

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	4228
Author:	Jeremy Bryce
Department:	Growth and City Development
Contact:	Jeremy Bryce (Job Title: Surveyor, Email: jeremy.bryce@nottinghamcity.gov.uk, Phone: 01158763082)
Subject:	Sale of Various Agricultural Holdings
Total Value:	See Exempt Appendix (Type: Capital)
Decision Being Taken:	<ol style="list-style-type: none"><li>1) To declare various agricultural assets held by the Council surplus to the Trading Account, and to make the land available to the Corporate Director of Growth and City Development to sell, subject to no alternative operational, regeneration, community or other requirements being identified.</li><li>2) To delegate authority to the Corporate Director of Growth and City Development, in conjunction with the Director of Economic Development and Property, to agree the method and terms of sale for the freehold interest in these parcels of land.</li><li>3) To delegate authority to the Director of Economic Development and Property to agree any necessary Rights of Way, Easements or Wayleaves that may be required to conclude the disposals.</li></ol>
Reasons for the Decision(s)	A recent appraisal conducted by external consultants of the Council's agricultural holdings has identified several poorly performing agricultural assets, the sale of which will help remove pressures from the Council's Medium Term Financial Strategy. This proposal supports the Corporate Asset Management Plan 2020 and Recovery and Improvement Plan 2021/2024. An open market sale of these freehold interests will ensure that the Council receives best value. The capital receipt (less any costs of sale) will be reinvested in the most effective way possible to support the financial position of the Council.
Other Options Considered:	To retain the land in the Trading Account: this option is rejected as it is not practical to seek to increase the rents received, as the tenant may apply to the Land Tribunal to arbitrate, which could lead to the rent being reduced.
Background Papers:	None

<b>Published Works:</b>	None
<b>Affected Wards:</b>	Citywide
<b>Colleague / Councillor Interests:</b>	None
<b>Any Information Exempt from publication:</b>	Yes
<b>Exempt Information:</b>	
<b>Description of what is exempt:</b>	The current tenancy terms, passing rents and expected capital receipts for the sale of the land, and the Finance advice.
	An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972
<b>3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the decision includes passing rents, sale prices for agricultural land and future overage details relating to the proposed sales that, if disclosed, could prejudice the Council's negotiating position.
<b>Documents exempt from publication:</b>	Exempt Appendix 2021 agricultural land sales.doc, Exempt Finance comments Agricultural holdings.docx
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	None
<b>Equality:</b>	EIA not required. Reasons: This decision does not include proposals for new or changing policies, services or functions.
<b>Relates to Council Property Assets:</b>	Yes

<b>Decision Type:</b>	<b>Portfolio Holder</b>
<b>Subject to Call In:</b>	<b>Yes</b>
<b>Call In Expiry date:</b>	<b>04/06/2021</b>
<b>Advice Sought:</b>	<b>Legal, Finance, Property, Other: Rachel James(rachel.james@nottinghamcity.gov.uk)</b>
<b>Legal Advice:</b>	<p><b>From the information provided in the report and following discussion with the author of the report the proposed transaction does not appear to raise any significant legal issues of concern, albeit that we will need to carefully consider rights of way. The transaction will be subject to normal property legal due diligence and the drafting, agreement and negotiation of formal legal documentation between the parties, via private sale or auction as the case may be.</b></p> <p><b>Advice provided by Victoria McIntyre (Solicitor) on 19/03/2021.</b></p>
<b>Finance Advice:</b>	<p><b>This advice is exempt from publication and is contained within the Exempt Appendix.</b></p> <p><b>Advice provided by Tom Straw (Senior Accountant - Capital Programmes) and Susan Tytherleigh (Strategic Finance Business Partner) on 26/03/2021.</b></p>
<b>Other Advice:</b>	<p><b>It should be noted that the capital receipt from the sale of land at Newstead Abbey will be retained for the sole use by Newstead Abbey as per the Newstead Abbey bequest. Newstead Abbey will be required to retain access rights for any issues around the lake side.</b></p> <p><b>Advice provided by Rachel James (Chief Operating Officer - Newstead Abbey) on 12/04/2021.</b></p>
<b>Property Advice:</b>	<p><b>The decision to declare the properties surplus will enable capital receipts to be achieved. Specialist advice has been sought to identify and advise which of the agricultural assets should be sold or retained.</b></p> <p><b>Advice provided by Pippa Hall (Portfolio and Investment Manager) on 30/04/2021.</b></p>
<b>Signatures</b>	<p><b>David Mellen (Leader/ PH Strategic Regeneration Communications)</b></p> <p><b>SIGNED and Dated: 26/05/2021</b></p> <p><b>Michael Wayne Bexton (Interim CD for Growth &amp; City Development)</b></p> <p><b>SIGNED and Dated: 24/05/2021</b></p>