceed to the approval stage; or
- More information is required from the applicant before an assessment can be completed; or
- Does not demonstrate that it meets the criteria for a Community Asset Transfer.

If the application meets the assessment criteria, it will then be taken to the Asset Programme Board for consideration. If the board is supportive, the application will be approved in principle, and the applicant will be informed. Where it has been determined that an application does not meet the criteria for a Community Asset Transfer the reasons for this decision will be set out.

Stage 3 – Approval

Once a Community Asset Transfer has been agreed in principle, heads of terms for the transfer will be discussed with the successful organisation. These relate to the specific terms on which it is proposed the Community Asset Transfer is agreed. The transfer proposal will then need to be approved pursuant to the Council’s Constitution and the appropriate scheme of delegation.

Where applicable Community Asset Transfers will be subject to compliance with all relevant subsidy control rules.

(a) Transfer arrangements

“Transfer” is generally considered to relate to leasehold or freehold arrangements (in some cases at less than best consideration), or to giving community-led organisations ‘first-refusal’ on a commercially based disposal.

In transferring its assets to a Community Organisation, the Council will consider the most appropriate type of transfer. This could include a transfer of:

- Management
- Licence
- Short/medium term lease
- Long lease, or
- Freehold

The decision on which type of transfer is the best option will be decided on a case-by-case basis. It is informed by an assessment of the application form and the business plan, and which option is best suited to meeting the objectives of the transfer.

However, there is a presumption in favour of a management agreement, licence, or lease to allow the Council the option of continuing to provide a service from the building if the venture fails. The Council recognises that, on occasion the transfer of a freehold title might be possible where the transferee is a statutory organisation, such as a Town or Parish Council.

Stage 4 – Conveyancing

Once the Community Asset Transfer has been formally approved it will proceed to the conveyancing stage where the transfer contract will be negotiated between legal representatives and the successful organisation.

Stage 5 - Handover

Legal documents sealed and handover of the asset is complete. The organisation will now be in control of the asset, subject to any agreed legal conditions, and will assume responsible for the maintenance and financial sustainability of the asset as set out in the agreed head of terms.

CAT Form 1

Stage 1 Expression of Interest Form

For external use - Expression of Interest (EOI) Form

Which asset are you interested in taking on through a Community Asset Transfer? Please provide address details.	
Name of organisation:	
Name:	
Contact Address:	
Phone number:	
Email:	
Primary contact:	
Position within the organisation:	
1. Please outline all communication that you have had with Cambridgeshire County Council officers or members about this Community Asset Transfer. Please be specific about their name, department, and when you had contact with them.	
2. Have you previously contacted Cambridgeshire County Council regarding the ownership and availability of this property? If yes, please provide details of previous contact.	Y/N
3. Have you sought pre application planning advice? If yes, please provide reference numbers.	Y/N
4. What is the legal and governance structure of your organisation?	
5. What is your organisation's staffing structure?	

6. Please describe the main purposes and activities of your organisation, who uses your services, and how these	
services benefit the community.	
7. Why is the asset needed and what benefits would it bring your organisation and the community?	
8. Please tell us the main sources of funding for your organisation over the last three years and how you plan to sustain the asset.	
9. How do your plans for the asset reflect the Council's priorities of achieving value for money, tackling inequalities and driving economic growth?	
10. Can you demonstrate support for this Community Asset Transfer from the community and partners? How has this support been gathered? Please provide details of how you have consulted with the community.	
11. Please indicate if you are planning to work in partnership with any other organisations in the development or running of the property.	

CAT Form 2

For internal use

Expression of Interest Assessment criteria

Asset name:

Officer name:

Date:

	Yes/ no	Evidence and Comments
Is the organisation a constituted body?		
Is the organisation a Registered Charity?		
Is the organisation a Registered Company?		
Have they spoken to Cambridgeshire County Council? If yes, please give details		
Does the organisation's mission, purpose and objectives fit with the Council's Corporate values, and ambitions within the Strategic Framework ?		
Is the organisations governance arrangements, management capacity and staffing structure sufficient and evidenced.		
Does the organisation produce annual accounts?		
Has the organisation demonstrated financial sustainability and how will they manage the asset to ensure its financial sustainability.		
Does the organisation clearly outline their plan for the asset and the proposed purpose and activities of the organisation and the beneficiaries of the service.		
Is there an identified need for the service proposed by the organisation?		
Is there demonstrated support from the community for the CAT application, including how this information has been gathered?		
What are the benefits of the transfer for the organisation.		
Is there evidence of partnership working? (If stated the organisation will be working with partners)		
Is more information needed?		

Decision of the Panel member

Do you support this expression of interest?	Yes/ No.	Need more information?	Yes/ No	Does the applicant need to provide a business plan?	Yes/ No
Please give the reasons for your decision					

CAT Form 3

External use

Stage 2 - Full Application Form

Please complete all sections and provide all relevant supporting documents.

Which property are you applying for a Community Asset Transfer? Please include address details.

--

About your organisation:	
Name	
Contact Address	
Phone number	
Email	
Primary contact	
Position within the organisation	
What is your mission statement/ vision?	
What is the purpose and main activities of your organisation?	

Status of your organisation. Please submit any relevant paperwork, for example your constitution, with this application form			
Registered Charity, including CIO		Company Limited by Guarantee	
Community Interest Company		Industrial & Providential Society	
Community Benefit Society		Constituted Community/Voluntary Group	
Un-Constituted Community Group		Neighbourhood Forum	
Town or Parish Council		Charity / Company number:	

Governance			
When was your organisation established?			
Does your organisation have a written constitution, governing document, or set of rules			Yes/ No
How many people are involved in your organisation in the following positions?			
Management committee		Paid staff full time	
Paid staff part time		Volunteers	
Does your organisation have an equality of opportunities policy, and has this policy been adopted at an Annual General Meeting?			Yes/ No
Please tell us which of the following insurance covers your organisation holds and provide the levels of cover			
Public Liability		Employer Liability	
Professional Indemnity			

Planning	
Have you sought pre application planning advice or planning permission?	
If yes, please provide reference numbers	

Equality and Inclusion	
How will you ensure that your services/ activities reach into the community?	
How will you ensure that your services/ activities are inclusive?	

Financial Stability			
What was the turnover of your organisation during the last two full financial years?			
Last full year		Previous full year	
Please provide copies of your audited Financial Accounts for both years			
Has your organisation met all obligations to its creditors and employees during the past year?			Yes/No

If the answer to the above question is no, please explain why not:

Finances

Please show the financial projections for the next 3 years. You can complete the following cash-flow forecast or use your own method. You should increase your costs by 3% each year. If you are a Parish or Town Council, you should demonstrate how the budget will be managed within your overall budget. What are your plans for covering any deficit? You should demonstrate how you will build a maintenance reserve Please insert additional rows as required.

INCOME	Year 1	Year 2	Year 3
Room hire			
Membership Fees			
Fundraising/Grants			
Parish or Town Council			
Other			
(A) Total income for year			

EXPENDITURE	Year 1	Year 2	Year 3
Electricity			
Gas/Oil			
Water			
Rates			
Insurance			
Administration Cost			
Licences			
Marketing/Promotion			
Stationary			
Staff – Wages			
Staff – Employers NI/Pension			
Repair & Renewals			

Building Maintenance			
Sundry Expenses			
Bank Charges			
Other			
(B) Total expenditure for year			
(A - B) Net Surplus/Deficit			

Business Plan

Use this section to demonstrate your business plan and justify why you want to take this asset, and what developments you plan for it. You may want to set your business plan out in a separate document and attach it to this application form.

Boundary of the Property

Please outline what you consider to be the boundary of the property in as much detail as possible (you must provide a plan with the full extent outlined in red)

Full Application Tick List

Please ensure that you provide:

	Yes/ No	Comments
A completed application form.		
A completed business plan (see guidance).		
Details of Charity Number / Company Registration Number with date of registration.		

Confirmation that you are: <ul style="list-style-type: none"> • A parish / town council • An incorporated charitable organisation including CIOs and Trusts • A company limited by guarantee with charitable status • A community interest company (CIC) limited by guarantee or by shares 		
<ul style="list-style-type: none"> • A community benefit industrial & provident society with an asset lock • Other (please specify) 		
Copy of the Governing documents.		
Copies of Audited Accounts for previous 2 years.		
Results from any community consultation exercises.		
Evidence of support from key partners, stakeholders, funders.		
Copies of the all the organisations policies and procedures including Safeguarding, Equal Opportunities, Health and Safety, and Equality and Diversity Policies.		
Three / Five Year Income and Expenditure plans.		
Any other relevant supporting documentation such as annual reports, minutes of meetings.		

Declaration

I confirm that I have the authority to submit this application on behalf of the relevant body and that to the best of my knowledge the information contained in the application is complete and accurate.

Signed:

Position in organisation:

Date:

General Data Protection Regulation 2018 Privacy Statement

Cambridgeshire County Council is the sole owner of the information collected by us. The information collected will enable us to correctly process your request regarding a Community Asset Transfer. We will not provide your personal information to any other external organisation or individual unless it is lawful to do so, e.g. the prevention and/or detection of crime; where sharing is covered by a data sharing agreement or Service Level Agreement (SLA); or where you have provided explicit consent to do so. However, we will need to share your information with certain departments of this Council where necessary for the Council's law enforcement functions, e.g. licensing, planning enforcement, trading standards and food safety, etc. If this is the case we are not required to, and will not, seek your consent to do so.

CAT Form 4

External Use

Business plan guidance

Your business plan should include:

[Link to Corporate Ambitions.](#)

How will your organisation and its services contribute to the Council's Strategic Framework Ambitions:

- Support a green and sustainable county
- Enable full, healthy lives for all
- Ensure fairness and opportunity wherever we can

Purpose of asset transfer and organisational objectives

- Objectives or aims for the Asset (why you would like the site, how you intend to operate the site, i.e. directly, with a partner, through a commissioned service, etc)
- Details of operational partnerships if appropriate
- Activities/outputs and outcomes - what activities will you provide, and what outputs and outcomes you expect them to help deliver.
- Who are your users?
- Needs analysis - what is the target market?
 - Supply -who else is in the target market -why can't they supply what is proposed?
 - Demand -what it is and how does the project meet it. How do you know? What measures have been taken to speak with the community?
 - Pricing -how have charges been arrived at?
- How does your organisation and activity fit with the wider community? How will you contribute to the community's economic and social development?
- Examples of where the organisation have managed buildings and delivered activities previously with measurably indicators of success.
- Plans for future management of the building i.e. compliance and health and safety
- Measurement of impact – how will you know you have succeeded?
- Marketing and promotion – what are your plans for marketing your services?
- Risk assessment, mitigation, and dependencies
- Finance
 - Organisational finance – organisational accounts, plus details of any funding received or applied for
 - Financial Information regarding the Asset – What is the anticipated investment or capital expenditure required for the asset (what work needs doing and how much will it cost)
 - 3–5-year financial projections
 - What are the anticipated the running costs for the asset (what are the costs in operating the site and how will you fund these?)
- Environmental
 - What environmental impact do you see your management of the asset and proposed activities having?

- What can you do to mitigate any negative impacts? (e.g. does the proposal reduce or increase energy use, or result reduced or increased emissions; does it contribute to biodiversity such as through landscaping and planting; does it encourage access by walking and cycling)
- Equality and inclusion
- How will you make your services/ activities accessible for the most members of the community?
- What adaptations can you make to your services/ activities?

Governance

- What is your current staffing structure?
- Do you have a sustainable number of staff/ volunteers to manage the asset and deliver the service?
- What are your staff succession plans?
- Do you have the necessary expertise to manage the assets and delivery impactful activities/ services?
- Do you currently have any skills gaps, and if so how do you intend to address them?
- Details of how you will work with operational partnerships (if appropriate)

Asset

- Detail how the organisation will manage and maintain the building and adhere to health and safety responsibilities.
- Are there any specific risk assessments you will need to develop?

CAT Form 5

Internal Use

Assessment Criteria Full Application Business Plan

Asset name:

Officer name:

Date:

Corporate Ambitions

Criteria	Evidence and Comments
How has the organisation demonstrated it meets one or more of the corporate objectives? <ul style="list-style-type: none">• Support a green and sustainable county• Enable full, healthy lives for all• Ensure fairness and opportunity wherever we can.	

Governance

Criteria	Evidence and Comments
The applicant must be a clearly defined organisation with appropriate governance arrangements in place	
Equal opportunities plan is in place and approved through the AGM/ governance structure	
Necessary policies are in place including Safeguarding, Equal Opportunities, Health and Safety, and Equality and Diversity Policies.	

Finance

Criteria	Evidence and Comments
Viable accounts have been provided for the previous 2 full years	
An evidenced minimum 3-year financial plan has been supplied which shows their financial situation as sustainable and viable	
Has the organisation Identified sources of funding (Grants, fundraising etc)	

Management and activities

Criteria	Evidence and Comments
There is evidence of previous successful and sustainable delivery	
There is evidence of management capacity with clear succession plans	

There is a staffing structure which can deliver the organisational objectives	
It is clear the organisation has the necessary expertise to take on the asset (now, and in future)	
There are clear aims and objectives for the asset which are costed where necessary	
Details of the organisation's activities have been provided. There is a demonstrated and evidenced need for these activities.	
There is evidence that the community support both the organisation and the activities they are proposing to deliver	
They have described how their services will be promoted/ advertised to generate interest	
They have described how their activity will contribute to the social and economic growth of the community	

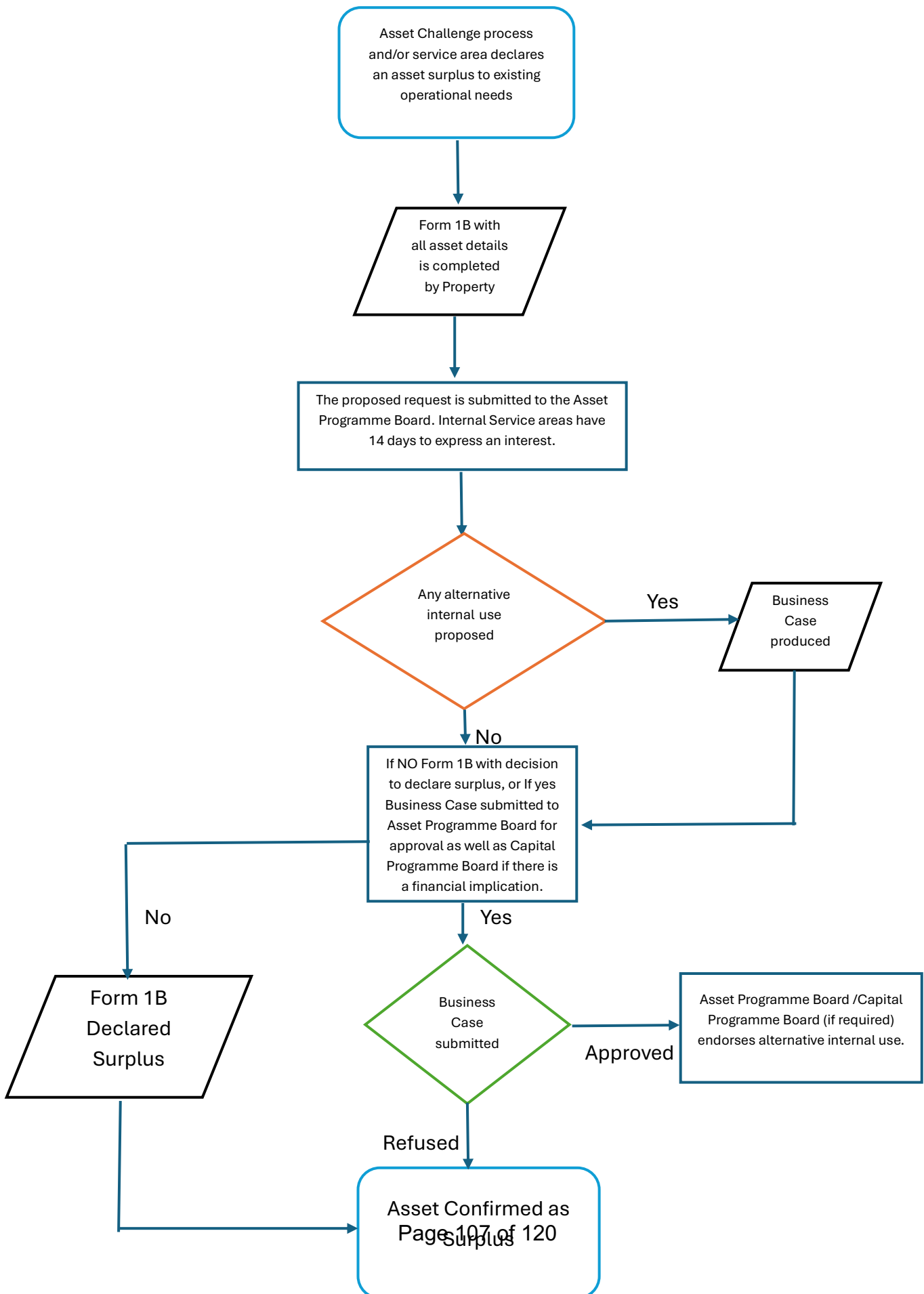
Asset

Criteria	Evidence and Comments
There is evidence of how the organisation will manage the asset in the future	
The organisation have considered the risk associated with the asset and their activities and have risk assessments to mitigate the risk	
The organisation are aware of the health and safety requirements of the asset and the activities	
The organisation is aware of other regulatory regimes and requirements and their potential bearing on the proposals	
The organisation has demonstrated the environmental impacts of the asset and their proposed activities; and have sought to maximise positive impacts and mitigate any negative impacts	

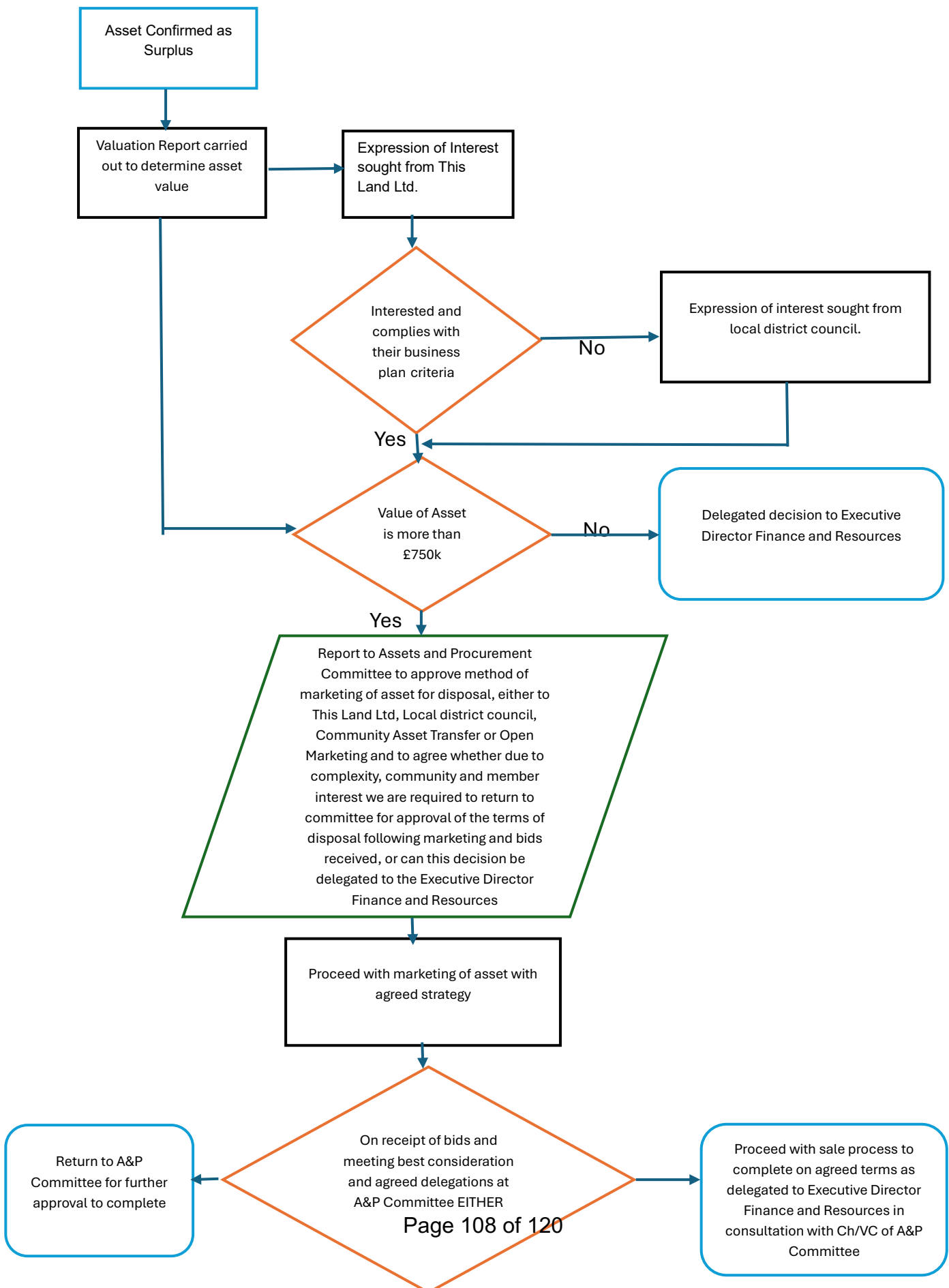
Decision of the Panel member

Do you support this application? Please give the reasons for your decision	Yes/ No	Need more information	
Comments			

Appendix 4: (a) Process to confirm an asset as surplus.



Appendix 4: (b) Process to agree the disposal of a declared surplus asset following process (a).



EQIA-06693

Action being taken

EQIA Directorate

EQIA Service

EQIA Team

Details of person undertaking assessment

Your name

Chris Ramsbottom

Your job title

Service Director Property Services

Your directorate

Finance and Resources

Your service

Property Services

Your team

Property Services

Proposal being assessed

Land and Property Disposal Policy

Business plan proposal number

N/A

Proposal details

What is the name and description of the policy being assessed?

Land and Property Disposal Policy: The policy defines the process we undertake in firstly declaring a council asset surplus to internal use and then the process we are required to follow to disposing of the asset.

Key objective is to have a policy that both officer and members can adhere too that is consistent and provides the transparency and assurance that we dispose of land and property in strict accordance with both the council constitution and all relevant legal statutory and regulatory requirements.

The Policy also supports the current Land and Property Strategy 2024-29 and the Councils Strategic

Framework in contributing and enabling to the ambitions of the council.

The policy will be used as the framework for the council to undertake asset rationalisation and the disposal of assets.

What type of policy is this?

New

Is this EqlA supporting a committee paper/business case?

Yes

Identifying impact on affected groups

Is it foreseeable that people from any protected characteristic group(s) or people experiencing socio-economic inequalities will be impacted by the implementation of this proposal (including during the change management process)?

Yes

If no, provide an explanation as to why this proposal will not have an impact on each of the following characteristic/group of people

Affected groups and impact

Age

Neutral impact

Disability

Neutral impact

Gender reassignment

Neutral impact

Marriage/Civil Partnership

Neutral impact

Pregnancy and maternity

Neutral impact

Race

Neutral impact

Religion/Belief

Neutral impact

Sex

Neutral impact

Sexual orientation

Neutral impact

Care experience

Neutral impact

Other identified groups

Neutral impact

You identified positive/negative impacts – please explain each one and supporting evidence

Evidence and analysis

State if any mitigating actions are required to alleviate negative impacts. If positive equality impacts have been identified, consider what actions you can take to enhance them. If you have decided to justify and continue with the policy despite negative equality impacts, provide your justification. If you are to stop the policy, explain why. Briefly describe the actions then please insert actions to be taken on to the given action plan

Action plan

Identified Impact Protected Characteristic or non-legislative factor

All impacts neutral.

Action

Expected outcomes

Officer

Completion date

Did you engage with an EqIA super-user when developing your EqIA?

Approval details

Head of service

Michael Hudson

Head of service email

Michael.Hudson@cambridgeshire.gov.uk

Status

Approved

Procurement Compliance Report

To: Assets and Procurement Committee

Meeting Date: 11 March 2026

From: Executive Director for Finance and Resources

Electoral division(s): All

Key decision: No

Forward Plan ref: N/A

Executive Summary: The Council has a Contract Procedure Rule (CPR) breach process, a summary of the operation of this process in December 2025 and January 2026 is contained within this report.

Recommendation: The Assets and Procurement Committee is asked to note the content of this report.

Officer contact:
Name: Clare Ellis
Post: Head of Procurement and Commercial
Email: clare.ellis@cambridgeshire.gov.uk

1. Creating a greener, fairer and more caring Cambridgeshire

- 1.1 The CPRs cover all aspects of how procurements and contracts are managed by the Council and therefore compliance with those CPRs will support the delivery of all 7 ambitions.

2. Background

- 2.1 The CPRs form part of the Council's Constitution and govern the way in which the Council procures its third-party contracts. They also ensure that the relevant procurement legislation, the Procurement Act 2023 and Health Care Services (Provider Selection Regime) Regulations 2023, are complied with.
- 2.2 The CPRs provide for exceptions or waivers which may be applied for in specific circumstances. If applied for correctly, waivers are a means by which compliance is gained in those circumstances and allow for the practical operation of the CPRs.
- 2.3 It is apparent, though, that breaches were occurring and there was no means of recording them internally, reporting on them or ensuring that relevant action was taken to ensure that those breaches did not re-occur. A breach process was therefore agreed by CLT and the Procurement Governance Board and is now included in the CPRs.
- 2.4 The process outlines what constitutes a breach of the CPRs and that its primary aim is to help ensure compliance and accountability. The suspected breach should be reported to the Head of Procurement and Commercial who will investigate the matter, liaising with the Head of Internal Audit where the matter is complex or has wider implications. Findings are recorded for audit and accounting purposes. Breach reports are submitted to relevant Chief Officers, Commissioning and Commercial Delivery Group, CLT and this Committee.
- 2.5 This report summarises the breaches reported during December 2025 and January 2026 and the action taken as a result.

3. Main Issues

3.1 The table below summarises the breaches received in December 2025 and January 2026. The level of breaches identified continue to be of lower value and are being addressed.

Ref. No.	Title of breach	Area Responsible for Breach	Brief description	Value of breach	Breach of CPRs?	Breach of procurement law (PCR15)?	Actions Taken
25032	Oakington Street lighting	Infrastructure and Project Delivering, Place and Sustainability	Whilst a 3 quote process was undertaken, the final value breached the threshold for that process by some margin. Despite the new value, no new procurement process was undertaken to ensure compliance.	£131,118	Yes	Yes	The work had already been completed when the breach was discovered. All team members have been instructed to undertake the Our Development procurement training.
25033	Line marking	Parking and Traffic Management, Place and Sustainability	A particular supplier has been used to carry out emergency and time critical line marking for some time including on the Guided Busway. Individual requirements are low value but cumulatively they have breached the threshold at which the Procurement Act 2023 comes into force.	£56,000	Yes	Yes	The requirements will now be procured using the highways term services contract.
25034	Bikeability	Transport and Connectivity, Place and Sustainability	The current contract ends in March 2026. The service area was approached by the Procurement and Commercial Team to commence its re-procurement in the summer 2025, however no action was taken. When the service area wished to start the procurement, in December 2025, there was no	£724,000	Yes	Yes	A procurement process is being put in place, however it is anticipated that process will result in contract award in Autumn 2026. Furthermore, the

Ref. No.	Title of breach	Area Responsible for Breach	Brief description	Value of breach	Breach of CPRs?	Breach of procurement law (PCR15)?	Actions Taken
			time to complete that procurement before the contract ended. A compliant extension could not be applied for as the contract was considerably overspent against its procured value, itself a breach.				service director is reviewing the issues relating to the lack of procurement planning with the management in this area

- 3.2 None of the breaches reported involved fraud, corruption or financial irregularities.
- 3.3 In cases where the spend was not able to be immediately stopped without significant impact on the service area, a procurement (or other compliant process) is either planned, underway or has been awarded. Where the breach appears to be symptomatic of process gaps in the service area, those processes have been reviewed to ensure that further breaches cannot recur.

3.5 Management Commentary

3.5.1 Place and Sustainability

Despite there being monthly reviews of the contract register and procurement activity by the directorate's management team there are still incidences of procurement breaches being identified. This primarily relates to two service areas within the directorate and tighter controls are being implemented as well ensuring all colleagues involved in procurement undertake the required training.

4. Alternative Options Considered

- 4.1 The Head of Procurement and Commercial works closely with those declaring a breach to ensure that not only can the breach in question be resolved quickly and effectively, but also that wider measures are put in place to prevent similar breaches from occurring. Being open and transparent about breaches is considered the most effective way of minimising both their impact and their chances of re-occurring. No alternatives to this process are therefore being considered currently.

5. Conclusion and reasons for recommendations

- 5.1 The Head of Procurement and Commercial will continue to work closely with the Monitoring Officer and Head of Internal Audit to ensure that breaches of CPRs and procurement law are dealt with in an appropriate way.

6. Significant Implications

6.1 Finance Implications

Reducing the number and scale of breaches will ensure that value for money is achieved through effective procurement and contract management activity.

6.2 Legal Implications

The implications of breaches of procurement law have been summarised in section 3 of this report.

6.3 Risk Implications

There are risks associated with procurement related breaches and once a breach is reported, the Head of Procurement and Commercial works closely with the service area in question to minimise the impact of these risks.

6.4 Equality and Diversity Implications

N/A

6.5 Climate Change and Environment Implications

N/A

7. Source Documents

None

Assets and Procurement Committee Agenda Plan

Agenda Item No: 10

Published 2 March 2026

Notes

The definition of a key decision is set out in the Council's Constitution in Chapter A2 (How the Council Operates), Part 4.4.

* indicates items expected to be recommended for determination by full Council.

+ indicates items expected to be confidential, which would exclude the press and public.

The following are standing agenda items which are considered at every Committee meeting:

- Minutes of previous meeting and Action Log
- Agenda Plan, Training Plan and Appointments to Outside Bodies and Internal Advisory Groups and Panels

Committee Date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
28/04/26 [Reserve]				16/04/26	20/04/26
23/06/26	Land at Meadowview, Brampton	S Anderson	2026/050	11/06/26	15/06/26
	Procurement Compliance Report – Quarterly	C Ellis	Not applicable		
	Cromwell Road Leisure Park Update	C Ramsbottom	Not applicable		
	Contract Management Update	C Ellis	Not applicable		
	Oasthouse	C Ramsbottom	Not applicable		
	Mill Road Library	C Ramsbottom / J Macmillan	Not applicable		
15/09/26 [Reserve]				03/09/26	07/09/26

Committee Date	Agenda item	Lead officer	Reference if key decision	Deadline for draft reports	Agenda despatch date
20/10/26				08/10/26	12/10/26
03/12/26				23/11/26	25/11/26
19/01/27				07/01/27	11/01/27
09/03/27				25/02/27	01/03/27

Please contact Democratic Services democraticservices@cambridgeshire.gov.uk if you require this information in a more accessible format