

REPORT OF THE LEADER OF THE COUNTY COUNCIL**SALE OF LAND ADJACENT TO SKYLARKS CARE HOME, ADBOLTON LANE, NOTTINGHAM****Purpose of the Report**

1. To seek approval to the surrender from existing tenancy and disposal of a strip of land adjacent to Skylarks Care Home, Adbolton Lane, Nottingham as shown edged and hatched on the attached plan.

Information

2. Church Farm Care, the owner of the Skylarks Care Home has obtained planning consent to enable the extension of their existing care home which to implement requires the acquisition of adjacent Council owned land for provision of car parking. The land forms part of the larger Kentrigg Farm holding which is let on a tenancy and indicated shaded grey on the plan.
3. Church Farm Care has therefore approached the Council with a view to acquiring this land and terms have been agreed as follows.
4. Purchaser : Church Farm Care, Church Lane, Cotgrave, Nottingham

Property: Approximately 0.82 acres (0.33 Hectares) of land at Adbolton Lane as indicated edged and hatched on the attached plan.

Tenure: Freehold with vacant possession.

Sale price: £300,000 (three hundred thousand pounds).

User/development conditions: For the extension of the care home only, in accordance with planning consent.

Fencing: The purchaser to provide and maintain a suitable boundary fence, in accordance with planning requirements.

Access: The Council to retain permanent vehicular and pedestrian rights of access across the site for the benefit of its retained land, namely Kentrigg Farm, ensuring that access is retained at all times during the period of works.

Costs: Each party to bear their own costs incurred.

5. The sale is subject to the Council providing vacant possession of the site and terms have been agreed with the tenant of Kentrigg Farm to surrender the subject land

from their tenancy retaining rights of access with both parties being responsible for their own costs incurred.

6. The Council has an obligation under s123 Local Government Act 1972 to obtain the best price reasonably obtainable for the disposal of its assets. The terms have been negotiated on a one to one basis with Church Farm Care with no recourse to the market due to their status as a special purchaser as adjoining owner potentially able to pay more than any other party. An independent valuation report has been undertaken by a specialist in the valuation of care homes which confirms that the value of the Council's strip of land having the benefit of planning consent for the neighbouring site would significantly increase the value above the market value in its existing use and the price agreed is acceptable. While the existing tenancy of the land is being surrendered the independent valuation has confirmed that due to the proximity of the care home, the central positioning of the road and size and shape of the site suggests that alternative development opportunities are extremely limited, and therefore it is highly unlikely that interest or offers for purchase would be gained from other parties on the open market. The proposed terms are therefore considered to represent best value to the Council.
7. The valuation advice has confirmed that the impact on the rental and capital value of the retained land at the Kentrigg Farm would be negligible.
8. As a private treaty disposal to one party, in accordance with the Council's constitution, the Group Manager of Legal Services and the s151 Officer have been consulted in respect of this proposed transaction and whether it is appropriate to proceed. They are satisfied that it is appropriate to proceed on the basis of the conditions of sale.

Other Options Considered

9. The option of not progressing with a sale. However, this would restrict the potential to extend the neighbouring care facility and delay a potential capital receipt for a parcel of land with otherwise limited value.

Reason/s for Recommendation/s

10. The disposal of the strip of land adjacent to Skylarks Care Home provides the County Council with a capital receipt and enables the extension of a local established care facility without greatly impacting on the County Council retained land.

Statutory and Policy Implications

11. 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) To approve the sale of the freehold interest with vacant possession in land at Adbolton Lane as indicated edged black and hatched on the attached plan to Church Farm Care for £300,000 with other terms as set out in this report;
- 2) To approve the taking of surrender of the subject site from the existing tenant of Kentrigg Farm.

Councillor Mrs Kay Cutts MBE

Leader of The Council

For any enquiries about this report please contact: Derek Higon, Service Director, Place and Communities, Tel: 0115 9773498

Constitutional Comments (CEH 02/02/2020)

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

Financial Comments (GB 19/12/2019)

13. The report sets out that the proposed disposal terms are considered to represent “best value “ to the Council. In line with the Council’s current policy the capital receipts will be used either to fund transformation costs or will be set against the principal of previous years’ borrowing.

Background Papers and Published Documents

- None.

Electoral Division(s) and Member(s) Affected

- Ward(s): Radcliffe on Trent
Member(s): Councillor Mrs Kay Cutts MBE

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SP: 3597

Properties affected: 00254 - Kentrigg Farm

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