

22 April 2013

Agenda Item: 7(f)

**REPORT OF SERVICE DIRECTOR – TRANSPORT, PROPERTY &
ENVIRONMENT**

DISPOSAL OF LAND AT HALAM C OF E PRIMARY SCHOOL

Purpose of the Report

1. To seek approval of the Finance & Property Committee to:
 - a. dispose of land at Halam C of E Primary School
 - b. the terms of the disposal

Information and Advice

2. Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.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.
3.
 - a. Nottinghamshire County Council (NCC) is proposing to sell a small parcel of land of approximately 2m².
 - b. The proposed purchasers, who own the property adjacent to Halam School contacted NCC and the school in 2012 with a formal offer to purchase the land.
 - c. Terms were agreed with the purchaser subject to consultation with Halam School and formal NCC approval.
 - d. The school did not raise any objection to the disposal subject to the purchaser being required to reinstate the boundary fence using the County Council's fencing contractor in order to deal with any safeguarding issues and to ensure that the required works meet the appropriate standard.
4. The terms of the proposed disposal, which are commercially sensitive, are detailed in the exempt appendix.
5. The sale of this area of land is subject to approval from the Department of Education under Section 77 School Standards and Framework Act 1998. An application will be made after Committee Approval has been given.

Other Options Considered

6. No other options were considered.

Reason/s for Recommendation/s

7. No objections have been raised by the school with regard to the disposal and the disposal will gain a capital receipt for NCC.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service 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 dispose of land at Halam C of E Primary School on the terms set out in the exempt appendix.

Jas Hundal

Service Director - Transport, Property & Environment

For any enquiries about this report please contact: EAMONN HARNETT 0115 977 2028

Constitutional Comments (CEH 22-3-13)

9. The recommendation falls within the remit of the Finance and Property Committee. When disposing of land the Council is required to obtain the best price reasonably obtainable on the open market and therefore the Committee should satisfy themselves of this. The sale will also be subject to obtaining s77 consent to sell and cannot proceed if this consent is not forthcoming.

Financial Comments (TR 22-3-13)

10. Any sale will generate a capital receipt which will be used to help fund the Capital Programme. The legal costs will be funded by the purchasers.

Background Papers

11. None

Electoral Division(s) and Member(s) Affected

12. Ward(s): Newark and Sherwood - Farnsfield and Lowdham
Member(s): Councillor Andy Stewart