

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	<b>4970</b>
<b>Author:</b>	<b>Gillian Bradbury</b>
<b>Department:</b>	<b>Growth and City Development</b>
<b>Contact:</b>	<b>Gillian Bradbury</b> <b>(Job Title: Senior Project Manager, Email: <a href="mailto:gillian.bradbury@nottinghamcity.gov.uk">gillian.bradbury@nottinghamcity.gov.uk</a>, Phone: 65261)</b>
<b>Subject:</b>	<b>NET Phase 2 Land - Lifting of a Restriction of Use on a surplus parcel of land disposed as part of the NET Phase 2 project</b>
<b>Total Value:</b>	<b>£155,000 (Type: Capital)</b>
<b>Decision Being Taken:</b>	<b>Provide approval to lift a restriction on use on a parcel of land located in Beeston Town Centre to enable the developer of the site, Cassidy Group to build a residential scheme on the land.</b>
<b>Reasons for the Decision(s)</b>	<b>As a commercial transaction information is exempt and appended as an attachment.</b>
<b>Other Options Considered:</b>	<b>Other options considered included do nothing but this was discarded as by not lifting the restriction would mean the Council would be unable to obtain a capital receipt that will be paid back into the NET Phase 2 reserve and offset the cost of paying compensation for acquiring the land for the scheme.</b>
<b>Background Papers:</b>	
<b>Published Works:</b>	
<b>Affected Wards:</b>	<b>Citywide</b>

**Colleague / Councillor Interests:**

**This DDM does not impact on any of the wards in Nottingham City as the land was compulsory purchased for the NET Phase 2 scheme and is located in Beeston Town Centre.**

**Any Information Exempt from publication:**

**Yes**

**Exempt Information:**

**Description of what is exempt:**

**The reason for the decision which includes details of the proposed capital receipt for lifting the decision, a previous Officer Decision relating to this land and Bruton Knowles valuation are all exempt as they contain financially sensitive 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 it contains commercially sensitive information.**

**Documents exempt from publication:**

**NOT FOR PUBLICATION - Reason for Decision.docx, NOT FOR PUBLICATION - Bruton Knowles Valuation.DOCX, NOT FOR PUBLICATION - Officer Decision for disposal to Monk Estates in 2021.docx**

**Consultations:**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**N/A**

**Equality:**

**EIA not required. Reasons: The decision is for the lifting of a restriction on a parcel of land located in Beeston town centre and does not have any protected characteristic or EIA implications.**

**Relates to Council Property Assets:**

**Yes**

**Decision Type:**

**Portfolio Holder**

<b>Subject to Call In:</b>	<b>Yes</b>
<b>Call In Expiry date:</b>	<b>26/06/2023</b>
<b>Advice Sought:</b>	<b>Legal, Finance, Property</b>
<b>Legal Advice:</b>	<b>Following discussion with the author of the report and from the information provided as part of the report, Legal Services note that external professional advice has been taken on the terms of agreement for this transaction. The transactional work itself does not appear to raise any significant legal concerns but will be subject to normal property legal due diligence and the drafting, negotiation and completion of formal legal documentation between the parties. Advice provided by Mick Suggett (Team leader: Conveyancing) on 24/04/2023.</b>
<b>Finance Advice:</b>	<b>This decision does not raise any financial concerns and will generate a capital receipt to the Council as identified in the exempt papers. This receipt is will be transferred to the NET2 model and used to cover capital costs incurred as part of the NET project / repayment of current debt associated with the NET project, depending upon the timing of the receipt. The external legal advice received confirms that the Council is satisfying its best value requirement as part of this decision. Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 08/06/2023.</b>
<b>Property Advice:</b>	<b>This decision does not present any issues in terms of Property Services. An external appraisal of the fee to lift the covenant has been completed by and independent valuer with the relevant skills and experience. This receipt will be paid back to the NET to offset costs associated with the NET Line 2 extension. Property Services will be able to provide advice and assistance to complete the matter as required. Advice provided by Beverley Gouveia (Disposals and Development Manager) on 17/04/2023.</b>
<b>Signatures</b>	<b>David Mellen (Leader/ PH Strategic Regeneration &amp; Communications)</b>
	<b>SIGNED and Dated: 16/06/2023</b>
	<b>Sajeeda Rose (Corporate Director of Growth &amp; City Development)</b>
	<b>SIGNED and Dated: 12/06/2023</b>