



COMMUNITY JUSTICE SECURITY

DECISION RECORD

Decision Record Number 80

This document records a decision taken by the Police and Crime Commissioner, together with details of the advice he received prior to taking the decision.

Decision taken

The Police and Crime Commissioner has taken the decision to:

Halt the sale of Wootton Hall to the Education & Skills Funding Agency (ESFA). The new contract with the ESFA, for the provision of a site for an Academy School, will now utilise the Mereway flats site.

Details of advice taken

Professional advice, including financial advice has been sought to ensure the decision is transparent and provides value for money.

Martin Scoble
OPCC Chief Executive
6th September 2018

END



COMMUNITY JUSTICE SECURITY

Northamptonshire Police and Crime Commission

Supporting Report to the Police and Crime Commissioner

Date of Report	18 January 2018
Subject	Sale of Mereway Flats to Education and Skills funding Agency (ESFA)
Report Author	Martin Scoble (CEO)

1. Purpose of Report

- 1.1 To provide evidence based information to inform the recommended decision for the change in contractual obligations to sell Wootton Hall and replace with the Mereway flats site for the provision of a new academy school.

2. Decision(s) Recommended:

- 2.1 Endorse and approve the new contractual obligations with the ESFA for the sale of the Mereway flats site.

3. Relevant background / Chronology of Key Events:

- 3.1 The previous Police and Crime Commissioner (PCC), Mr Adam Simmonds, stated that he wanted to sell the Police Headquarters at Wootton Hall to the Education Funding Agency (EFA – subsequently changed their name to Education & Skills Funding Agency (ESFA)) for the provision of a new academy school:

(Advice to Commissioner v6) In his (Mr Simmonds) election manifesto, and subsequently in his first Police and Crime Plan, the Commissioner was also explicit regarding his aspiration to re-locate the Force from its current site at Wootton Hall. That aspiration is grounded in a belief that the parkland site, on the outskirts of Northampton is no longer fit for purpose and does not represent nor convey an appropriate and effective image of a 21st Century Police service.

- 3.2 The format for PCC elections involves the election taking place on a Thursday and the incumbent remains in office until the following Wednesday. Therefore, there are a number of days where the outgoing PCC retains the office and the executive powers for that period. The original contract was signed on 11 May

2016 by Mr Simmonds on his last day in office, post the PCC election and in the intervening period between the PCC election and the newly elected PCC taking up the appointment. Despite Mr Simmonds' tenure as PCC reaching a conclusion he did have the legal authority to sign the contracts.

- 3.3 A number of assumptions were used to justify the original sale of Wootton Hall along with the value for money evaluation. These assumptions have subsequently not been fulfilled and arguably the balance of risk that the original decision was based on was incorrect; significantly the lack of a complete and costed estates plan including relocation from Wootton Hall. Therefore, the whole life costs over a 25 – 30 year period could not be properly assessed against the capital and revenue costs to sell Wootton Hall and relocate.
- 3.4 The new evidence based Force operating model and a full review of the estate required to support operational delivery has led to a new plan & strategy. Improved understanding of the operational requirement and generation of investment, retain and disposal options including robust link to capital programme in terms of expenditure and receipt profiling is now in place and will form the basis for estates planning moving forwards.
- 3.5 When Mr Mold took up office as the new PCC, an outline assessment of the sale of Wootton Hall was conducted in terms of broad costs of the move, logistics, operational impacts, capacity of the estate, scope and scale of the capital programme, capacity of the various OPCC & Force teams to implement and overall compounded impact of the sale/move from Wootton Hall. The early and clear outcome was that the sale of Wootton Hall was not value for money, came with serious and significant operational impact and was not fully or properly planned.
- 3.6 Meetings were established between the EFA and PCC to consider the options available. Options involved delaying the move, changing and delaying elements of the phased move out from Wootton Hall and the full reversal of the contract.
- 3.7 Further work to explore these options took place with the EFA and the Force, however, it became apparent that no matter which iteration of a phased move from the Wootton Hall the costs were significantly higher than any initial estimate and the operational impacts were considerable.
- 3.8 The only viable option for the PCC was to halt the sale of Wootton Hall, despite a solid existing contract.
- 3.9 Significant negotiations and work has been completed to halt the original contract and establish a new contract which involves the sale of the Mereway flats site.
- 3.10 The PCC signed and exchanged contracts in December 2017.
- 3.11 Work is now underway to consider the re-development of the Wootton Hall site as the continuing Police, Fire and OPCC Headquarters, along with the potential for EMAS utilising the site. The re-development of the site will take place within the endorsed and affordable financial envelope, as described in the new Estates Strategy, and over a timeframe that ensures minimised operational impact.

4. Consultation:

- 4.1 Significant consultation and joint planning has taken place with the Force, NCC, Fire and Rescue Service, Wootton Park Academy and the ESFA.
- 4.2 The Police and Crime Panel have been updated regularly on progress.

5. Compliance Issues:

5.1 Is this a decision of 'significant public interest?'

- 5.1.1 Yes.

5.2 Is the recommended decision consistent with the priorities set out in the Northamptonshire Police and Crime Plan 2017/21?

- 5.2.1 Yes - Ensure Value for Money and provide an effective and efficient Police Service for the people in Northamptonshire.

5.3 What are the financial and procurement implications of this decision?

- 5.3.1 Commercially sensitive.

5.4 Will further decisions be required?

- 5.4.1 Further decisions will be required with respect to the re-development of Wootton Hall.

5.5 Legal Implications

- 5.5.1 Expert legal advice has been used throughout the renegotiation and legal exchange of contracts.

5.6 Risk Management

- 5.6.1 Risks were considered for all of the options considered.

5.7 Has an Equality Impact Assessment been undertaken?

- 5.7.1 N/A

6. Evaluation of alternative option(s):

6.1 Yes, alternative options have been considered throughout and based on evidence, financial obligations and risk various options have been removed throughout the process.

7. List of background reports used to compile this report:

7.1 Available subject to commercial and legal sensitivity

8. List of appendices accompanying this report (if any):

N/A

9. Approvals

Date

Has this report been approved by the author's line manager?

Has this report been approved by the Chief Executive?

Basis for qualified conclusion

On 11 May 2016, the Police and Crime Commissioner approved a decision to sell Wootton Hall, the Force's Headquarters. The decision was taken on the day before his term of office finished. Our review of this decision identified significant weaknesses in the governance arrangements for informed decision making by the Police and Crime Commissioner in that:

- The decision to sell the Force's Headquarters was not supported by a business case that included detailed financial costings and analysis;
- The replacement Force's Headquarter's had not been fully costed;
- No analysis had been undertaken to determine if the sale price met the 'best value' statutory requirements for the disposal of the Force's assets.

The newly elected Police and Crime Commissioner immediately initiated a review of the decision. This review identified that the financial implications (both capital and revenue) had not been fully or accurately considered. The review further identified that if the decision had been followed through this could have resulted in a significant financial loss. On 19 January 2017, the Police and Crime Commissioner approved the decision to reverse the proposed sale of Wootton Hall.

Qualified conclusion

On the basis of our work, having regard to the guidance issued by the C&AG in November 2016, with the exception of the matters reported in the basis for qualified conclusion paragraph above, we are satisfied that, in all significant respects, Northamptonshire Police and Crime Commissioner put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2017.

Certificate

We certify that we have completed the audit of the financial statements of Police and Crime Commissioner for Northamptonshire in accordance with the requirements of the Local Audit and Accountability Act 2014 and the Code of Audit Practice.



Andrew Cardoza

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29 September 2017