



22 April 2013

Agenda Item:7(a)

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

UPLIFT PAYMENT – WHATTON LODGE FARM, WHATTON

Purpose of the Report

1. To inform the Finance & Property Committee of the overage payment in respect of Whatton Lodge Farm, Whatton as detailed in the exempt appendix.

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 Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.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. Whatton Lodge Farm (c. 120 acre farm with house and outbuildings) was sold by the Authority at auction in 2011.
4. Under the terms of the sale, if planning consent is obtained for change of use of any part then an uplift payment will be due to the Authority.
5. The property owners have recently obtained planning consent for the conversion of a barn at the site (shown hatched on the attached plan) to residential use and so a payment is now due.
6. Following negotiations, a settlement on the value of the uplift has been agreed and the detail of this is contained in the exempt appendix which is annexed to the report.

Other Options Considered

7. None, if the parties cannot agree an overage figure then an independent valuer can be appointed which may result in the County Council incurring costs.

Reason for Recommendation

8. The transaction will provide a capital receipt to the Authority.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, 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

1. That the Finance & Property Committee notes the acceptance of the overage payment in respect of Whatton Lodge Farm, Whatton as detailed in the exempt appendix to this report.

Jas Hundal

Service Director, Transport, Property and Environment

For any enquiries about this report please contact: Tim Slater 0115 9772076

Constitutional Comments

10. The report is for noting purposes only.

Financial Comments (TR 22-3-13)

11. The uplift payment will be used to help fund the Capital Programme.

Background Papers and Published Documents

12. None.

Electoral Division(s) and Member(s) Affected

13. Ward(s): Bingham
Member(s): Councillor Martin Suthers OBE