



Operational Officer Decision Record

Where the decision has a financial value of between £100k - £350k and does not have a **significant** impact on two or more wards

1. Subject and details of the matter (to include reasons for the decision and detail of any previous cabinet decision)

Proposed New Lease – Plot Q Kiln Lane Industrial Estate, Stallingborough, DN41 8DW

Plot Q Kiln Lane Industrial Estate is located on the east side of Europa Way and comprises undeveloped industrial land with a total site area of 2.76 hectares (6.81 acres). The extent of the site is shown on the plan in Appendix A. Terms have already been agreed for a lease of part of the site comprising 2.21 acres and edged blue on the plan, to Stallingborough Truck Park Limited which is pending completion. This leaves a residual area of 4.6 acres which is shown edged red.

The Council own the freehold interest and the site is being marketed For Sale or To Let by PPH Commercial. The marketing campaign originally resulted in three offers being received with all interested parties seeking a long term leasehold interest. One offer was subsequently withdrawn and the remaining two offers are summarised in Closed Confidential Appendix B:

Approval is sought to accept the highest offer for a lease of part of the site extending to approximately 2 acres. The offer is conditional on the proposed tenant obtaining planning permission for a battery storage/generating plant facility. The commercial terms are outlined in Close Confidential Appendix B.

Reason for decision

The offer relates to part of the site of approximately 2 acres, which leaves the Council with c.2.6 acres to market moving forward. The marketability of the remaining land will be improved through the provision of a newly created access by the proposed tenant.

The site has been openly marketed, therefore by accepting the highest offer, the Council would be able to demonstrate that it has obtained the best consideration reasonably obtainable in accordance with S.123 of the Local Government Act 1972.

2. Decision being taken

That the Executive Director of Environment, Economy and Resources, in consultation with the Portfolio Holder for Finance, Resources and Assets, settle all terms and ensure that all necessary actions are carried out to complete the proposed lease.

3. Anticipated outcome(s)/benefits

The proposed lease will result in an initial capital receipt together with a long term commercial rental income. The creation of a new access by the proposed tenant, will benefit the Council by improving the marketability of the remaining land.

4. Details of any alternative options considered and rejected by the officer when making the decision

Do nothing

Deciding not to proceed with either offer, would result in forgoing a rental income and capital receipt and the Council would continue to be responsible for managing the vacant site.

Accept an alternative offer

If the Council wanted to proceed with the alternative offer, this would represent a disposal for less than best consideration. In those circumstances, the Council would need to have regard to the statutory well-being powers i.e assessing the specific social, economic or environmental wellbeing benefits being delivered, in lieu of accepting a rent below market value.

5. Background documents considered (web link to be included or copies of documents for publishing)

N/A

6. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

Yes – Appendix B - Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

7. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A.

8. Monitoring Officer Comments (Monitoring Officer or nominee)

This is an operational decision and within the Constitutional remit of the named Director.

9. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The lease of land will generate a capital receipt that can be invested into the Council's Capital Programme, plus ongoing annual revenue income for the remaining life of the lease.

10. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications.

11. Risk Assessment (in accordance with the Report Writing Guide)

The risk to the Council in granting the proposed lease is considered minimal. The proposed lease is conditional on the proposed tenant obtaining planning permission, so if the planning application was unsuccessful the lease wouldn't complete.

Following completion of the lease, the risks and obligations associated with ownership of the site will pass to the tenant for the duration of the long term lease.

12. If the decision links to a previous one taken by Cabinet, has the Cabinet Tracker been updated?

15. Decision Maker:

Name: Sharon Wroot

Title: Executive Director Place and
Resources

Signed: REDACTED

Dated: **20/05/2024**

**16. Consultation carried out with
Portfolio Holder:**

Name: Cllr Stephen Harness

Title: Portfolio Holder for Finance,
Resources and Assets

Signed: REDACTED

Dated: 20th May 2024

Appendix A

Site Plan

