

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:

4772

Author:

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Department:

Growth and City Development

Contact:

Paul Henderson James

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Subject:

Sale of Units 1-3 , Hubert Court, Hubert Street, Nottingham, NG7 5AJ

Total Value:

See Exempt Appendix. (Type: Capital and Revenue)

Decision Being Taken:

1. To declare the premises known as Units 1-3, Hubert Court, Hubert Street, Nottingham , NG5 7AJ surplus to the Trading Account and make the freehold available for disposal. No alternative operational, regeneration, community or other requirements have been identified (Officer Operational Decision).
2. To grant delegated authority to the Director of Economic Development and Property to agree the method , disposal price and terms for the sale of the freehold interest in this property as set out in the exempt appendix. The receipt will be held as a corporate capital receipt and used in accordance with the Capital Strategy. (Portfolio Holder Decision).
- 3.To grant delegated authority to the Director of Economic Development and Property to enter into any licence, deed or agreement necessary to facilitate the disposal.
- 4.To delegate approval to the Director of Economic Development and Property to appoint, via a procurement compliant process, and pay appropriate fees associated with any external resource required to dispose of the subject property to achieve Best Consideration and comply with the Council's adopted disposals policy.

**Reasons for the Decision(s)** 1. In response to the Council's Recovery and Improvement Plan 2021-2024, the Council has commenced a review of premises within the Property Trading Account which could be considered for disposal.

2. The property has been reviewed and informally approved by the, "Asset Rationalisation Board" as being suitable for disposal.

3. This disposal supports the Council's Recovery and Improvement Plan 2021-2024, and provides a Capital receipt.

**Other Options Considered:** 1. Do Nothing - This is not a viable option as the property is management-intensive and therefore this option has been rejected.

2. Adopt a pro-active asset management approach to maximise the potential of the asset. This is unlikely to be an effective and efficient use of resources and therefore this option has been rejected.

**Background Papers:** None

**Published Works:** None

**Affected Wards:** Hyson Green and Arboretum

**Colleague / Councillor Interests:** None.

**Any Information Exempt from publication:** Yes

**Exempt Information:**

**Description of what is exempt:** The exempt appendix contains details of valuation information and expected capital receipt.

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 it contains commercially sensitive information regarding valuation and expected capital receipt that could prejudice the Council's position in negotiations relating to the proposed sale.

Documents exempt from publication:

Exempt Appendix Hubert Court Hubert Street Nottingham NG7 5AJ + Finance Comments.doc

Use of Consultants

Number of Days:100

Rate per Day:30

Total value:3000

Start date:06/06/2022

End date:31/03/2023

Reason for using a consultant:

1).To provide operational flexibility and manage workloads effectively, where required, to instruct a Commercial Surveying practice to market the premises and ensures appropriate exposure to the commercial property market , enabling the Council to achieve Best Consideration.2).The appointment of a consultant will supplement existing in-house resources, and respond to peaks in workflow, and maintain momentum with the disposals process.3).External surveying consultants are active participants in the commercial property market, having extensive contacts and possess real-time market knowledge, which can be utilised for the benefit of the Council to achieve Best Consideration.

Other options considered:

1). Do nothing-This is not considered a viable option, as the service needs to respond to peaks in workflow and pressures on existing resources and maintain the momentum of the existing disposals programme.

Name of consultant:

To be determined - when required.

Reason for selection?

Key factors and qualities considered when appointing a consultant:1). Recognised reputable commercial property market participant.2). Reputation for collaborative working relationship with clients and delivering positive outcomes.3). To benefit from external real-time and relevant commercial property market information to secure Best Consideration.

Has the consultant previously completed work for the City Council?

It is intended to use recognised, reputable consultants whom have previously worked successfully for the Council, and delivered positive outcomes.

Specific activities to be undertaken by the consultant are:

The provision of a comprehensive marketing campaign to include:1). Taking instructions and providing marketing advice.2). Placement of advertisements and erection of sale board, and targeted mailshot.3). Conducting viewings.4), Receiving offers.5), Preparing recommendation report and taking Council's instructions.6) Issuing Heads of Terms.7) Liaising as necessary with Solicitors to effect the transaction.

Period of engagement:

Duration of Marketing until disposal secured.

By what process was the consultant selected?

It is proposed to appoint a consultant, where required, via a procurement compliant process and pay appropriate fees associated with any external resource required to dispose of the subject property to achieve Best Consideration and comply with the Council's adopted disposals policy.

<b>Consultations:</b>	<b>Date: 13/04/2022</b>
	<b>Ward Councillors: Merlita Bryan, Azad Choudhry, Jawaid Khalil</b>
	<b>All Ward Councillors advised of intention to dispose of the premises in e-mail of 13th April 2022. Councillor Choudhry requested to be kept updated on progress with the disposal - Paul James responded on 14th April 2022.</b>
	<b>Those not consulted are not directly affected by the decision.</b>
<b>Crime and Disorder Implications:</b>	<b>There are no crime and disorder implications arising from the disposal.</b>
<b>Equality:</b>	<b>EIA not required. Reasons: The decision does not relate to new or changing policies, services or functions.</b>
<b>Social Value Considerations:</b>	<b>At this stage we are considering the use of external commercial surveying resources to supplement existing in-house resources. Any decision to utilise consultants will be based upon workload capacity demands of existing in-house resources and undertaken in consultation with Procurement team representatives to ensure any external services are procured in a compliant manner.</b>
<b>Relates to staffing:</b>	<b>Yes</b>
<b>Relates to Council Property Assets:</b>	<b>Yes</b>
<b>Decision Type:</b>	<b>Portfolio Holder</b>
<b>Subject to Call In:</b>	<b>Yes</b>
<b>Call In Expiry date:</b>	<b>23/11/2022</b>
<b>Advice Sought:</b>	<b>Legal, Finance, Procurement, Human Resources, Property</b>
<b>Legal Advice:</b>	<b>From the information provided in the report and the exempt appendix the proposed transaction does not appear to raise any significant issues of concern. The transaction will be subject to the usual legal due diligence, drafting, negotiation and agreement of formal legal documentation. Advice provided by Christina Price (Chartered Legal Executive) on 03/10/2022.</b>
<b>Finance Advice:</b>	<b>This advice is exempt from publication and is contained within an exempt appendix Advice provided by Sarah Baker (Senior Commercial Business Partner - Property) on 01/11/2022.</b>

**Procurement Advice:**

**Of the 'Decisions to be taken', only item (4) has any direct procurement implications. Any external appointments made must be compliant with Contract Procedure Rules and the Public Contracts Regulations 2015, and the Procurement Team should be consulted to ensure this is done correctly. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 24/10/2022.**

**HR Advice:**

**There are no HR issues for the decision maker to consider. Advice provided by Paul Slater (HR Business Lead) on 12/10/2022.**

**Property Advice:**

**This decision does not raise any concerns from a Property Services perspective. The asset has been reviewed in line with the Council's adopted Disposals Policy and approved by the Asset Rationalisation Board. The property will be sold via the most appropriate method to ensure best consideration requirements are satisfied. Advice provided by Beverley Gouveia (Disposals & Development Manager) on 12/10/2022.**

**Signatures:**

<b>David Mellen (Leader/ PH Strategic Regeneration Communications)</b>
<b>SIGNED and Dated: 16/11/2022</b>
<b>David Mellen (Leader/ PH Strategic Regeneration Communications)</b>
<b>NOT SIGNED</b>
<b>Sajeeda Rose (Corporate Director of Growth &amp; City Development)</b>
<b>SIGNED and Dated: 10/11/2022</b>