

EXECUTIVE BOARD – 16 January 2018

Subject:	Disposal of the former Henry Mellish School's detached playing field at Piccadilly, Highbury Vale, Nottingham
Corporate Director(s)/Director(s):	David Bishop, Deputy Chief Executive/Corporate Director for Development and Growth Kevin Shutter, Director of Strategic Assets and Property
Portfolio Holder(s):	Councillor Jon Collins, Leader/Portfolio Holder for Strategic Infrastructure and Communications
Report author and contact details:	Emma Wilcock, Senior Estates Surveyor – Property Services, Disposals and Development Email: Emma.Wilcock@nottinghamcity.gov.uk Telephone 0115 8763077
Subject to call-in:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Key Decision:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Criteria for Key Decision:	
(a) <input type="checkbox"/> Expenditure <input checked="" type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input type="checkbox"/> No	
Type of expenditure: <input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital	
Total value of the decision: As contained with the Exempt Appendix	
Wards affected: Bulwell Forest	
Date of consultation with Portfolio Holder(s): Ongoing, including 21 November 2017	
Relevant Council Plan Key Theme:	
Strategic Regeneration and Development	<input checked="" type="checkbox"/>
Schools	<input type="checkbox"/>
Planning and Housing	<input checked="" type="checkbox"/>
Community Services	<input type="checkbox"/>
Energy, Sustainability and Customer	<input type="checkbox"/>
Jobs, Growth and Transport	<input type="checkbox"/>
Adults, Health and Community Sector	<input type="checkbox"/>
Children, Early Intervention and Early Years	<input type="checkbox"/>
Leisure and Culture	<input type="checkbox"/>
Resources and Neighbourhood Regeneration	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>In May 2015 the Executive Board approved the adoption of the Playing Pitch Strategy (PPS). The development of the PPS saw Nottingham City Council working with other key partners, including Sport England (SE), in assessing the City's need for outdoor sport and recreation facilities. The PPS has provided a strategic framework which informs on land use decisions for existing outdoor sports areas and playing fields.</p> <p>The PPS releases several sites previously used to accommodate playing pitches. With the confidence that SE accept that these specific sites are surplus to the requirements of the City, and are available to be included in the Local Plan Part 2: Land and Planning Policies document, Property Services are in a position to take the sites forward for sale, enabling development opportunities that will serve to make a significant contribution towards the City's housing requirements. As set out in the Nottingham City Aligned Core Strategy (adopted 2014), a total of 17,150 dwellings are required over a 15 year plan period between 2011 and 2028.</p>	

Exempt information: State 'None' or complete the following

An appendix to the report is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial and business affairs of the Council and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is not in the public interest to disclose this information because this would jeopardise the Council's ability to ensure best consideration is achieved on sale.

Recommendation(s):

- 1** To agree the principle of selling Nottingham City Council's freehold or long leasehold interest in the former Henry Mellish School's detached playing field at Piccadilly, Highbury Vale, Nottingham and to delegate authority to the Director of Strategic Assets and Property, in consultation with the Leader, to agree the method and terms of sale (including price).
- 2** To delegate authority to the Director of Strategic Assets and Property, to approve any instructions and associated expenditure required prior to sale. Such expenditure may include, but is not limited to, the sourcing of site and ground investigations, demolition of buildings, appointment of experts or specialists in development and planning matters to obtain a planning consent prior to sale.
- 3** To utilise the capital receipt as required by the Secretary of State for Education's consent to dispose of the site.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Nottingham's Playing Pitch Strategy recognises the subject site as surplus to the sports and recreational needs of the city. The site comprises open land and provides great potential as a development opportunity to contribute to the city's housing need whilst also enabling the Council to achieve capital receipts.
- 1.2 The Secretary of State for Education, granted consent, July 2017, to disposal of the former school playing field.
- 1.3 The site is identified by Property as suitable for residential development and is proposed residential allocation with in the emerging Local Plan Part 2: Land and Planning Policies document.
- 1.4 Property propose sale of the site for residential development with covenants on sale to ensure new homes are delivered within a reasonable timescale.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 In July 2007, Executive Board confirmed the decision to discontinue Henry Mellish Secondary School, ahead of its merger with River Leen School, to facilitate the opening of an academy for the Bulwell area - Bulwell Academy.
- 2.2 In December 2008, Executive Board confirmed the intention to sell the 'Henry Mellish School site and the Kersall Drive detached playing field'. This decision included provisions relating to the use of the Capital Receipt, in that it should be used to cover costs incurred in the wider Academies programme. This decision supersedes the 2008 decision. There is no longer a recommendation to dispose of the Kersall Drive detached playing field which is allocated as Open Space in the Local Plan. Further, the Council is to use the receipt in line to the Secretary of State application and grounds for consent.

- 2.3 In 2009, Henry Mellish School closed; the closure left the subject land, a detached playing field 0.2 miles from the site of the former school buildings, surplus to the educational requirements of the Council.
- 2.4 The site comprises a relatively flat, square area of land, with road frontage to three boundaries. The land measures approximately 2.84 acres (1.15ha).
- 2.5 Initial advice is that the site would be suitable for residential development in the region of 52 homes (subject to ground investigations and a full planning application).
- 2.6 The decision of Executive Board taken in May 2015 to adopt the PPS agreed by Nottingham City Council and all relevant partners, further confirms that the site is surplus to the sports and recreations needs of the city.
- 2.7 The Secretary of State for Education, consent to disposal is subject to the capital receipt being reinvested in accordance with the proposals set out in the Council's application – to replenish the deficit incurred in connection with improvement and expansion works at Forest Fields Primary (2013) under Nottingham City Council's Central Area School Reorganisation.
- 2.8 Ward Councillors for the affected ward have been invited to consultation sessions with Property, Regeneration and Planning Officers and are supportive of the recommendations of this report. Since a meeting with the aforementioned parties, 4 November 2015, further consultation and updates have been communicated, including a public consultation event.
- 2.9 No direct issues were raised by the Ward Councillors, regarding the principle of this decision. Comments concerning potential for parking issues due to the number of schools in the vicinity, and hospital on Highbury Road, are noted. Such matters would be considered as part of any planning application.
- 2.10 Consultation notices have been published in the Nottingham Post, in accordance with the Local government Act 1972, Section 123; no responses have been received.
- 2.11 This report seeks the approval of the Executive Board to the 'in principle' decision to dispose of the City Council's ownership in the subject site.
- 2.12 By delegating authority to the Director of Strategic Assets and Property, in consultation with the Leader, to approve the finer detail of the processes and sales contract, the Executive Board will allow the degree of flexibility required to facilitate negotiation and the timely completion of the sale.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Not to sell the site would be a missed opportunity by the City Council to contribute towards tackling the City's housing need by enabling development and would mean foregoing the capital receipts to be achieved on sale.
- 3.2 Retention of the site is not recommended as no alternative use has been identified. Retention of this site is a financial burden on the Council due to the need to ensure security and maintenance, with no opportunity for a suitable return. Further, a capital receipt was relied upon, in the approval to the Central Area Schools Reorganisation.

4 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 As detailed in previous approvals (Executive Board December 2008 and Executive Board January 2012), the capital receipt from the sale of the Henry Mellish School playing field is to be reinvested in the School / Education capital programme as detailed in section 2.7 above.
- 4.2 The Henry Mellish playing field site has had no capital works prior to this decision (e.g. demolition). Therefore, this project is not required to allocate any of the receipt generated from the sale to the General Fund Capital Programme and all of the receipt generated will be used as detailed in section 2.7.
- 4.2 Following the approval of the recommendations included in this report the Capital Programme funding projections will be amended as detailed in the exempt appendix.

Tom Straw – Senior Accountant (Capital Programmes)

5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 The proposals set out in the report raise no significant legal issues and are supported. As alluded to in the report the requisite approval to allow disposal of the site has been given by the Secretary of State for Education but with conditions attached that must be adhered to.

Malcolm R Townroe, Director of Legal and Governance

6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE)

- 6.1 This is a report of Strategic Assets and Property and no additional comments are therefore required in addition to those already included, and those provided within the exempt appendix.

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 Completion of a sale will enable an increase in the availability of affordable housing within the city.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 Not applicable.

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:

(Please explain why an EIA is not necessary)

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

10.1 No additional background papers are relied upon in the writing of this report.

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

11.1 Disposal of Henry Mellish School and Sports College, Executive Board 16 December 2008.

11.2 Proposed disposal of the Melbury playing field, Executive Board 22 May 2007.

11.3 Adoption of the Playing Pitch Strategy and Sport & Physical Activity Strategy for the City, Executive Board 16 June 2015

11.4 Nottingham Playing Pitch Strategy 2015