

14 September 2015

Agenda Item: 9d

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

DISPOSAL OF LAND AT OAKFIELD LANE, MARKET WARSOP

Purpose of the Report

1. To seek approval to the sale of a 0.896 acre site at Oakfield Lane, Market Warsop.

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 Some information relating to this report is not for publication by virtue of paragraph 3 of Schedule 12A of the Local Government Act 1972.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. The land off Oakfield Lane is part of a reclaimed former tip and is unsuitable for buildings without exceptional and expensive foundations. It is also effectively land locked and is significantly affected by neighbouring sites – the local Household Waste Recycling Centre located to the front, poor quality reclaimed tip land to the side & rear and the now redundant Waste 2 Renewable Ltd site.
4. Robin Hood Environmental deposited several tons of used heavy duty tyres on the site without licence or consent from the County Council. In May 2009 a major fire broke out at the site in which 400,000 used tyres were destroyed.
5. See exempt appendix for more detail of the above.
6. Robin Hood Environmental went into receivership, and Price Waterhouse Coopers (PWC) were appointed as liquidators of the company. PWC were unable to source funds to affect a clean-up operation at the site, but they were able to negotiate a sale of the former RHE site to Waste 2 Renewable Ltd.
7. At its meeting on 18 November 2011, Finance and Property Committee approved the sale of this property to the adjoining land owner Waste 2 Renewables Limited who had recently taken over the business from Robin Hood Environmental.
8. No progress was made on the sale.

9. It is now proposed to resurrect the sale of this land, on terms substantially the same as the original proposal, but with additional, more onerous terms and conditions relating to the decontamination of the site.
10. Due to the contaminated nature of the site and access situation the Council has engaged in sole negotiations with the proposed purchaser's agent (as this site is only an option) and has not marketed the site more widely. However both of the other adjacent land users have been approached and both have confirmed they do not require this land.
11. In accordance with Financial Regulations, in order to ensure compliance with the Council's obligations under s123 of the local Government Act 1972 to ensure "best consideration", the proposed terms for the sale have been reviewed by the Council's Group Manager (Legal Services) and the "Section 151 Officer" (Service Director, Finance and Procurement).

Other Options Considered

12. Retention of the property for continued Council use. This has been looked at but no on-going use requirement exists. The property is surplus to the operational needs of the Council and represents an opportunity for disposal.

Reason/s for Recommendation/s

13. To secure the disposal of a surplus property.

Statutory and Policy Implications

14. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working 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 the sale of a 0.896 acres site at Oakfield Lane, Market Warsop on terms set out in the exempt appendix.

Jas Hundal
Service Director – Transport, Property & Environment

For any enquiries about this report please contact: Gael Gamble 0115 977 2083

Constitutional Comments (CEH 14.08.15)

15. The recommendation falls within the delegation to the Finance and Property Committee under its terms of reference.

Financial Comments (TR 24.08.15)

16. The implications are set out in the exempt appendix to the report.

Background Papers and Published Documents

17. None.

Electoral Division(s) and Member(s) Affected

18. Ward(s): Warsop

Member(s): Councillor John Allin

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SP: 2913

Properties affected: 07018 - Warsop Household Waste Centre