

EXECUTIVE BOARD – 22 DECEMBER 2015

Subject:	Sale of land off College Way, Bilborough, Nottingham		
Corporate Director(s)/ Director(s):	David Bishop, Deputy Chief Executive/Corporate Director for Development and Growth Kevin Shutter, Director of Strategic Asset and Property Management		
Portfolio Holder(s):	Councillor Jon Collins, Leader/Portfolio Holder for Strategic Regeneration and Development		
Report author and contact details:	Emma Wilcock, Estates Surveyor, Property Services, Disposals and Development Emma.Wilcock@nottinghamcity.gov.uk 0115 876 3077		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons: <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision			<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Total value of the decision: Detailed in the exempt appendix			
Wards affected: Bilborough	Date of consultation with Portfolio Holder(s): 8 December 2015		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input checked="" type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input checked="" type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
<p>In May 2015 the Executive Board approved the adoption of the Playing Pitch Strategy (PPS). The development of the PPS saw Nottingham City Council working with other key partners, including Sport England (SE), in assessing the City's need for outdoor sport and recreation facilities. The PPS has provided a strategic framework which informs on land use decisions for existing outdoor sports areas and playing fields.</p> <p>The PPS releases the subject site for alternative use. The site is included in the emerging Local Plan Part 2: Land and Planning Policies document and Property Services are in a position to take the site forward for sale, enabling development that will contribute towards the City's housing requirements. As set out in the Nottingham City Aligned Core Strategy (adopted 2014), a total of 17,150 dwellings are required over a 15 year plan period between 2011 and 2028.</p>			
Exempt information:			
<p>An appendix to the report is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of and particular person (including the authority holding that information) and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>It is not in the public interest to disclose this information because it could prejudice the Council's position in maximising the return on the sale of this site.</p>			
Recommendation(s):			
<p>1 To agree the principle of selling Nottingham City Council's freehold or long leasehold interest in this site, and delegate authority to the Deputy Chief Executive/Corporate Director for</p>			

	Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to agree the method of sale.
2	To delegate authority to the Leader/Portfolio Holder for Strategic Regeneration and Development to approve the sale terms for the site, including price.
3	To delegate authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve any instructions and associated expenditure required prior to sale. Such expenditure may include, but is not limited to, the sourcing of site and ground investigations, appointment of experts or specialists in development and planning matters to obtain a planning consent prior to sale.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Nottingham's Playing Pitch Strategy recognises this site as surplus to the sports and recreational needs of the city. Due to the nature of the site it provides potential as a development opportunity to contribute to the city's housing need whilst also enabling the Council to achieve a capital receipt.
- 1.2 The site has been identified by Property as suitable for residential development and is a proposed residential allocation within the emerging Local Plan Part 2: Land and Planning Policies document.
- 1.3 Property will explore all possible sale opportunities for the site prior to deciding on a final method of sale.
- 1.4 One option would be for Property to market the site with outline planning permission in place and with relevant land surveys, assessments and reports having been undertaken and made available to prospective purchasers. Providing this level of detail will go towards ensuring that offers received are as informed as possible, minimising negotiations following the acceptance of an offer.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The subject site, identified on the attached plan, has an area of 1.39 hectares (3.43 acres) or thereabouts and comprises a relatively flat site that has not previously been developed.
- 2.2 The decision of Executive Board taken in May 2015 to adopt the PPS agreed by Nottingham City Council and all relevant partners confirms that the site is surplus to the sports and recreations needs of the city.
- 2.3 Various other approvals may be required prior to marketing this site. Such approvals may include obtaining Secretary of State consent for sale of school playing fields in accordance with Section 77 of the Schools Standards and Frameworks Act 1998, or sale of land which has been used as a school (in the last 8 years) in accordance with Schedule 1 to the Academies Act 2010. Property will obtain all statutory consents prior to marketing the site.
- 2.4 Ward Councillors have been invited to consultation sessions with Property, Regeneration and Planning Officers and are generally supportive of the recommendations of this report. Preferences and suggestions voiced regarding nature of development and density will be given full consideration by Planning Officers both at the stage Property are considering offers received and on receipt of Planning Applications.

- 2.5 Property will work to bring this site forward for sale and development as early as possible.
- 2.9 This report seeks the approval of the Executive Board to the 'in principle' decision to dispose of the City Council's ownership in the subject site.
- 2.10 By delegating authority to the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development, to approve the finer detail of agreements, processes and terms in respect of the sale, the Executive Board will allow the degree of flexibility required to facilitate the timely completion of the sale
- 2.11 Due to current Council policy it will remain necessary that the appointment of Planning Consultants does not take place without the Leader of the Council's approval; a separate decision will be presented to the Leader in this regard.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not to sell the site. This would be a missed opportunity by the City Council to contribute towards tackling the City's housing need by enabling development and would mean foregoing the capital receipt to be achieved on sale.

4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The sale of this site by the Council, will save amounts currently expended on mowing, maintenance and security costs.
- 4.2 The exempt appendix (Appendix 2) contains further financial implications.

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 It is not considered that any risk assessments are required as this decision does not relate to changes in Policy Framework items or project initiations.
- 5.2 It is not considered that this decision introduces any specific Crime and Disorder implications. It may be that there occurs occasional acts of vandalism, or anti-social behaviour at the site; on sale of the site, the developer will be responsible for site security and on completion of the development individual occupiers will be responsible for the security in the vicinity of their own property.
- 5.3 The sale of the site will provide an increased housing supply in Nottingham. In addition, the requirement for the site to be developed out will provide employment for a variety of construction and property skilled, technical and professional persons.
- 5.4 The proposals set out in the report raise no significant legal issues although, as already indicated, various other legislative approvals may be required before disposal can take place. As and when any disposal is agreed the associated legal work will be undertaken by the in-house legal team who will seek to ensure that the Council's on-going interests, if any, are appropriately protected.

6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

6.1 This is a report of Strategic Assets and Property, comments are therefore details throughout.

7 SOCIAL VALUE CONSIDERATIONS

7.1 Social Value considerations will be included in subsequent decisions of the Deputy Chief Executive/Corporate Director for Development and Growth, in consultation with the Leader/Portfolio Holder for Strategic Regeneration and Development as required.

8 REGARD TO THE NHS CONSTITUTION

8.1 Not applicable

9 EQUALITY IMPACT ASSESSMENT (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

This report does not contain proposals for new or changing policies, services or functions, or decisions about the implementation of policy development outside the Council.

Yes



10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Adoption of the Playing Pitch Strategy and Sport & Physical Activity Strategy for the City, Executive Board 16 June 2015

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

12.1 Dawn Alvey, Local Development Framework Manager
Email: Dawn.Alvey@nottinghamcity.gov.uk Telephone 0115 876 3982

12.2 Malcolm Townroe, Solicitor, Head of Legal Services
Email: Malcolm.Townroe@nottinghamcity.gov.uk Telephone 0115 876 4332

12.3 Georgina Lewis, Development Growth Departmental Finance Support
Email: Georgina.Lewis@nottinghamcity.gov.uk Telephone: 0115 876 4227

12.4 Tina Adams, Finance – Planning and Forecasting
Email: Tina.Adams@nottinghamcity.gov.uk Telephone: 0115 876 3658