

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4395
Author:	Emma Wilcock
Department:	Growth and City Development
Contact:	Emma Wilcock (Job Title: Senior Estates Surveyor, Email: emma.wilcock@nottinghamcity.gov.uk, Phone: 01158763077)
Subject:	Sale of land at Clifton, Nottingham
Key Decision (decision valued at more than £1million):	Yes
Total Value:	Exempt (Type: Capital)
Decision Being Taken:	To authorise the sale of the subject land on the negotiated Heads of Terms detailed within the exempt appendix. To delegate authority to the Director of Economic Development and Property to agree any minor revisions to the Heads of Terms (not relating to purchaser or price) should any be necessary to facilitate the timely sale.
Reasons for the Decision(s)	Authority is already delegated to the Portfolio Holder for Strategic Regeneration and Communications to approve the sale terms in respect of the subject site, including price. However, since the time of the earlier approval (2015), much work has been completed to maximise the value of this asset, the market has strengthened over time and a successful marketing campaign has led to competitive offers and a higher sale price than previously anticipated being achievable. This new approval recommends sale at the highest offer received and is required in light of the increased and up to date 'Value of the Decision'. The sale represents best consideration for the Council's share in land to be developed for residential use.
Briefing notes documents:	Plan NCC Ownership Blk Clifton West.pdf, Plan Clifton West Dev Site.pdf

Other Options Considered:

Not to sell the subject land - This option was rejected as the decision to sell has already been approved and the sale will support the Council's housing delivery and financial objectives. Further, Nottingham City Council is working under a Collaboration Agreement with an adjoining land owner to bring about this sale.

Not to sell the subject land to the recommended purchaser - This is not considered a suitable option as following open marketing of the subject site and a competitive bidding process, the recommended purchaser has agreed the strongest terms for this transaction in the view of the Council's surveyors, the joint vendor and our supporting agent.

Background Papers:

None

Published Works:

Executive Board report/minutes, June 2015. Item 7: Sale of Land, Clifton, Nottingham - Key Decision (Authorising the principle of Sale and forming a Collaboration Agreement)

Portfolio Holder Decision (Ref.2268, 2015) Sale of Land, Clifton, Nottingham (Concerning appointment of Planning Consultants and securing appropriate access to the land)

Decision Notice, Planning: Application No. 18/00056/POUT

Affected Wards:

Clifton West

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

Heads of Terms and financial information

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

3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because to release this detail at this stage may prejudice the Council's position in achieving best consideration.

Documents exempt from publication:

2021-09-29 Exempt Page Sale Terms LKD Clifton West.docx

Consultations:

Date: 06/07/2021

Ward Councillors: Roger Steel, Andrew Rule

Ward Councillors have been consulted at various milestones throughout this process, are aware that sale terms have been finalised and formal recommendations are being submitted. No outcome or comments to report.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

No Crime and Disorder implications arising from the decision to be taken.

Equality:

EIA not required. Reasons: This decision does not meet the criteria to require an Equality Impact assessment.

Relates to Council Property Assets:

Yes

Decision Type:

Leader's Key Decision

Subject to Call In:

Yes

Call In Expiry date:

18/10/2021

Advice Sought:

Legal, Finance

Legal Advice:

This advice is exempt from publication and is contained within an exempt appendix.

Advice provided by Joanne Backhouse (Senior Solicitor within the Conveyancing Legal team) on 23/09/2021.

Finance Advice:

The capital receipt from this site is already incorporated within the Council's Asset Rationalisation process and included within the forecast Capital Receipts. Once the capital receipt from Clifton West has been secured by the Council it will be treated as a corporate capital receipt and used in accordance with the Council's Capital Strategy.

As detailed in the exempt appendix the Council has not opted to tax this land therefore VAT is not required to be charged to the recommended purchaser.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 15/09/2021.

Property Advice:

This recommendation is authorised by Strategic Assets and Property - no further advice to add.

Advice provided by Beverley Gouveia (Development & Disposals Manager) on 28/09/2021.

Signatures:

David Mellen (Leader/ PH Strategic Regeneration Communications)

SIGNED and Dated: 08/10/2021

Sajeeda Rose (Corporate Director of Growth & City Development)

SIGNED and Dated: 04/10/2021