

## **AGENDA ITEM No. 6**

**CABINET**  
**1<sup>st</sup> March 2017**

**SOLICITOR TO THE COUNCIL**  
**REPORT NO. LEG1705**

### **ITEM FOR INFORMATION - URGENCY DECISION RELATING TO LAND ADJOINING OPTREX INDUSTRIAL ESTATE, ROTHERWICK, HOOK**

#### **PURPOSE**

The purpose of this report is to advise the Cabinet of an urgency decision that was taken by the Chief Executive to make an offer to acquire land adjoining the Optrex Business Park.

#### **BACKGROUND**

The Council completed the purchase of Optrex Industrial Estate in August 2016 to generate a revenue stream for the council from the leased units on this estate. In October, the former owner of the industrial estate offered to sell his remaining interest in the land in the area to the Council. This comprises 11 acres of agricultural land adjoining the business park.

This land is used for horse grazing by an employee of the former owner under a gentleman's agreement without payment of rent. The council were required to honour the owner's agreement that this land would continue to be available to his employee for a period of 3 years as a condition of the sale. The land is also subject to an overage agreement requiring the paying of an uplift of 50% if a residential consent is ever obtained on this land. The land is both countryside and part of a Historic Park and Garden in connection with Tilney Hall and therefore it is unlikely that planning permission for residential consent for development of this land will ever be achieved.

The land is however valuable to protecting the Council's interest in Optrex Industrial Estate as it runs the length of the access way and wraps around the actual industrial estate. It may be possible to extend the parking areas on the industrial estate, subject to planning permission, and to use it to widen the existing access to allow the passing of two vehicles.

The council will be regularly reviewing its property assets and there may be future opportunities with the industrial estate which can be enhanced by the acquisition of this land.

#### **REASON FOR THE URGENCY DECISION**

An urgency decision was made in November as the owner of the land received another offer to buy the land from the adjoining golf course at a higher price than he

had asked for from the Council. The Owner honoured the price that he had asked us for on the basis that we were able to make the decision to acquire, hence the need for the urgency decision .

Details of the acquisition price and related costs is in the confidential appendix.