

## Recommendation to appoint following the Multi Storey Car Park Agency Procurement (YORTENDER REFERENCE: 79365)

Date: 08 November 2023

Report of: Land and Property

Report to: Chief Officer Asset management & Regeneration

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

The council is seeking specialist agency advise and potentially disposal services in relation to 2 of its assets; these assets are specialist in terms of their asset class and as such specialist services that can demonstrate a track record and knowledge in this field have been sought.

This report is seeking authority to award a contract following a competitive procurement exercise using the CCS Estates Management Framework (Lot 3). The council has sought bids from agencies with the required expertise to undertake the specialist area of property work.

Three bids were received and reviewed in line with the Procurement document; these are set out in the Confidential appendix that accompanies this report. This report is seeking to make an award to Cushman & Wakefield Debenham Tie Leung Limited as the highest performing bidder.

### Recommendations

- a) To award a contract for disposal of assets following the outcome of the Procurement with the YORtender reference 79564; this is to be to Cushman & Wakefield Debenham Tie Leung Limited for a period from 10<sup>th</sup> November 2023 to the conclusion of any asset sale. The final contract value will be dependent on any realised asset sale price, please see attached confidential appendix for further details.

### What is this report about?

- 1 While reviewing its portfolio, Leeds City identified assets which it may divest of; two of the assets for consideration are multi-storey car parks located in Leeds city centre. This asset class is particularly specialist and to obtain the most appropriate and up to date advice available the council sought a fee bid/proposal on a two-stage basis from an agent with expert knowledge and experience of advising on the current market for, and disposing of, city centre multi-storey car parks.

- 2 The first stage would be the submission of a detailed report that provided an opinion of the key features of the assets together with an opinion of value and market position. The second stage (if advanced to) would be the marketing and disposal of any assets considered suitable for disposal.
- 3 A further competition under the CCS Estates Management Framework (Lot 3) has been undertaken in order to appoint a suitable consultant to undertake this week. Expressions of interest were sought initially.
- 4 A specification was set and bids invited from those parties on the identified framework who expressed an interest in the opportunity. The outcome of the bidding is set out in the confidential appendix that accompanies this report but the recommendation is to appoint Cushman & Wakefield Debenham Tie Leung Limited as the highest performing bidder.

### **What impact will this proposal have?**

- 5 The proposal contained in the report will enable the council to obtain a contemporary appraisal of its significant assets in the city centre, which are of a specialist nature. The proposal will also mean that the council will have available the resources and expertise to deal with complex property assets.

### **How does this proposal impact the three pillars of the Best City Ambition?**

Health and Wellbeing       Inclusive Growth       Zero Carbon

- 6 The proposal as set in this report does not specifically support any of the above pillars, but it does not contradict them.

### **What consultation and engagement has taken place?**

Wards affected:

Have ward members been consulted?       Yes       No

- 7 No specific consultation has been carried out however consultation will take place on individual disposals should they progress.

### **What are the resource implications?**

- 8 There is no in-house capacity or capability to undertake the specialist nature of this work as such the procurement of an agent to assist to progress this matter is recommended. Please see the confidential appendix that accompanies this report for further details.

### **What are the key risks and how are they being managed?**

- 9 These are set out in the confidential appendix that accompanies this report.

### **What are the legal implications?**

- 10 Under Part 3, Section 3E(g) of the Council's Constitution (Officer Delegation Scheme (Executive Functions)) the Director of City Development has authority to discharge any function of the Executive in relation to Asset Management.

- 11 The Chief Officer Asset Management and Regeneration, Head of Asset Management and Deputy Head of Land and Property have authority to take decisions in relation to Asset Management as delegated in the Director of City Development's sub delegation scheme.
- 12 The proposal constitutes a Significant Operational Decision and is therefore not subject to call in. Executive Board Agreed the potential sale in October 2023 as a key decision with final decision delegated to the Director of City Development and Chief Officer Finance.
- 13 The information contained in the Appendix attached to this report relates to the financial or business affairs of a particular person or company, and of the Council. This information is not publicly available from the statutory registers of information kept in respect of certain companies and charities. It is considered that since this information was obtained through inviting of best and final offers for the property/land then it is not in the public interest to disclose this information at this point in time as this could lead to random competing bids which would undermine this method of inviting bids and affect the integrity of this process. Also it is considered that the release of such information would or would be likely to prejudice the Council's commercial interests in relation to other similar transactions in that prospective purchasers of other similar properties would have access to information about the nature and level of offers which may prove acceptable to the Council. It is considered that whilst there may be a public interest in disclosure, much of this information will be publicly available from the Land Registry following completion of this transaction and consequently the public interest in maintaining the exemption outweighs the public interest in disclosing this information at this point in time. It is therefore considered that this element of the report should be treated as exempt under Rule 10.4.3 of the Access to Information Procedure Rules.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 14 Not to appoint any specialist agency via a procurement exercise – this is not recommended as the asset class is specialist and to achieve the desired outcomes an agent with a proven track record has been sought. Not appointing a specialist agent would risk the desired outcome of looking to secure additional capital receipts within this Financial Year.

### **How will success be measured?**

- 15 Upon awarding the contract

### **What is the timetable and who will be responsible for implementation?**

- 16 The Technical Services Lead in Land and Property is responsible for this decision which needs to be implemented as soon as possible.

## **Appendices**

- Confidential Appendix - exempt under Rule 10.4.3 of the Access to Information Procedure Rules

## **Background papers**

- None