

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2229
Author:	Rodney Alan Martin
Department:	Development
Contact:	Rodney Alan Martin (Job Title: Senior Surveyor, Email: rod.martin@nottinghamcity.gov.uk, Phone: 01158763075)
Subject:	Sale of the former Westbury Special School site, Lortas Road, Basford, Nottingham NG5 1EH
Total Value:	Contained in the exempt appendix (Type: Capital)
Decision Being Taken:	To vary the terms agreed for the sale of the freehold interest in the former Westbury Special School site to Langridge Homes Ltd as set out in the exempt appendix.
Reasons for the Decision(s)	Executive Board on 18th June 2013 approved terms for a conditional contract for the sale of the freehold interest in the former Westbury Special School site to Langridge Homes Ltd. Since that decision, rather than enter in to the conditional contract Langridge Homes have undertaken site investigations and submitted a planning application on the site at risk. This process has identified a number of abnormal costs that would be incurred by any developer on this site and that were not known at the time of the original bid.
Briefing notes documents:	LORTAS ROAD T Plan.pdf
Other Options Considered:	Not to vary the terms agreed for the sale of the freehold interest in the former Westbury Special School site to Langridge Homes Ltd. This option was rejected as to not vary the terms would mean Langridge Homes Ltd would not proceed with the purchase of this site and the opportunity of an early sale at market value would be lost.
Background Papers:	

Published Works:

Executive Board report and minutes, 18th June 2013, sale of the former Westbury Special School Site, Lortas Road, Basford, Nottingham

Affected Wards:

Berridge

Colleague / Councillor Interests:

Exempt Information:

Description of what is exempt:

The attached appendix is exempt

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 details relating to the proposed sale price for the property which is yet to be finalised, disclosure of which will prejudice the Council's position in negotiations

Documents exempt from publication:

NOT FOR PUBLICATION.docx

Consultations:

Date: 20/08/2015

Ward Councillors: Mohammed Ibrahim, Carole Jones, Toby Neal

No objections received

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder implications that relate to this decision

Equality: EIA not required. Reasons: This report does not contain proposals for new or changing policies, services or functions, financial decisions, decisions about the implementation of policy development outside the Council.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 11/11/2015

Advice Sought: Legal, Finance, Other: Phil Shaw(philip.shaw@nottinghamcity.gov.uk)

Legal Advice: The decision to vary the original terms is based on professional advice from the Council's surveyor. The portfolio holder will need to be satisfied that the proposed decision is reasonable in the circumstances outlined. Of itself the proposal raises no significant legal issues. Advice provided by Malcolm Townroe (Legal Services Manager) on 16/09/2015.

Finance Advice: The decision to vary the terms of the sale of the former Westbury Special School site, Lortas Road, Basford will result in the City Council receiving a revised capital receipt as set out in the exempt appendix. The revised sum will be included in capital resource projections and will be used to finance the existing capital programme.
Advice provided by Jim Driver (Finance Service Partner) on 25/08/2015.

Other Advice: The site is allocated in the Local Plan as a mixed use development site, although this has been revised in the emerging Land and Planning Policies Document to housing only. There is therefore no objection in principle to residential development of the site. A s106 Agreement can secure an affordable housing contribution by way of a shared equity model. Public open space is to be provided onsite. The Council is satisfied that Regulation 122(2) Community Infrastructure Levy Regulations 2010 is complied with, in that the planning obligation sought is (a)necessary to make the development acceptable in planning terms, (b) directly related to the development and (c) fairly and reasonably related in scale and kind to the development.
Advice provided by Phil Shaw (Principal Planning Officer) on 28/08/2015.
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Signatures
Jon Collins (Leader & PH Strategic Regeneration & Development)
SIGNED and Dated: 04/11/2015
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 22/10/2015