

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

**Reference Number:**

5074

**Author:**

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**Department:**

Growth and City Development

**Contact:**

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**Subject:**

4 Claremont Road, Nottingham, NG5 1BH

**Total Value:**

Nil (Type: Capital)

**Decision Being Taken:**

**1).To declare the premises known as 4 Claremont Road, Nottingham, surplus to the requirements of the council, and make the freehold or long leasehold interest (as appropriate) available for disposal, as no alternative operational, regeneration, community or other requirements have been identified.**

**2) To grant delegated authority to the Disposals and Development Manager to agree the method of sale and marketing strategy.**

**3) To grant delegated authority to the Director of Economic Development and Property to agree the disposal tenure, price and terms for the sale (the receipt will be held as a corporate capital receipt and used in accordance with the Capital strategy).**

**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 or approve any expenditure necessary to maximise the capital receipt achievable as a result of the disposal.**

**4). To grant delegated authority 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 Any required spend will be approved via the spend control process put in place by Nottingham City Council's Chief Finance Officer for the payment of any associated fees. Noting payment will only be made once the approval has been given.**

**Reasons for the Decision(s)**

**The property is currently let to NCHA ltd, and has been since 1992 having originally been let by Nottinghamshire County Council and taken over by the city council at Unitary Status in 1998. The lessee has served notice on the council in the correctly prescribed manner to hand the property back with effect from 31st March 2024, having undertaken all prerequisites to do so.No other operational requirements have been identified for this building, and so a disposal is recommended in line with the council's disposal policy. An area of land backing on to the Claremont Road property, and fronting Ebury Road is included in this recommendation as per the Land Registry title (it was not included in the lease to NCHA ltd, which is why it is explicitly mentioned here).**

**Briefing notes documents:**

**Official Copy (Title Plan) - NT479108.pdf**

**Other Options Considered:**

**The option of not recommending disposing of this property was rejected as no other operational use has been identified for it, nor any budget to maintain it.**

**Background Papers:**

**Published Works:**

**Affected Wards:**

**Colleague / Councillor Interests:**

**Consultations:**

**Crime and Disorder Implications:**

**Equality:**

**Relates to Council Property Assets:**

**Decision Type:**

**Subject to Call In:**

**Call In Expiry date:**

**Advice Sought:**

**Legal Advice:**

From the information provided in the report, the proposed decision does not appear to raise any substantive legal issues of concern at this stage. Legal Services would recommend a report on and review of the legal title to the property is undertaken, to identify any issues, if one has not already been carried out. The Council will need to comply with its obligations of best consideration under the relevant legislation (Section 123 of the Local Government Act 1972) in any disposal of the property and should follow the Council's adopted disposals policy. Legal Services have assumed that the proposal to dispose will be a sale with vacant possession after the current occupier vacates. Otherwise, any disposal will be subject to normal property legal due diligence and the drafting, agreement and completion of formal legal documentation between the parties. Advice provided by Mick Suggett (Team leader: Conveyancing) on 28/12/2023.

**Finance Advice:**

The recommendations do not cause any revenue impacts. Should the property be held vacant, it will attract void management costs for which no budget exists for this specific property (as the tenant would have been responsible for all costs prior to vacating the property). Therefore every effort should be made to progress disposal in a timely manner.

This property has no underlying borrowing therefore any net receipt generated from the disposal of this asset will be applied as defined by the priorities set out in the Capital Strategy.

Advice provided by Sarah Baker (Senior Commercial Business Partner - Corporate Landlord) on 02/01/2024

**Other Advice:**

This was a care home managed and run by NCHA and registered with the Care Quality Commission to deliver Residential Care Services. Nottingham City Council had a contract with this provider and a number of Nottingham City Council funded citizens resided at the service. NCHA contacted the Contracting Team in August 23 to give 90 days notice to terminate their contract with NCC. A Provider Closure Procedure was followed and all citizens were supported to move to alternative provision. The service closed 20 November 23.

Advice provided by Sharon Ribeiro (Contracts Service Manager) on 29/12/2023.

**Property Advice:**

The decision set out in this report do not cause any significant issues. The property has been identified as being surplus to operational and any other requirement and will now be processed for disposal inline with the adopted Disposals Policy. Advice provided by Beverley Gouveia (Head of Property) on 08/12/2023.

**Signatures**

Steve Battlemuch (PH - Skills, Econ Dev, Property & Growth)
SIGNED and Dated: 15/01/2024
Sajeeda Rose (Corporate Director of Growth & City Development)
SIGNED and Dated: 12/01/2024