



**REPORT TO CABINET  
TO BE HELD ON  
13 SEPTEMBER 2016**

**NOT FOR PUBLICATION - This report contains exempt or confidential information contained in Appendix 1 which is excluded from this publication.**

<b>Key Decision</b>	<b>No</b>
<b>Forward plan Ref No.</b>	<b>32</b>
<b>Cabinet Portfolio Holder</b>	<b>Cllr M Cockerill, Harbours, Assets, Coast and Flood Protection</b>

**Corporate Priorities:**  
**Prosperity:** Support the growth of businesses and employment in Whitby.  
**Council:** Ensure our service provide value for money and secure best use of our assets.

**REPORT OF THE DIRECTOR (NE) – 16/211**

**WARDS AFFECTED: WHITBY**

**SUBJECT: WHITBY BUSINESS PARK LAND SALE**

**RECOMMENDATION (S):**

Cabinet is requested to approve the sale of land at the highest price outlined in Appendix 1 and identified in Appendix 2.

**REASON FOR RECOMMENDATION (S):**

- a) To utilise a vacant plot of land and to support the growth of businesses and employment in Whitby.
- b) To obtain a capital receipt.
- c) To comply with the Councils Constitution.

**HIGHLIGHTED RISKS:**

In the event that Cabinet decides not to approve the sale a capital receipt will not be obtained and the sites will not be developed for a business and employment use.

**1. INTRODUCTION**

- 1.1 The site lies within the Whitby Business and Industrial Park which occupies a site of approximately 23 hectares on the southern outskirts of Whitby to the north east of the A171. The site is approximately 0.45 acres in size.

Part of the Business Park is within the North York Moors National Park and the planning function is therefore split between Scarborough Borough Council and the National Park Authority.

- 1.2 Both local planning authorities resolved to produce a joint 'Area Action Plan' covering the Business Park as a whole. In October 2014 the Planning and Development Committee approved the adoption of the Whitby Business Park Area Action Plan (ref:14/324).

## **2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 A sale of the site will provide a capital receipt which will assist in the delivery of the Councils Corporate Aims and Priorities
- 2.2 The sale of the land will support the growth of businesses and employment in Whitby.

## **3. BACKGROUND AND ISSUES**

- 3.1 The purpose of the Area Action Plan is to produce a comprehensive strategy that helps ensure that the Business Park can make an increasingly important contribution to the economy of the area, providing jobs and services in the locality. One of its main aims is to make additional land available to bolster the role of the Business Park in terms of stimulating investment and creating job opportunities. The sale of this site will support this ethos.
- 3.2 On the 20th October 2015 Cabinet resolved the following;
  - (i) approve the in principle disposal of the four parcels of land at the Whitby Business and Industrial Park which included the subject site.
  - (ii) authorise Officers to market the parcels of land as appropriate
  - (iii) authorise any marketing and sales costs exceeding those currently available, up to a budget of £10,000 to be funded from the capital receipts;
  - (iv) note that further reports seeking final approval will be presented to the relevant authoriser dependant on the level of receipt in accordance with the Constitution
- 3.3 This site was approved for sale in February 2016 by the Portfolio Holder by way of an ICM report. This level of authority was all that was required at the time as a lower offer was made and was recommended to be accepted. This offer has subsequently fallen away and the site has been re-tendered resulting in Cabinet Authority now being required.

## **4. CONSULTATION**

- 4.1 Discussions have been held with the Portfolio Holder and the Planning Authority.

## **5. ASSESSMENT**

- 5.1 The site has been sold by way of a tender exercise as is required by the Councils Constitution. It was anticipated that prices obtained for the land would be circa £120-190,000 per acre.

## **6. IMPLICATIONS**

### **(a) Policy**

- 6.1 There are no policy implications.

### **(b) Financial**

- 6.2 The Council will receive a capital receipt if the offer is accepted

### **(c) Risks**

- 6.3 The key risks are identified in the attached risk matrix.

### **(d) Legal**

- 6.4 The sale will be formally documented by the Councils Legal Department.

### **(e) Equalities and Diversity**

- 6.5 This has been considered and is not applicable to this report

*Nicholas Edwards*

**Nicholas Edwards**  
**Director**

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Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	September 2016	Cabinet does not accept the freehold offer for the site	No capital receipt is obtained and the site will not contribute to the growth of businesses and employment in the area.		B1	A1	Estates Manager	To action the recommendation contained within this report.

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
		Likelihood				

Likelihood:

A = Very Low

B = Not Likely

C = Likely

D = Very Likely

E = Almost Certain

Impact

1 = Low

2 = Minor

3 = Medium

4 = Major

5 = Disaster