

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

**Reference Number:**

**3745**

**Author:**

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**Department:**

**Development and Growth**

**Contact:**

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**Subject:**

**Purchase of freehold interests of units 12,14, 15 and 16 Hartley Court, Norton Street, Nottingham NG7 3AN**

**Total Value:**

**Exempt (Type: Capital and Revenue)**

**Decision Being Taken:**

**To agree to the purchase of units 12,14,15 and 16 Hartley Court, Norton Street, Radford, Nottingham NG7 3AN, as detailed in the exempt appendix.**

**Reasons for the Decision(s)**

Hartley Court is situated on Norton Street, off Hartley Road between Radford Boulevard (A6130) and Alfreton Road (A610), approximately one mile North-West of the City Centre. The local surrounding area largely comprises established residential and student accommodation developments.

Hartley Court itself comprises 15 self-contained industrial units within a U shaped courtyard complex of single storey steel portal frame construction with brick and blockwork elevations beneath a pitched profile steel sheet roof incorporating translucent roof lights.

Units 1-11 (edged blue on the attached plan) are in the ownership of Nottingham City Council and were built in the 1980's. The remaining four units 12-16 (edged red on the attached plan comprising the 'subject properties' are owned by Castle Cavendish Foundation and are located to the northern end of Hartley Court and were more recently built (around 2007). For the avoidance of doubt there is no unit 13.

Of the four industrial units comprising the subject properties, units 15-16 have recently been combined into one unit. These units were constructed and dove-tailed into the two flank rows of the terraced units to complete the courtyard now comprising Hartley Court. The units are let by Castle Cavendish.

Each of the subject properties benefits from a manual up and over roller shutter door and separate pedestrian entrance. All the units benefit from a WC, small office and kitchenette.

All four units are in good condition commensurate with their age and specification. See attached condition survey produced by Pick Everard Building Surveyors.

Since November 2007 Castle Cavendish Foundation leased units 1-11 from the City Council and in turn sublet the units. However, recently they have surrendered them back to the Council. This created issues around rights of way for their units across the courtyard passing units 1-11. Accordingly, Castle Cavendish have offered the units to the City Council to acquire.

Should the Council opt to purchase the units they would be acquired for the Chamber Trading Account and therefore need to meet the investment objectives of the same and provide a rental income into the Property Trading Account. In addition, the Council would benefit from owning the freehold of the whole site which would elevate issues around the possible future development.

**Briefing notes documents:**

Hartley Court Land Plan.pdf

**Other Options Considered:**

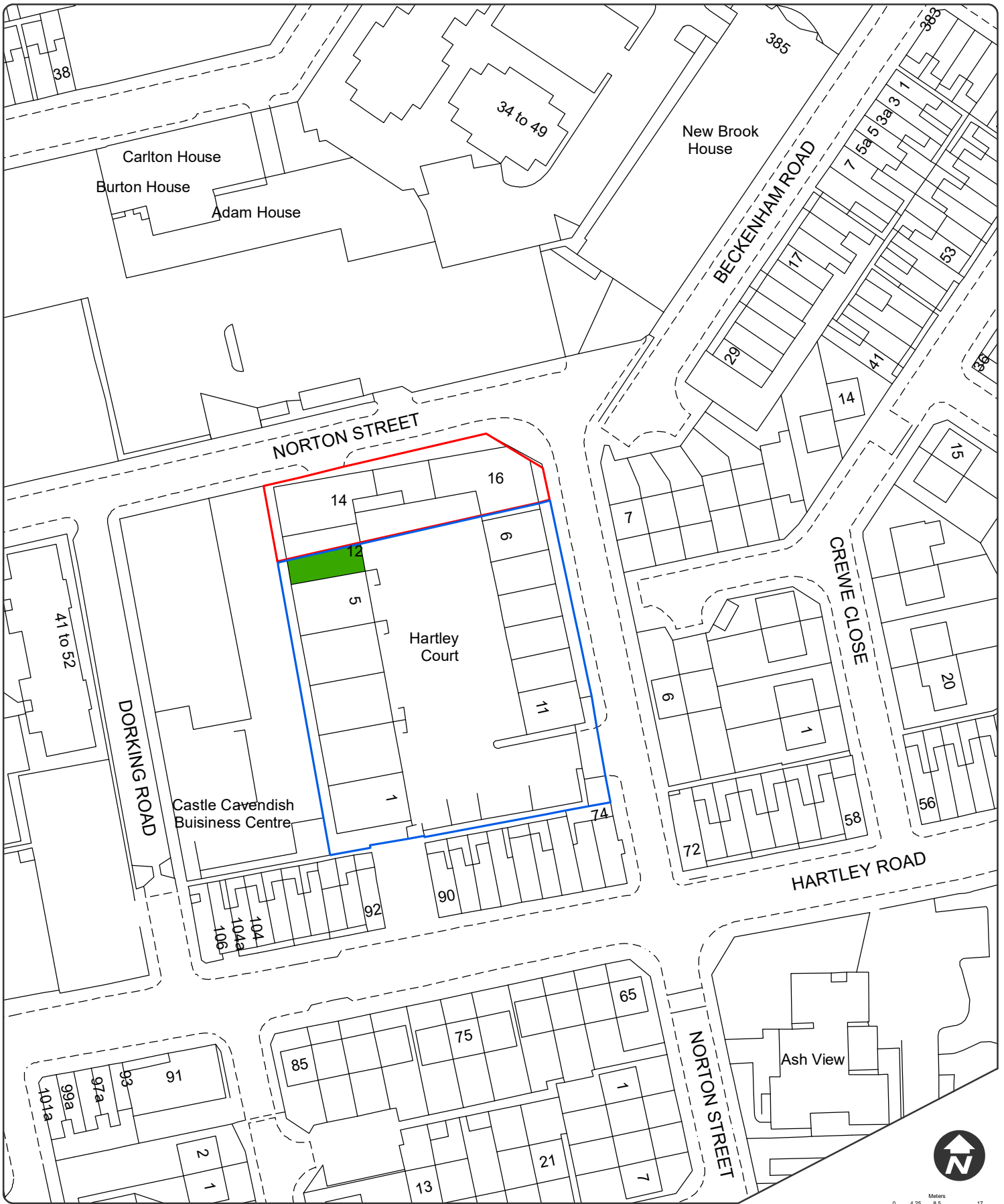
Not to purchase the units - this option was rejected as it would result in management issues and possible legal disputes in respect of right of ways.

**Background Papers:**

None

<b>Published Works:</b>	None
<b>Affected Wards:</b>	Radford
<b>Colleague / Councillor Interests:</b>	None
<b>Any Information Exempt from publication:</b>	Yes
<b>Exempt Information:</b>	
<b>Description of what is exempt:</b>	Financial details of the negotiated terms, and legal counsel on right of way dispute.
	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
<b>3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).</b>	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it could prejudice future negotiations that the Council undertakes.
<b>5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</b>	The public interest in maintaining the exemption outweighs the public interest in disclosing the information because it contains a legal opinion received by the City Council from an external party.
<b>Documents exempt from publication:</b>	2019.12.04- Exempt Appendix Hartley Court.docx, Counsel Opinion.pdf
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	None

<b>Equality:</b>	EIA not required. Reasons: This is not a new or changing policy, service or function.
<b>Relates to Council Property Assets:</b>	Yes
<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	02/01/2020
<b>Advice Sought:</b>	Legal, Finance, Property
<b>Legal Advice:</b>	The proposals set out in the report raise no significant legal issues and, on the basis of the rationale outlined, are supported. Advice provided by Malcolm Townroe (Director of Legal and Governance) on 17/12/2019.
<b>Finance Advice:</b>	The Council is expected to fund the purchase of freehold interest of units 12, 14, 15 and 16 Hartley Court from Property Trading Account Capital Receipts. Total payable value has taken into account of dilapidations, trespass and other associated claims, which are included in the exempt appendix. The new leases on those units will increase the rental income for the Chamber Estate portfolio and contribute towards the SAM Big Ticket Savings Target. Advice provided by Mandy Bryce (Finance Analyst) on 10/12/2019.
<b>Property Advice:</b>	The purchase of the units will provide the property trading account with revenue income and will regularise the position with the ownership of the estate. Advice provided by Pippa Hall (Portfolio and Investment Manager) on 12/12/2019.
<b>Signatures</b>	David Mellen (Leader/ PH Regeneration, Safety and Communications) SIGNED and Dated: 20/12/2019 Chris Henning (Corporate Director for Development and Growth) SIGNED and Dated: 18/12/2019



Hartley Court

Scale @ A4 = 1:1,000

- Units 1-11
- Units 12-16
- Land Taken

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 Development**