

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3106
Author:	Rizvan Shafiq
Department:	Development and Growth
Contact:	Rizvan Shafiq (Job Title: Senior Estates Surveyor, Email: rizvan.shafiq@nottinghamcity.gov.uk, Phone: 8763087)
Subject:	Grant of an easement enabling access over Finch Close, Lenton Lane Industrial Estate, Nottingham
Total Value:	See Exempt Appendix (Type: Capital)
Decision Being Taken:	To regularise the right of way to industrial land at Finch Close, Lenton Industrial Estate on the terms detailed in the exempt appendix.
Reasons for the Decision(s)	<p>The subject land extending to approximately 2.25 acres, is let on a 125 year lease. Industrial units known as Central Court have been developed on the land (c1980s). Central Court consists of 5 industrial units, 4 (units 1,2,4 and 5) are held by J Jelly and Son Limited and unit 3 was assigned in 1995.</p> <p>When the lease was granted, no rights of way/servicing were allowed for over the access road, Finch Close; it was anticipated at the time that Finch Close would be adopted, this has not been the case and Finch Close remains privately owned by the Nottingham City Council. Nevertheless, the occupiers on Finch Close (including Central Court) have used the road for many years.</p> <p>J Jelly and Son Limited placed the subject units on the market for sale through their agents who have secured a buyer. The purchasers have requested that the current tenants regularise the access before they will complete on the sale. Accordingly, terms have been negotiated in order to formalise the access from Lenton Lane (which is adopted) over Finch Close, to the subject property.</p>
Briefing notes documents:	Rights of Way Plan.pdf
Other Options Considered:	Not to formalise the rights of way - This option is not recommended in light of the request from the tenants and opportunity to realise a capital receipt for the benefit of the Trading Account.

Background Papers:

None

Published Works:

None

Affected Wards:

Dunkirk and Lenton

**Colleague / Councillor
Interests:**

None

**Any Information Exempt
from publication:**

Yes

Exempt Information:

**Description of what is
exempt:**

Financial details and the terms agreed.

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 disclosure of the terms agreed could prejudice future negotiations that the Council undertakes.

**Documents exempt from
publication:**

2018.03.07 - Exempt Appendix Finch Close.docx

Consultations:

Those not consulted are not directly affected by the decision.

**Crime and Disorder
Implications:**

None

Equality: EIA not required. Reasons: This is not a new or changing policy, service or function.

Relates to Council Property Assets: Yes

Decision Type: Officer

Executive Decision? No

Scheme of Delegation Reference Number or Other Source of Delegation: 235

Advice Sought: Property

Property Advice: This decision will regularise the situation with access to these units and in return the Council will receive payment for formally agreeing to this right. Advice provided by Pippa Hall (Portfolio and Investment Manager) on 08/03/2018.

Signatures: Kevin Shutter (Director of Strategic Asset and Property)
SIGNED and Dated: 13/03/2018