

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5135
Author:	John West
Department:	Growth and City Development
Contact:	John West (Job Title: Property Business Partner, Email: john.west@nottinghamcity.gov.uk, Phone: 01158763086)
Subject:	Granting of a Long Lease of (former) Aspley Children's Centre, Amesbury Circus, Nottingham NG8 6DD
Total Value:	See Exempt Appendix (Type: Revenue)
Decision Being Taken:	To enter into a supplemental lease for the building formerly known as Amesbury Circus Children's Centre, to be granted to the Transform Trust (company number 08320065) whose registered address is Sneinton St Stephens C of E Primary School, Windmill Lane, Sneinton, Nottingham, NG2 4QB, being lessees of Rosslyn Park Primary and Nursery School. The lease will be on identical terms to their existing academy lease, and expiring at the same time, being 31st December 2140. Other details are included in the exempt appendix.
Reasons for the Decision(s)	The property was built as part of the Sure Start initiative and contained early year services as well as a private day nursery. Following the nursery vacating and a reorganisation of services it is no longer operationally occupied, and costs are being incurred for security and upkeep whilst a long term solution is found. Expressions of interest have been sought from local community groups but no viable partner was found. The adjacent academy, whose site wraps around the building, expressed an interest of taking occupation to fold it in to their current campus and use it for provision of their foundation classes. They will undertake a refurbishment to bring the property up to a required standard at their own costs. The Premises sit within the school site and shares access points and car parking. This places additional safety and safeguarding constraints on the property, thus limiting options for alternative users.
Briefing notes documents:	(Draft) Lease plan - Amesbury children centre.PDF

Other Options Considered:

The option of retaining the property for operational use was not considered due to it no longer being in line with service delivery plans. The option of continuing to seek alternative partners to use the building was rejected as suitable terms have been agreed that provide a resolution, and ensure the property remains primarily used for its intended purpose. The option to consider a freehold disposal was rejected as it would reduce the safeguarding capacity of the adjacent school who hold a primacy of interest. There were also concerns regarding the repayment of grants if a freehold disposal was sought.

Background Papers:

None

Published Works:

None

Affected Wards:

Aspley

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

Details of the letting including rent and terms. Finance advice. Legal advice.

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 might prejudice other deals negotiations if made known at this stage.

5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings relating to a proposed transaction and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is not in the public interest to disclose this information because it contains confidential legal advice in respect of the proposed transaction and disclosure could prejudice the Council's position

Documents exempt from publication: 2024.05.24 Exempt Appendix - Amesbury Circus building.docx, Exempt Finance Comments - Granting of a Long Lease of Aspley Childrens Centre.docx, Exempt Appendix Amesbury Circus CC.pdf

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There are no crime or disorder implications

Equality: EIA not required. Reasons: This is not a new or changing policy, service or function. The decision adheres to all Council Equality policies.

Relates to Council Property Assets: Yes

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 26/06/2024

Advice Sought: Legal, Finance, Property, Other: Aamer Iqbal(Aamer.Iqbal@nottinghamcity.gov.uk)

Commissioner Comments: Commissioners have noted the report and have no further comments.

Legal Advice: This advice is exempt from publication and is contained within an exempt appendix Advice provided by Mick Suggett (Team leader: Conveyancing) on 03/01/2024.

Finance Advice: This advice is exempt from publication and is contained within an exempt appendix Advice provided by Sarah Baker (Senior Commercial Business Partner - Corporate Landlord) on 20/02/2024.

Other Advice:

This property was declared surplus to operational requirements by the Early Help Service and the daycare provider sharing the building has also left. Parties interested in leasing the property were invited to express an interest. The granting of a lease is now being progressed with the adjacent academy.

The decision presents no issues in respect of our capacity to deliver services in line with current operational priorities, under the Family Hub model.

Advice provided by Aamer Iqbal (Early Help Estates Manager) on 19/12/2023.

Property Advice:

This property has been identified as one which is no longer required to deliver operational requirements of the authority but can be used to provide educational services as part of the Transform Trust Multi Academy Group. The letting will remove future liabilities from the Council therefore reducing operational footprint and associated costs.

This decision presents no issues from a Strategic Assets & Property perspective and is therefore supported. Advice provided by Beverley Gouveia (Disposals & Development Manager) on 24/11/2023.

Signatures

Ethan Radford (Exec Member - Skills, Growth, Economic Development)

SIGNED and Dated: 19/06/2024

Sajeeda Rose (Corporate Director of Growth & City Development)

SIGNED and Dated: 17/06/2024