

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2662
Author:	Steven Hemingway
Department:	Development
Contact:	Steven Hemingway (Job Title: NET2 Project Manager, Email: steve.hemingway@nottinghamcity.gov.uk, Phone: 0115 876 2822)
Subject:	Sale of freehold interest of land at Chilwell Road / Ellis Grove, Beeston Nottingham
Total Value:	See Exempt Appendix (Type:Capital) (Type: Capital)
Decision Being Taken:	<p>To declare surplus and sell the freehold interests in property acquired at Chilwell Road / Ellis Grove, Beeston Nottingham, and agree terms with the chosen developer as set out in the exempt appendix.</p> <p>To grant delegated authority to the Director of Strategic Assets and Property Management to agree the final terms of the sale including the final selling price should it vary from that detailed in the exempt appendix.</p> <p>For the capital receipt, less any sale costs to be returned to Nottingham Express Transit (NET) Capital Acquisitions budget to assist in repaying purchase / compensation costs and disbursements.</p>
Reasons for the Decision(s)	The land was acquired under a Compulsory Purchase Order by way of a transfer dated 15th December 2011 in order to facilitate the construction of the NET2 extension. NET2 works are complete with the tram in full operation and this land is now surplus to NET2 requirements. The land has been marketed with vacant possession in the open market by way of an informal tender and best offers process in order to recoup as much of the original investment as possible. The result of the highest offer received is disclosed in the Exempt Appendix.
Other Options Considered:	<p>Retain the vacant site for operational use. this option was rejected as no operational need has been identified for land which is outside of the city boundary.</p> <p>Leaving the vacant land unsold is not an option as periodic costs for maintenance and security would be on going. in addition, a capital receipt for the land would remain unrealised.</p>
Background Papers:	N/A

Published Works:	Agenda and minutes of Executive Board meeting held on 19th July 2011
Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	Information relating to the commercially sensitive negotiations contained within the exempt appendix.
	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 information relating to financial affairs of the authority holding information and any prospective purchasers. It is not in the interests to disclose this information because it contains details relating to the proposed sale price for the property, disclosure of which will prejudice the Council's position in negotiations.
Documents exempt from publication:	20160804_Appendix.docx
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None
Equality:	EIA not required. Reasons: EIA not required, reasons: this decision does not include proposals for new or changing policies, services or functions.

Decision Type:	Portfolio Holder
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: Cllr Brian Parbutt
	Consultation Date: 26/08/2016
	The subject property have been put on the market and Developer has proposed an acceptable offer. If not exempt from call-in, the prospective purchaser is likely to withdraw their offer and further expense would ensue as the property was remarketed with the risk of receiving a lesser sale price, plus the continued exposure to on-going site management costs.
Advice Sought:	Legal, Finance, Property
Legal Advice:	Provided that the proposed sale is for "best consideration" as required by Section 123 of the Local Government Act 1972 then the decision to sell the land as set out in this report raises no significant legal issues. Advice provided by Stephen Fryer (Legal Executive Conveyancing) on 04/10/2016.
Finance Advice:	The report proposes the sale of the freehold interest in Chilwell Road / Ellis Grove, Beeston. These premises were required to facilitate the construction of NET Line 2 and are now surplus. The City Council will receive a capital receipt from the sale of these premises as detailed in the exempt appendix. The initial acquisition was funded from the NET Capital Acquisitions budget and the capital receipt will be credited back to that same budget. Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 09/09/2016.
Property Advice:	This site was marketed by NET's agent Bruton Knowles who consider the agreed price represents market value. Advice provided by Rodney Alan Martin (Senior Surveyor) on 13/10/2016.
Signatures	Jon Collins (Leader of the Council)
	SIGNED and Dated: 18/11/2016
	David Bishop (Deputy CE, CD for Development and Growth)
	SIGNED and Dated: 11/11/2016