

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

12 JULY 2018

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION/KEY DECISION

Corporate Management and Finance – Lead Cabinet Member – Councillor Cook

SOUTHERN GATEWAY SITE DISPOSAL

1. Summary

This report seeks approval to dispose of the Southern Gateway site in Stockton Town Centre to support delivery of a new food retail outlet in Stockton Town Centre.

2. Recommendations

- 1) Members agree the disposal of the Southern Gateway site (**Appendix A**) with the terms agreed at **Appendix B**: Members agree that the detailed terms of disposal be delegated to the Director of Finance and Business Services in consultation with the Leader of the Council.

3. Reasons for the Recommendation(s)/Decision(s)

To support economic growth in Stockton town centre

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code).

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code).

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SUMMARY

This report seeks approval to dispose of the Southern Gateway site in Stockton Town Centre to support delivery of a new food retail outlet in Stockton Town Centre.

RECOMMENDATIONS

1. Members agree the disposal of the Southern Gateway site (**Appendix A**) with the terms agreed at **Appendix B**: Members agree that the detailed terms of disposal be delegated to the Director of Finance and Business Services in consultation with the Leader of the Council.

DETAIL

1. Members will be aware from previous reports to Cabinet, of the long term aspiration to redevelop the site known as the Southern Gateway (**Appendix A**).
2. For a number of years, the Council has acquired various interest across the site with a view to gaining full control to enable a high quality development on the site.
3. Members will also be aware that following an approach from a major food retailer, we have been in discussions regarding a potential Town Centre site for a foodstore. Their requirements could not be met by existing space given the specific specialist requirements and agreement has been reached on terms regarding the disposal of the land outlined at **Appendix A**. The proposal for a foodstore, would be in line with current planning guidelines and would be an asset to the Town Centre and would generate a capital receipt for the Council.
4. The details of the disposal terms are shown at **Appendix B**.

COMMUNITY IMPACT IMPLICATIONS

No community impact assessment has been undertaken given there is no change in policy.

FINANCIAL IMPLICATIONS

Sale of the Southern Gateway site will provide a capital receipt to the Council which will be available for future investment subject to further Cabinet approval.

LEGAL IMPLICATIONS

The Council has a fiduciary duty to its residents and is in the position of a trustee in relation to the land that it holds on behalf of the community. Under section 123 of the Local Government Act 1972 the Council has the power to dispose of land 'in any manner [it] sees fit' for the best consideration reasonably obtainable. 'Consideration' in section 123(2) is confined to transaction elements which are of commercial or monetary value. In order to determine best consideration the Council should ensure that it complies with usual and commercial best practice including obtaining an appropriate valuation.

The Council's Valuation and Property Manager has confirmed that the offer represents the best consideration reasonably obtainable for the site.

RISK ASSESSMENT

This is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

The disposal will facilitate a development which will support the continued development of Stockton Town Centre.

CORPORATE PARENTING IMPLICATIONS

There are no implications.

CONSULTATION INCLUDING WARD/COUNCILLORS

Given the confidential nature of the content of the report, there has been no detailed consultation.

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