

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2772
Author:	Mona Walsh
Department:	Development
Contact:	Mona Walsh (Job Title: Principal Surveyor - Community Portfolio, Email: mona.walsh@nottinghamcity.gov.uk, Phone: 0115-876-4507)
Subject:	Disposal of International Community Centre, 61b Mansfield Road, Nottingham NG1 3FN
Total Value:	See exempt appendix (Type: Capital)
Decision Being Taken:	<p>To approve the disposal of the International Community Centre, 61b Mansfield Road, on the basis of the Heads of Terms in the exempt appendix, noting that the preferred disposal route agreed by both parties is to sell the freehold interest, although an alternative is the disposal by way of a 999 year lease, if both parties lawyers agree that the required conditions of sale are better met via a long leasehold disposal.</p> <p>To delegate authority to the Director of Strategic Assets and Property to agree any variation to the Heads of Terms required to facilitate the proposed sale, including the authority to agree a freehold or long leasehold disposal.</p>
Reasons for the Decision(s)	<p>The property identified red on the attached plan requires substantial repair to the exterior parts. Selling the property will generate a capital receipt for the Council. The purchaser wishes to invest in the property, carry out a range of improvements and enhance the existing facilities and services.</p> <p>The sale price has been agreed taking account of the market value and reflecting it's location and condition. It is considered that a sale on the agreed terms represents Best Consideration, as detailed in the exempt appendix.</p> <p>The agreed Heads of Terms contained in the exempt appendix contain conditions. It is intended to sell the freehold interest in the property. If both parties lawyers agree this is impossible the sale will be by way of a 999 Full Repairing and Insuring year lease.</p>
Briefing notes documents:	International Community Centre - Plan - Redline - 14 Nov 2016.pdf

Other Options Considered:	Retaining the property was rejected as it is in poor repair externally and the Council does not have funds available to make the property more sustainable. The disposal, on the terms agreed, will ensure the property is repaired and allow the purchaser to carry out improvements and enhance the existing facilities and services.
Background Papers:	None
Published Works:	None
Affected Wards:	St Ann's
Colleague / Councillor Interests:	None
Any Information Exempt from publication:	Yes
Exempt Information:	
Description of what is exempt:	<p>Heads of Terms for disposal</p> <p>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</p>
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 would prejudice sale negotiations.
Documents exempt from publication:	2017-01-13 - DDM - Exempt Information - ICC - Heads of Terms.doc
Consultations:	<p>Date: 13/01/2017</p> <p>Ward Councillors: Jon Collins, David Liversidge, Sue Johnson</p>

No comments received

Date: 13/01/2017

Other:Communities - Marc Petrucci and Vicky Ross

No comment. confirmed no involvement in the management of the centre or any repairs linked to its operation.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: None required. No significant change to property function. Confirmed by Equalities Team 9 Feb 2017.

Relates to Council Property Assets:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

20/03/2017

Advice Sought:

Legal, Finance, Property

Legal Advice:

The proposals set out in the decision raise a number of legal issues which will need to be worked through in the event that the transaction is approved. A 999 year lease is akin to a freehold disposal although it would give the Council a greater degree of control in the future provided that the terms of the lease can be agreed. However, at the outset, it is suggested that the lawyers for both parties work together to try and achieve the required end goal by way of a freehold sale. Advice provided by Malcolm Townroe (Legal Services Manager) on 07/02/2017.

Finance Advice:

The sale of the property will generate a capital receipt for the Council which will either support future investment purchases or be used to improve the standard of other Council properties to generate more income. Advice provided by Mandy Bryce (Finance Analyst) on 26/01/2017.

Property Advice:

This is a decision by the Director of Strategic Assets and Property, therefore no further Property comment is required Advice provided by Rodney Alan Martin (Senior Surveyor) on 08/02/2017.

Signatures

Jon Collins (Leader & PH Strategic Regeneration)
SIGNED and Dated: 10/03/2017
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 10/03/2017