

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4846
Author:	David Smith
Department:	Growth and City Development
Contact:	David Smith (Job Title: Disposals Surveyor, Email: david.smith@nottinghamcity.gov.uk, Phone: 0777 3131 575)
Subject:	Sale of The Hole in the Wall Public House, 63 North Sherwood St, Nottingham, NG1 4EZ
Total Value:	Exempt (Type: Capital and Revenue)
Decision Being Taken:	<p>1. To declare the premises known as the Hole in The Wall Public House, 63 North Sherwood Street, Nottingham, NG1 4EZ 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 & 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.</p>
Reasons for the Decision(s)	<p>1. In response to the Council's Together for Nottingham Recovery and Improvement Plan Refresh 2022 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 endorsed by the, "Asset Rationalisation Board" as being suitable for disposal. 3.This disposal supports the Council's Together for Nottingham Recovery and Improvement Plan Refresh 2022, and provides a Capital receipt.</p>
Other Options Considered:	<p>1. Do Nothing - This was rejected as the asset is isolated from any immediate NCC ownerships, and there is no strategic reason for its retention.2. Adopt a pro-active Asset Management approach to maximise the potential of the asset. This was rejected as it is unlikely to be an effective and efficient use of resources.</p>

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: Finance comments

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 could prejudice negotiations.

Documents exempt from publication:

EXEMPT APPENDIX Hole in The Wall 2 + finance comments.docx

Consultations:

Date: 09/01/2023

Ward Councillors: Merlita Bryan, Azad Choudhry, Jawaid Khalil

Notified by email on 9th January 2023. No responses received at time of writing

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder implications arising from the disposal.

Equality:

EIA not required. Reasons: EIA not required as the decision does not include principles for changing policies, services or functions

Relates to Council Property Assets:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

13/02/2023

Advice Sought:

Legal, Finance, Procurement, Property

Legal Advice:

From the information provided the proposed decision does not appear to raise any substantive legal issues. The Property will be sold by the method determined by the relevant Director following the taking of appropriate advice and on terms to achieve best consideration. Any disposal should be subject to normal property legal due diligence on the Property itself prior to disposal, and any sale should be subject to the drafting, agreement and completion of formal legal documentation between the parties.

Advice provided by Mick Suggett (Team leader: Conveyancing) on 13/01/2023.

Finance Advice:

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

Advice provided by Sarah Baker (Senior Commercial Business Partner - Property) on 20/01/2023.

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 13/01/2023.

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 23/01/2023.

Signatures

David Mellen (Leader/ PH Strategic Regeneration Communications)
SIGNED and Dated: 03/02/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 26/01/2023