

REPORT OF THE LEADER OF THE COUNTY COUNCIL**RUDDINGTON YOUTH AND COMMUNITY CENTRE - PROPOSED DISPOSAL****Purpose of the Report**

1. To seek approval to sell Ruddington Youth and Community Centre, The Green, Ruddington, Nottingham NG11 6HH based on the Heads of Terms as detailed in the exempt appendix.
2. If an offer is made by a community interest group, and the terms are no less favourable than the Heads of Terms outlined in the exempt appendix, that delegated authority be given to the Corporate Director, Place, to approve the terms of disposal in consultation with the Chair of the Committee.

Information

3. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972. Having regard to the circumstances, on balance the public interest in disclosing the information does not outweigh the reason for exemption because divulging the information would significantly damage the Council's commercial position. The exempt information is set out in the exempt appendix.
4. The property was occupied by a company by way of a lease from March 2015; however, the company subsequently went into liquidation and the lease was surrendered in 2017. The property has remained unoccupied to date; it is currently boarded and has suffered break-ins and vandalism.
5. The property is listed as an Asset of Community Value by Rushcliffe Borough Council (RBC), following an application by Ruddington Parish Council (RPC) in 2017. Before marketing or agreeing terms with buyers, the County Council is required to notify RBC of its intention to sell the property.
6. The County Council has obtained an independent valuation of the property, details of which can be found in the exempt appendix.
7. RPC has made an offer to acquire the property, details of which can be found in the exempt appendix.
8. Although the property was not formally marketed, the offer received matches

market value as reported in the independent valuation.

9. RBC was formally notified of the County Council's intention to dispose of the property on 31st December 2018. The County Council must wait until 19th February 2019 (six weeks from the date of notifying RBC) to allow community interest groups to make a written request to be treated as a potential bidder. If none do so in this period, the County Council is free to sell the property at the end of the six week interim period.
10. If a community interest group makes a request during this interim period, then a six month moratorium (again from the point the County Council notifies RBC) will operate. During this period the County Council may continue to market and negotiate sales but may not exchange contracts (or enter into a binding contract to do so later). There is one exception; the County Council may sell to a community interest group during the moratorium period.
11. After the moratorium period – either the six weeks if there has been no community interest, or the full six months – the County Council is free to sell to whomever it chooses and at whatever price, and no further moratorium will apply for the remainder of a protected period lasting 18 months (running from the same start date of when the County Council notified RBC of wishing to sell).

Other Options Considered

12. The following additional options have been considered:
 - a. Retain the Property: the property is vacant, is surplus to the operational requirements of the County Council and therefore can be sold. There is no need to retain the property.
 - b. Lease the property: this would be an alternative to outright sale, but the prospects to achieve long term and consistent rental income from the letting of the property are considered poor, given the performance of the previous tenant. Any letting interest which might be generated is likely to be short term or sporadic, with significant void periods likely.

Reason/s for Recommendation/s

13. To enable the sale of a surplus asset and to secure a capital receipt to the County Council.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate

consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That approval is given to sell the property to RPC on terms outlined in the exempt appendix, pending any interest from community interest groups.
- 2) If an offer is made by a community interest group, and the terms are no less favourable than the Heads of Terms outlined in the exempt appendix, that delegated authority be given to the Corporate Director, Place, to approve the terms of disposal in consultation with the Chair of the Committee.

Councillor Mrs Kay Cutts MBE
Leader of the County Council

For any enquiries about this report please contact: David Hughes, Service Director - Investment & Growth, Tel: 0115 9773825 / James Houghton 0115 9773600

Constitutional Comments [CEH 18/01/2019]

15. The recommendations fall within the remit of Policy Committee under its terms of reference.

Financial Comments ()

16. The financial implications are set out in the report.

Background Papers and Published Documents

17. Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

18. Ward(s): Leake & Ruddington
Member(s): Councillor Reg Adair, Councillor Reg Adair