

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5026
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 off Arnside Road, Bestwood, Nottingham
Total Value:	As contained within the exempt appendix (Type: Capital)
Decision Being Taken:	<ol style="list-style-type: none">1. To dispose of the Council's freehold interest in the land forming part of the subject site on the terms set out in the exempt appendix- recommended on the basis that they realise best consideration for Council's interest in this surplus asset.2. To delegate authority to the Director of Economic Development and Property to approve any variations to the final terms of sale.3. To delegate authority to the Director of Economic Development and Property to the return of the land to the open market, approving the suitable method of sale, should the recommended sale (Decision 1) not progress for any reason.
Reasons for the Decision(s)	Earlier Portfolio Holder decision ref 3134 authorised the Council to work collaboratively with a partner (adjoining landowner), thus enabling assembly of a larger development site for sale on the open market. Since that 2018 decision, the value of the decision has increased (owing to market conditions and increased confidence in redevelopment potential); the additional value to be realised meets the threshold for this further Portfolio Holder approval to be required.
Briefing notes documents:	2023-09-21 Site Plan Arnside Road.pdf

Other Options Considered:

Not to progress a sale of the property on the recommended terms - this is not the recommended decision because the terms proposed reflect best consideration to the Council and the proposed purchaser is in a position to progress the transaction in a timely manor.

To retain the property - this is not recommended as the Council are party to a collaboration agreement which is to its benefit and contractually obliges progress towards a sale of the surplus asset during the term of that agreement. It should be noted that because this agreement brings benefit to the Council, the Director of Economic Development and Property (under powers delegated by the 2018 Portfolio Holder decision) has already authorised a further period of collaborative working - a period considered sufficient to bind the parties until the completion of a sale.

Background Papers:

None.

Published Works:

Portfolio Holder decision ref.3134 "Collaboration Agreement in respect of 1.42 hectares or thereabouts of land at Arnside Road, Bestwood". 2018

Delegated Decision DD0614 Collaboration Agreement re 1.42 hectares if Land at Arnside Road, Bestwood. 12/02/2013

Affected Wards:

Bestwood

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

The value of the decision and terms on which property recommended the Council dispose of its freehold interest in the subject site.

Legal and Finance comments and advice, concerning this decision.

Briefing Note to the Director of Economic Development and Property, 14 July 2023

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 may prejudice the Council's negotiating position and ability to realise best consideration on the disposal of this property asset.

Documents exempt from publication:

2023-07-14 EXEMPT Briefing note Terminate Sale contract Arnside.docx, 2023-09-19 EXEMPT APPENDIX Sale of Arnside.docx

Consultations:

Date: 24/08/2023

Ward Councillors: Georgia Power, Jay Hayes, Audra Wynter

No comments received.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

Disposal and redevelopment of the site will reduce the potential for trespass and settlement on the land, as has recently been experienced.

Equality:

EIA not required. Reasons: This decision does not concern new or changing policies, services or functions.

Relates to Council Property Assets:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

10/10/2023

Advice Sought:

Legal, Finance, Property

Legal Advice:

This advice is exempt from publication and is contained within an exempt appendix Advice provided by Fezil Veli (solicitor) on 11/09/2023.

Finance Advice:

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 08/09/2023.

Property Advice:

The property detailed in this decision has been subjected to open marketing and terms for a sale have been agreed. Property Services are recommending that the Council proceeds with this sale. A sale will secure market value.. This decision also seeks authority to go back to market should this sale fall through.

Any sale will be subject to the adopted Disposals Policy and the requirements of Section 123.

Advice provided by Beverley Gouveia (Disposals & Development Manager) on 12/09/2023.

Signatures

Steve Battlemuch (PH - Skills, Econ Dev, Property & Growth)
SIGNED and Dated: 02/10/2023
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 02/10/2023