

NOTICE OF MOTION – CANAL CORRIDOR DEVELOPMENT

To be proposed by Cllr Tim Hamilton-Cox. Seconded by Cllrs Caroline Jackson and Dave Brookes:

This council notes the question from Cllr Williamson at July full council, and the response from Cllr Hanson, reproduced below.

'Question from Councillor Peter Williamson to Councillor Hanson

Has the exclusive development agreement with British Land concerning the Canal Corridor development now expired?

Councillor Hanson responded to say that the development agreement had not expired.

However, because the developer had not submitted a planning application by the 21st November 2014, either the Council or the developer was entitled to give written notice to terminate the agreement. No such notice had yet been given by either party.'

Full council further notes that around half of councillors were not in office in July 2012 when full council approved the principle of a development agreement with British Land for the council's landholding in the Canal Corridor and gave delegated authority to the Chief Executive to complete the detail of the agreement.

Accordingly full council resolves that the Chief Executive be asked to prepare an options appraisal on the future use of the council's landholding in the Canal Corridor, including the option to withdraw from the development agreement in order to facilitate a housing-led regeneration of the Canal Corridor, and that the options appraisal be presented to October full council.

OFFICER BRIEFING NOTE

The legal position remains as stated in July, that the development agreement with British Land remains in place, although since the 21st November 2014, it has been terminable by either party giving notice to the other. No such notice has yet been given.

Clearly the Council needs to make a clear decision about whether and/or how to continue with the arrangements in the development agreement. However, officers' professional advice is that it would be premature and inappropriate to do so, or indeed to consider other options, as suggested in the motion, before all the relevant advice is available and can be considered. It is intended that a report will be presented to Cabinet as soon as that is the case.

Monitoring Officer Comments

The Monitoring Officer has prepared this briefing note.

Section 151 Officer Comments

The Section 151 officer has been consulted and has no further comments.