

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2930
Author:	Rodney Alan Martin
Department:	Development and Growth
Contact:	Rodney Alan Martin (Job Title: Senior Surveyor, Email: rod.martin@nottinghamcity.gov.uk, Phone: 01158763075)
Subject:	Demolition of the redundant buildings at the former Fairham Community College site, Summerwood Lane, Clifton
Total Value:	£420,000 (Type: Capital)
Decision Being Taken:	To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, and authorise the Director of Strategic Assets and Property to proceed with the urgent removal of asbestos and demolition of the redundant buildings at the former Fairham Community College site, Summerwood Lane, Clifton
Reasons for the Decision(s)	<p>The former Fairham Community College site was declared surplus to Operational requirements in November 2015. The site is designated in the emerging Local Plan for housing. Pending the adoption of the Local Plan options for the future of the land and buildings are being examined. However over recent weeks the buildings on the site have suffered a number of break ins culminating in a fire badly damaging one of the buildings on the site on 9th May 2017. This building is currently being demolished via an insurance claim. The remaining buildings on site contain asbestos and removal of asbestos followed by demolition of the redundant buildings is the most cost effective way to eliminate any further risk of break in, theft and arson. Following demolition the site will be available for redevelopment subject to Secretary of State approval to release the site from Education use and allocation of this green belt site for development in the Local Plan.</p> <p>The total cost of asbestos removal and demolition, leaving the site clear but with floor slabs and foundations left in place is estimated at £420,000. Dispensation from Financial Regulations is required to facilitate the early demolition of the buildings to bring the health and safety risk the buildings currently pose to an end as quickly as possible.</p>
Briefing notes documents:	Fairham Comprehensive School.pdf, Former Fairham Community College, Community Protection.docx

Other Options Considered:	Not to proceed with the urgent removal of asbestos and demolition of the remaining buildings on site has been rejected as this would not bring an end to the on going break ins to the site or remove the risk to health and safety the site currently poses.										
Background Papers:	None										
Published Works:	Delegated Decision 2265 Fairham Community College: to declare the property surplus to operational requirements and approved for sale.										
Affected Wards:	Clifton South										
Colleague / Councillor Interests:											
Dispensation from Financial Regulations:	Yes										
Consultations:	<table border="1"> <tr> <td>Date: 30/05/2017</td> </tr> <tr> <td>Ward Councillors: Chris Gibson, Corall Jenkins, Steve Young</td> </tr> <tr> <td>No response to consultation e mail</td> </tr> </table> <table border="1"> <tr> <td>Date: 30/05/2017</td> </tr> <tr> <td>Other: Alex Cox, Operations Manager Community Protection. Mark Baguley, Principal Risk Specialist, Insurance and Risk Management</td> </tr> <tr> <td>Community Protection's comments are contained in the attached note. Insurance fully support the proposed demolition</td> </tr> </table> <table border="1"> <tr> <td>Date: 30/05/2017</td> </tr> <tr> <td>Chief Finance Officer: Geoff Walker</td> </tr> <tr> <td>The principal of using the future capital receipt to fund demolition is accepted</td> </tr> </table> <table border="1"> <tr> <td>Those not consulted are not directly affected by the decision.</td> </tr> </table>	Date: 30/05/2017	Ward Councillors: Chris Gibson, Corall Jenkins, Steve Young	No response to consultation e mail	Date: 30/05/2017	Other: Alex Cox, Operations Manager Community Protection. Mark Baguley, Principal Risk Specialist, Insurance and Risk Management	Community Protection's comments are contained in the attached note. Insurance fully support the proposed demolition	Date: 30/05/2017	Chief Finance Officer: Geoff Walker	The principal of using the future capital receipt to fund demolition is accepted	Those not consulted are not directly affected by the decision.
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Crime and Disorder Implications:	The comment of the Operations Manager, Community Protection, contained in the attached briefing note addresses the crime and disorder implications of this decision										

Equality:	EIA not required. Reasons: This decision does not include proposals for new or changing policies, services or functions
Relates to Council Property Assets:	Yes
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	07/09/2017
Advice Sought:	Legal, Finance, Procurement, Property
Legal Advice:	The proposals set out in the report raise no significant legal issues and are supported. Advice provided by Malcolm Townroe (Director of Legal and Governance) on 27/07/2017.
Finance Advice:	<p>A report taken to Executive Board in June 2017 recommended that due to the current commitments in the capital programme no further additions can be made when the project requires funding by corporate capital receipts. However this paper is an exception to the above decision on the basis of the health and safety risks the site currently poses.</p> <p>The £420,000 of Capital expenditure indicated within this decision is to be funded by the future sale of the Former Fairham site (i.e. future capital receipts). This decision paper identifies 2 potential risks relating to the potential sale, which are:</p> <ol style="list-style-type: none"> 1) Secretary of State approval is required to dispose of this site. This risk is considered a relatively low risk as the Council has not had any previous applications to the Secretary of State declined. 2) The site is classed as a green belt site, if this restriction cannot be removed as part of the Local Plan it is unknown whether any capital receipt obtained for the site will be able to cover the expenditure identified in this decision. A further decision will be required to request this site be used for development in the Local Plan. <p>Should either of the above risks materialise and the £420,000 approved expenditure not be covered by the future sale of the site it will create a pressure within the Council's capital programme. This pressure will have to be met from other future corporate capital receipts.</p> <p>Following approval of the decision this project will be added to the capital programme. Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 17/08/2017.</p>

Procurement Advice:

It is our understanding, following a conversation with Rod Martin, that the decision being sought is to dispense with the requirement under Contract Procedure Rule 5.1.2 to go out to public tender for this requirement, and instead they will liaise with Property Services to obtain quotes from suitably qualified and experienced contractors to undertake the works.

If the dispensation is granted then there are no procurement implications with this decision as the value of works is below the OJEU threshold. We would advise that both the client team and Property Services continue to engage with the Procurement Team to ensure that all activity is carried out in compliance with Council rules, and that value is obtained. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 21/07/2017.

Property Advice:

Property project, no further advice required Advice provided by Peter Carroll (Portfolio and Investment Manager) on 07/08/2017.

Signatures

Jon Collins (Leader of the Council)
SIGNED and Dated: 31/08/2017
David Bishop (Deputy CE, CD for Development and Growth)
SIGNED and Dated: 29/08/2017
Geoff Walker (Strategic Director Finance/CFO) - Dispensation from Financial Regulations
SIGNED and Dated: 24/08/2017
Chief Finance Officer's Comments: