

Classification: Public

Key Decision: No

Gravesham Borough Council

Report to: Special Cabinet Advisory Committee

Date: 31 August 2023

Reporting officer: Assistant Director (Corporate Services)
Head of Property and Regulatory Services

Subject: Overview of Special Cabinet Advisory Committee

Purpose and summary of report:

To provide the Committee with an overview of the service areas included within the Special Cabinet Advisory Committee.

Recommendations:

1. That the Committee note the service areas covered by the Special Cabinet Advisory Committee and comment on the activities/issues outlined.

Key Implications:	
Item	Implications
Legal	No implications. The report is for information only.
Finance and Value for Money	No implications. The report is for information only.
Corporate Plan	#3 Progress: an entrepreneurial authority; commercial in outlook and committed to continuous service improvement, underpinned by a skilled workforce and strong governance environment
Climate Change	The vast majority of commercial leased property must have an Energy Performance Certificate banding of C by 1st April 2027 and be a band B by 1st April 2030

1. Introduction

1.1 The terms of reference for Cabinet Committees, included in Annex 1.7 of the Council's Constitution, are:

- 1.1.1 *To make recommendations to the relevant portfolio holder as to determining any matters within his/her remit.*
- 1.1.2 *The Committees may invite such other persons as appear appropriate to attend and take part in their deliberations, subject to the nondisclosure of*

- 1.2 The Special Cabinet Advisory Committee has no delegated authority; however, its purpose is one of monitoring and scrutiny. Whilst not holding a Portfolio in the traditional sense, Cllr Rolles has been appointed to chair the Special Cabinet Advisory Committee which will oversee activities such as Commercial Activities, Property Investment, Climate Change and Outside Bodies and Partnerships. The Special Cabinet Advisory Committee reports to the Leader of the Executive who under the constitution has responsibility for these activities.
- 1.3 The key focus of the Special Cabinet Advisory Committee will be the monitoring on the council's Commercial Property Portfolio. Other specific areas of focus of the Special Cabinet Advisory Committee are expected to emerge over the term of the current Administration and be driven by projects and activity delivered under the Corporate Plan that do not naturally sit under the remit of a specific Cabinet member or are covered by other member-led groups or boards (such as the Climate Change Advisory Board).

2. Background information

- 2.1 The Council holds a number of assets, ranging from operational buildings used to deliver services to council houses, through to district shopping centres, leisure centres and other community buildings.
- 2.2 As part of the transparency agenda the Council publishes a high-level list of its property portfolio on its website, the link to which is below for information:

<https://www.gravesham.gov.uk/downloads/file/203/local-land-authority>

3. Management of the Commercial Property Portfolio

- 3.1 Property Services are responsible for the management and maintenance of the commercial property portfolio. This includes working closely with Finance and Legal colleagues on items such as:
 - Managing lease events such as break clauses, lease endings and lease renewals, including the conduct of rent reviews, negotiation of new terms or agreeing a leaving date.
 - Identifying opportunities to increase income and reduce risk through lease amendments and negotiation.
 - Overseeing the refurbishment of vacant premises.
 - Appointing agents and overseeing their performance in the marketing of vacant premises and agreeing lease terms with prospective tenants.
 - Setting and collecting tenant rents and service charges and managing tenant arrears.
 - Mediating in and resolving tenant disputes.
 - Ensuring tenants comply with the terms of their leases and considering tenant requests for consents required under the terms of their leases (e.g., alterations, assignments or wayleaves).

- Organising regular maintenance and repairs where the council has responsibility to do so.
- Overseeing the performance of professional agents appointed by Property Services to undertake the day to day management of the property where such arrangements are in place.

4. **Role of the Special Cabinet Committee in monitoring of the commercial property portfolio**

- 4.1 The role of the Special Cabinet Committee in respect of the commercial property portfolio is to provide advice and support to the monitoring of the portfolio. To enable this, the Committee will be presented with a Property Dashboard on a regular basis which will provide key information on the current commercial property portfolio held by the council, including: -
- Exposure of the portfolio by sector (e.g. office, retail, industrial)
 - Top 10 Tenants by Rental Amounts due
 - Upcoming known lease movements (break-clauses, rent reviews, terminations or renewals)
 - Use of the Commercial Income Protection Reserve
- 4.2 The Special Cabinet Committee will also receive regular economic and property market updates for information purposes and may receive other information and be asked to consider matters relating to the commercial property portfolio as appropriate.

Officer Contact

- 4.3 Lisa Nyon, Assistant Director (Corporate Services) – e-mail: lisa.nyon@gravesham.gov.uk
- 4.4 Elizabeth Thornton, Head of Property and Regulatory Services – e-mail: elizabeth.thornton@gravesham.gov.uk

5. **Background Documents**

- 5.1 There are no background documents.

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Secondary Implications	
Risk Assessment	Property investment decisions are risk assessed on a case by case basis.
Data Protection Impact Assessment	<i>A data protection impact assessment (DPIA) should be carried out at the start of any major project involving the use of personal data or if you are making a significant change to an existing process.</i>
	a. Does the project/change being recommended through this paper involve the processing of personal data or special category data or criminal offence data ? A definition of each type of data can be found on the Information Commissioner's Office website via the above links. No
	b. If yes to question a, have you completed and attached a DPIA including Data Protection Officer advice? N/A
	c. If no to question b, please seek advice from your nominated DPIA assessor or the Information Governance Team at gdpr@medway.gov.uk . N/A
Equality Impact Assessment	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community? If yes, please explain answer. N/A
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality? If yes, please explain answer. N/A
	<i>In submitting this report, the Chief Officer doing so is confirming that they have given due regard to the equality impacts of the decision being considered, as noted in the table above</i>
Crime and Disorder	No direct implications.
Digital and website implications	No direct implications.
Safeguarding children and vulnerable adults	No direct implications.