

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2649
Author:	Peter Carroll
Department:	Development
Contact:	Peter Carroll (Job Title: Head of Portfolio Investment & Development, Email: peter.carroll@nottinghamcity.gov.uk, Phone: 01158763963)
Subject:	Approval of the disposal of the Angel Row site.
Key Decision (decision valued at more than £1million):	Yes
Key Decision (decision affects 2 or more wards):	Yes
Total Value:	£4M land receipt plus potential revenue value of up to £12.4M (NPV). (Type: Capital and Revenue)
Decision Being Taken:	<p>To approve in principle the disposal of the Angel Row site to Henry Boot Developments Ltd, subject to agreement of Heads of Terms to enter into a 12 month pre-contract period with them leading to a binding development contract and agreement to lease and, subject in parallel to the development of a sustainable concept and operating model for the 30,000 sq. ft. shell space contained within the project.</p> <p>To agree that authority to agree the Heads of Terms and enter into the legal contracts is delegated to the Corporate Director of Development, in conjunction with the Leader of the Council, and the Council's Legal and Finance Directors.</p>

Reasons for the Decision(s) There is an acknowledged shortage of Grade A office space in Nottingham, which is frustrating the growth plans of indigenous and inward investment businesses. The Angel Row site has been identified as being suitable for potential redevelopment to accommodate Grade A office space. The Council has carried out an initial process of inviting proposals from interested developers; the best three proposals were shortlisted for further clarification. Finalised proposals were then invited from these three developers and the preferred solution for the disposal of the site is the bid put forward by Henry Boot Developments Ltd.

The Nottingham Central Library which is currently situated at the Angel Row site is somewhat dated. The Council is reviewing options for future reprovion of the library and a separate report will follow, which will consider the detailed operational arrangements for the continued provision of the library.

Other Options Considered: A number of options have been appraised during the course of discussions with interested developers. Details of the proposals and options discussed are contained within the exempt appendix.

Background Papers: None

Published Works: None.

Affected Wards: Citywide

Colleague / Councillor Interests: None.

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: The commercially sensitive proposals for the site made by the three private development companies are included within an exempt appendix.
Finance, Legal and separate Property advice are all included within an 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 this is commercially sensitive information, which if understood by competitors could undermine the projects viability.

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 the information includes confidential legal advice which if understood by competitors could undermine the projects viability.

Documents exempt from publication:

2016 10 18 - Angel Row Financial Comments.docx, Leaders key Decision - exempt legal advice on Angel Row 29 09 16.docx, Angel Row Exempt Report 280916v1.6.pdf

Consultations:

Date: 13/07/2016
Ward Councillors: Michael Edwards, David Trimble, Nicola Heaton
Comments were requested.

Date: 04/07/2016
Other City Council Bodies: Programme Assurance Group Meeting:
It was the overall assessment of the Project Assurance Group (PAG) that the project is worth pursuing as an investment opportunity to support the regeneration and economic development of the City, subject to the recommendations set out in their report.

It is expected that the recommendations are dealt with in advance of seeking formal approval to enter into a contract with the developer.

A report has been submitted to PAG members updating them on progress.

Date: 14/07/2016
Other: Corporate Director, Commercial and Operations
Outcome of the discussion incorporated into the report.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

No crime and disorder implications.

Equality:

EIA not required. Reasons: Any changes in policy and service provision will be considered under a separate report.

Relates to Council Property Assets:	Yes
Decision Type:	Leader's Key Decision
Subject to Call In:	Yes
Call In Expiry date:	17/11/2016
Advice Sought:	Legal, Finance, Procurement
Legal Advice:	This advice is exempt from publication and is contained within exempt appendices A and B Advice provided by Andrew James (Team Leader Contracts and Commercial) on 04/10/2016.
Finance Advice:	This advice is exempt from publication and is contained within an exempt appendix Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 18/10/2016.
Procurement Advice:	Based on the understanding that Legal Services have advised that this will be a land deal, there would be no significant procurement implications. Should any procurement(s) be required as a result of changes to the proposal or any further decisions taken, formal tender exercises should be carried out in conjunction with the Procurement Team and in line with Contract Procedure Rules and the Public Contracts Regulations.
Property Advice:	This advice is exempt from publication and is contained within exempt appendix C. Advice provided by Peter Carroll (Head of Portfolio Investment & Development) on 18/10/2016.
Signatures:	Jon Collins (Leader of the Council)
	SIGNED and Dated: 10/11/2016
	David Bishop (Deputy CE, CD for Development and Growth)
	SIGNED and Dated: 10/11/2016