

Report of	Assistant Director Place & Client Services	Author	Elizabeth Simpson ☎ 508792
Title	Sale of Plot 600, The Crescent, Colchester		
Wards affected	Highwoods		

1. Executive Summary

- 1.1 This report is to approve the disposal of Plot 600, The Crescent, a 3.1 acre site located within Colchester Business Park. It requests that delegated authority is granted to the Strategic Director of Policy and Place in consultation with the Portfolio Holder for Resources to approve the final terms, conclude the legal documentation and complete the sale.
- 1.2 The site has been identified for disposal for several years. It had previously been marketed, with a sale agreed by the Council but the sale did not proceed as a direct result of the Covid pandemic and its impact on the local economy. Consequently, the site was re-marketed and has resulted in new bids. The sale of the site therefore reflects the strategic policies and aspirations of the Council and is consistent with long-standing plans and previous decisions.

2. Recommended Decision

- 2.1 To agree to the disposal of Plot 600, The Crescent on a 250 year lease on the terms set out in Parts A and B of this report.
- 2.2 To note all of the offers received (as set out in Appendix A of the confidential Part B of this report) and to agree to the disposal to the 2nd party should the winning party fail to perform, and similarly to dispose to the 3rd party if the 2nd party does not perform.
- 2.3 To give delegated authority to the Strategic Director of Policy and Place, in consultation with the Portfolio Holder for Resources, to approve the final terms, conclude the legal documentation and complete the sale.

3. Reason for Recommended Decision

- 3.1 To conclude the disposal to the preferred bidder for the site with the objective of securing a capital receipt to fund regeneration projects and to maximise the effectiveness of its assets and contribute, in a planned and holistic manner, to the growth and prosperity of the wider borough in the interests of public benefit.

4. Alternative Options

- 4.1 The Council could keep hold of the land and retain it as a longer-term asset to develop it itself in the future. However, the capital receipt has already been earmarked to support regeneration projects.

5. Background Information

- 5.1 Plot 600 is located in the heart of Colchester Business Park (see Site Plan below) close to Junctions 28 and 29 of the A12. The site which measures 3.1 acres, is currently a clear site, although there has been a long-standing intention for this site to have been developed.
- 5.2 The site has been openly marketed via commercial property agents Savills. Marketing included a hard copy advert in the Estates Gazette on 12 February 2022 and online adverts including EG Property Link and CoStar. The property was also advertised on Savills' online property listings, Colchester Borough Council's (CBC) Inward Investment Ultra Ready Website and via a site marketing board.
- 5.3 Accompanying the marketing information, was a response from the Council's Planning Department to a Preliminary Planning Enquiry commenting on the potentially acceptable future uses of the site.
- 5.4 Expressions of interest by informal tender were requested by 8 April 2022. Best and final offers were subsequently requested by 20 April 2022. 8 bids were received and details of these offers can be found in Appendix A of Part B of this report. The bid detail is confidential and contains exempt information that cannot be published due to its commercial nature and sensitivity for the Council and the respective bidding parties.
- 5.5 Following a process of evaluation, it is proposed to dispose of the site on a long leasehold basis to the preferred bidder as detailed in the Confidential Appendices.
- 5.6 The sale will be completed with the purchaser after Cabinet approval. However, should there be any issues with progress with the preferred bidder then it would also be recommended to proceed with the second and third bids respectively.

6. Equality, Diversity and Human Rights implications

- 6.1 Section 149 of the Equality Act 2010 places a local authority under a legal duty ("the public sector equality duty") to have due regard to the following matters in the exercise of all its functions, namely the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - b. advance equality of opportunity between persons who share a "relevant protected characteristic" (i.e. age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation) and persons who do not share it; and
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 6.2 The public sector equality duty is a continuing duty which Members must consider and review at all stages of decision-making. An EqlA report in respect of property disposals to which Members are referred to is as follows: [Disposal of Property - Colchester Borough Council](#)
- 6.3 Breach of human rights - the property was fully and transparently marketed giving all interested parties the opportunity to bid.

7. Strategic Plan References

- 7.1 There are no particular relevant references to the Strategic Plan. However, the sale of this building will contribute towards the financial resources needed to meet the Council's priorities as set out in the Strategic Plan. Therefore, the sale indirectly contributes to several of the Strategic Priorities that will be delivered by projects the disposal will help fund.

8. Consultation

- 8.1 The property has been fully marketed through a variety of mediums to ensure full exposure to all interested parties. The site has also been marketed previously.

9. Publicity Considerations

- 9.1 The premises have already been advertised for sale.

10. Financial implications

- 10.1 See Part B for the confidential financial information. As stated above, the sale of this site forms part of a wider strategy and helps fund other capital projects that bring public benefits.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are no potential impacts to health, wellbeing and community safety.

12. Health and Safety Implications

- 12.1 There is no potential impact to the Health and Safety of the public as a result of this sale. The purchaser would need to follow all relevant statutory health and safety protocols when developing the site.

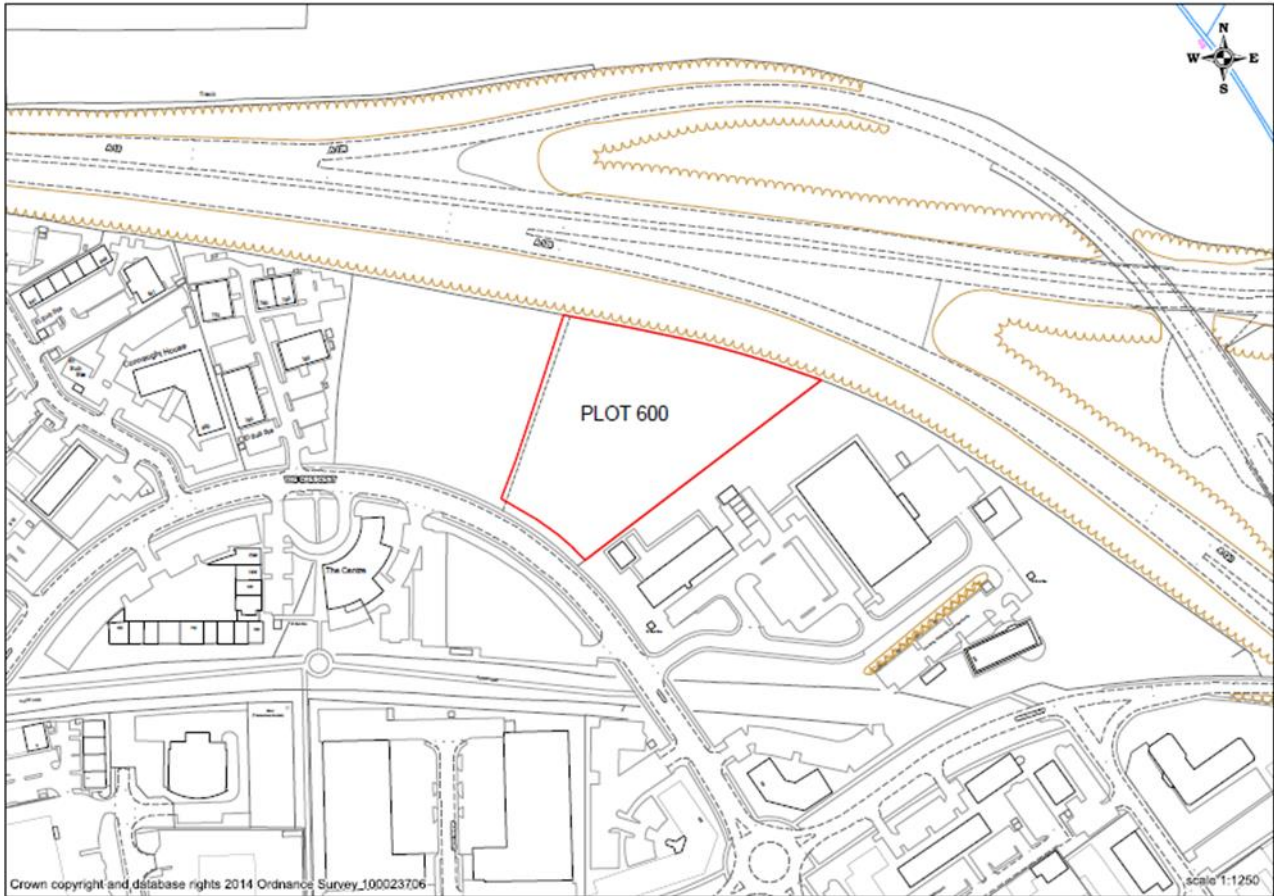
13. Risk Management Implications

- 13.1 The preferred purchaser may not perform or pull out. There was a lot of interest in the property and CBC can revert to the next closest bidder(s). It is unlikely that all three of the highest bidders would fail to progress in such circumstances.

14. Environmental and Sustainability Implications

- 14.1 The disposal of this site does not impact on the Council's Scope 1 or 2 carbon emissions. Whilst any development will have some general implications for sustainability compared to an undeveloped site, the planning and building control process will provide the framework for the future use of the building and any operations. These legislative frameworks set out requirements for any future construction standards, and the most sustainable form of growth is to direct it towards existing urban areas.

Site Plan



Appendices

Appendix A – Bid Breakdown – See Part B which is a not for publication report

Appendix B – Heads of Terms – See Part B which is a not for publication report