

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Policy and Resources
Date:	10 June 2010
Title:	Disposals Policy framework and Compliance with EU Procurement Directives
Decision Reference:	1614 (linked to 1613)
Report From:	Director of Property, Business and Regulatory Services

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1. The decision: To consider the following recommendation of the Buildings, Land and Procurement Panel:

- a) That the framework for a Disposals Policy in respect of County Council land and property sales as set out in the report to the Buildings, Land and Procurement Panel of 27 May 2010 be approved; and
- b) That progress on the marketing of County Council owned surplus land and property on the basis as set out in the report to ensure compliance with EU Procurement Directives be endorsed.

2. Reason for the decision:

- 2.1. Under the recent CAA assessment the County Council was said to manage “resources well”. Whilst not a mandatory requirement, the proposed Disposals Policy will ensure that as part of this, the sale of surplus land and property is undertaken in a consistent and appropriate manner. Ensuring sales are conducted in compliance with emerging EU Procurement Directives and other legislative requirements should minimise the opportunity for challenge from third parties.

3. Other options considered and rejected:

- 3.1. The County Council could choose to proceed without developing a formal Disposals Policy. However, the development of such a document is considered to be good practice and was recently recommended as part of a Review by the Audit Committee of how the County Council manages its disposals.

3.2. Pursuing disposals on a basis that are not compliant with EU Procurement Directives could result in significant financial penalties being levied at the County Council.

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker: None

4.2. Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Standards Committee: None.

6. Reason(s) for the matter being dealt with if urgent: Not Applicable.

7. Statement from the Decision Maker:

Approved by:

Date:

10 June 2010

**Executive Member for Policy and Resources
Councillor T K Thornber**