

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2388
Author:	Helen Bell
Department:	Resources
Contact:	Helen Bell (Job Title: Legal Assistant, Email: helen.bell@nottinghamcity.gov.uk, Phone: 01158765729)
Subject:	Compulsory Purchase of Land at the rear of 25 Jennison Street, Bulwell, Nottingham
Total Value:	see exempt appendix (Type: Capital)
Decision Being Taken:	To approve the making of a Compulsory Purchase Order to purchase land at the rear of 25 Jennison Street, Bulwell shown on the attached plan or, if possible, to purchase the land by agreement if negotiations with the owner are satisfactorily concluded.
Reasons for the Decision(s)	The dwelling house at 25 Jennison Street, and the passageway to the rear and side of the house transferred to Nottingham City Council ("the Council") under a compulsory purchase order and general vesting declaration in December 1995. The land, the subject of this decision was previously the rear garden of 25 Jennison Street but was not included in the previous Order, it is believed in error. The land is situated on a larger brownfield regeneration site that is in need of development on the edge of Bulwell town centre. A supermarket chain proposes to purchase the whole site and build a supermarket. Attempts to trace the owner of the land and purchase it by negotiation have, to date, been unsuccessful and given the proposals for redevelopment the Council has powers to compulsory purchase under s226 of the Town and Country Planning Act 1990 to acquire the land. The land could then be sold on to enable the development, which is viewed as an important step in the regeneration of the area in general.
Briefing notes documents:	Updated COP Map - land at rear of 25 Jennison Street.pdf
Other Options Considered:	Do Nothing - a viable development opportunity may be lost and the land may continue to fall into disrepair and dilapidation.
Background Papers:	None

Published Works:	None
Affected Wards:	Bulwell
Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	The value of the decision is exempt from publication.
	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, if published, the information contained in the exempt appendix could prejudice any negotiations with the landowner over the level of compensation/purchase price.
Documents exempt from publication:	DDM - Exempt Appendix v2.docx
Consultations:	Date: 01/05/2015
	Ward Councillors: Nick McDonald
	Councillor McDonald is keen for the redevelopment of the former Crown site to proceed and supports the purchase of the land subject to this decision, by compulsory Purchase Order to enable that aim.
	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	The development of the site will improve the appearance of the area. Improvements in the appearance of areas can subsequently lead to a reduction in vandalism and crimes against property.

Equality:	EIA not required. Reasons: An EIA is not relevant in this instance
Social Value Considerations:	The property to be purchased falls under EU thresholds.
Decision Type:	Officer
Executive Decision?	Yes
Scheme of Delegation Reference Number or Other Source of Delegation:	Nottingham City Council Constitution - Deligated Power 239
Subject to Call In:	No
	The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.
	Person Consulted:
	Consultation Date: 01/01/0001
Advice Sought:	Legal, Finance, Procurement, Property
Legal Advice:	The acquisition of this land is appropriate to enable the development of a larger regeneration site and promotion of the economic, social, and environmental well being of the area. The acquisition would be in accordance with law and policy. Negotiations with the owner to acquire the land by negotiation appear to have failed and power exists under s 226 of the Town and Country Planning Act 1990 to acquire the land compulsorily in such circumstances.
	Advice provided by Ann Barrett (Team Leader) on 10/03/2016.
Finance Advice:	Following the Compulsory Purchase, the receipt from any subsequent sale of the land would be retained for future repayment to the owner.
	Advice provided by Georgina Lewis (Finance Analyst) on 09/03/2016.

Procurement Advice:

The purchase of this land is a straight forward transfer of land and poses no state aid implications. The purchase of this land is not governed by the public Contract Regulations 2015 and therefore there are no significant procurement concerns with the approach set out in the report.

Advice provided by Sue Oliver (Category Manager - Procurement) on 11/01/2016.

Property Advice:

Due to its positioning, the subject land is crucial to the redevelopment of a regeneration site which has been derelict, out of use and a magnet for antisocial behaviour for many years.

Legal Service will ensure all necessary notices are served, and due processes followed, keeping the current owner informed of progress throughout. The level of compensation considered payable to the current owner is provided in the exempt appendix to this report, and reflects the Council's previous offers to the current owner, at market value.

Advice provided by Emma Wilcock (Estates Surveyor) on 08/03/2016.

Signatures:

Kevin (Director of Strategic Assets, Property Management)

SIGNED and Dated: 17/03/2016