

Committee:	Executive	Agenda Item No.:	2
Date:	17 th March 2014	Status	Open
Category	Decision within the functions of Executive		
Subject:	Land at Southfield Lane, Whitwell		
Report by:	Senior Economic Development Officer (NEDDC)		
Other Officers Involved	N/A		
Director	Chief Executive		
Relevant Portfolio Holder	Portfolio Holder for Regeneration		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities

By providing clarity and certainty on the District's position regarding this site, it will permit meaningful dialogue to take place between the HCA and other parties, which will increase the possibility of bringing this site forward to the benefit of the local community.

VALUE FOR MONEY

In relinquishing any future interest in the site in the form of a lease or outright purchase, the District will not be responsible for management and maintenance costs, nor be exposed to potential costs relating to future risks including contamination and/or public liability issues.

Reasons for Urgent

The Leader has consented to taking this item as urgent because the HCA require a response as soon as reasonably practicable. To wait until the April meeting before making a decision would therefore not be in the best interests of the local community or Council efficiency.

1. Introduction

1.1 A report on Southfield Lane, Whitwell, was presented at Executive in February 2014 to explore a number of options relating to the site, and the implications of securing a lease with the current owners of the site, the HCA. The options presented were:

- ⤴ That prior to further lease negotiations with the HCA, a desk stop study is commissioned and site investigations are carried out to fully determine the level of contamination on the site. It is estimated that a budget of £10,000 to £15,000 would be required for this, and to date a budget has not been allocated or identified. A thorough risk assessment would also be required to identify risks that BDC may be exposed to as leaseholder on the site.
- ⤴ That BDC purchase the site outright. Again, no budget has been allocated for this, and it is unlikely that a developer would be identified to unlock the value in the short to medium term, leaving BDC with a long term maintenance and management liability.
- ⤴ That a third party, e.g. the affected Parish Council(s) or Welbeck Estates, purchase the site. Neither the Parish(es) nor Welbeck Estates have been approached to discuss this, so this remains an unclear option.
- ⤴ That all discussions with the HCA are suspended and that they take the site forward to auction to dispose by 31st March 2014.

1.2 It was agreed that a decision would be deferred and that the issue would be referred to Cabinet for further deliberation.

2. Issues for Consideration

- 2.1 In addition to discussions at BDC regarding this site, a special meeting was held by Whitwell Parish Council to consider issues relating to Southfield Lane. The meeting was also attended by Members from BDC and Hodthorpe and Belpth Parish Councils. A representative of the HCA was present, together with a NEDDC officer and members of the public, including the Whitwell Against Alkane protest group.
- 2.2 A consensus was reached at the meeting that discussions would take place between the HCA and the Parish Council(s) to explore the possibility of an interest being secured in the site, either in the form of a lease or outright purchase. It should be noted that the HCA currently value this site at £263,000, although the Chair of the meeting suggested that if a change of use to open space (from its current allocation as employment land) could be achieved then this would be reflected in a lower value
- 2.3 Clarity was sought by Whitwell Parish Council regarding the future interest of BDC in the site, and the District Council's discussions with the HCA regarding the options set out in paragraph 1 above, and that is the main purpose of this report.

- 2.5 It is recommended therefore that, to enable a productive dialogue between the HCA and Whitwell Parish Council to develop, BDC formally inform the HCA that due to a lack of a capital budget to mitigate the risks listed above, the District Council will cease all negotiations relating to Southfield Lane. This will allow sufficient time for the Parish to consider all options and implications for entering into an agreement for the land before the HCA's deadline of 28th July 2014. If no agreement is reached by this deadline, the HCA reserve the right to dispose of the site on the open market.

3. Recommendations

- 3.1 That the District Council formally inform the HCA that all negotiations between BDC and the HCA relating to the Southfield Lane site are to be discontinued.