

**CABINET
9 JANUARY 2024**

LAND AT CENTRAL PARK – SALE TO NETWORK RAIL

**Responsible Cabinet Member –
Councillor Chris McEwan, Economy Portfolio
Councillor Mandy Porter, Resources Portfolio**

**Responsible Director –
Ian Williams, Chief Executive**

SUMMARY REPORT

Purpose of the Report

1. To authorise the disposal of 990 sqm (0.245 acres) of land at Central Park, Darlington shown hatched on the attached plan (**Appendix 1**) to Network Rail.

Summary

2. As a consequence of the Darlington Railway Station Improvement Scheme and to accommodate new platforms at the station, Network Rail need to relocate a storage area and freight loop to the north of the station and in order to facilitate this they need to acquire a strip of land from the Council along the edge of the Central Park site as shown on the plan.

Recommendation

3. It is recommended that:
 - (a) The sale of 990 sqm (0.245 acres) of land at Central Park, Darlington to Network Rail at a price of £60,000 + VAT + legal and surveyors costs be approved.
 - (b) The AD Law and Governance be authorised to document the sale accordingly.

Reasons

4. The recommendations are supported by the following reasons:
 - (a) To accommodate the Darlington Station Improvement Scheme.
 - (b) To achieve a capital receipt for the Council.
 - (c) To support economic growth.

**Ian Williams
Chief Executive**

Background Papers

No background papers were used in the preparation of this report.

Richard Adamson: Ext 6318

S17 Crime and Disorder	This report has no implications for crime and disorder
Health and Wellbeing	There are no Health and Well Being Issues
Carbon Impact and Climate Change	There are no sustainability issues
Diversity	There are no diversity issues
Wards Affected	Stephenson
Groups Affected	Not applicable
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	There are no issues adversely affecting the Council Plan
Efficiency	This report has no impact on the Council's Efficiency Programme
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

5. Darlington Borough Council are working in partnership with the Tees Valley Combined Authority and Network Rail to deliver the Station Gateway programme at Darlington station, providing a new transport hub on the eastern side of the East Coast Mainline (ECML) to increase the capacity of the ECML and support economic growth.
6. The Council has acquired all the properties required for the scheme, demolished buildings, and then transferred the site on to Network Rail. Construction work is currently underway to create a new multi storey carpark and station building together with a public transport interface area.
7. The project will include the construction of two new platforms to the east of the existing station where there is currently a storage area as well as a freight loop adjacent to the ECML. The freight loop is used to divert freight services from the ECML to allow passenger trains to pass. As a result of the new platforms there is a requirement to relocate both the storage area and the freight loop to the north of the station. It is proposed that the sidings next to Central Park will be repositioned slightly to the east in order to create space for the new freight loop. Consequently, Network Rail need to acquire a strip of land along the edge of the Central Park site to allow space for the repositioned sidings and replacement storage area.

8. The Council is the freeholder of the Central Park site having acquired parts from Network Rail in 2017 and the remainder under the terms of a collaboration agreement with Homes England. The land has been reclaimed into a number of plots ready and available for sale and development for technology/office space. Business Central, CPI and Innovation Central have already been developed here.
9. The strip of land required by Network Rail, shown hatched on the plan at Appendix 1, is approximately 3m wide on average and extends to 990 sqm (0.245 acres). It is not anticipated that the sale of this land will have a material affect on the development plots available at Central Park but terms have been agreed which reflect the full development value, pro-rata.
10. Network Rail have also asked if they can take a short term (approximately three months) licence of the plot shown cross-hatched on the plan to use for staff parking, temporary site welfare facilities and tool cabin. Terms have yet to be negotiated for this but any consent will be conditional upon full reinstatement of the land to its current condition ready for sale for development. Authority will be sought for this under the Council's scheme of delegation when and if terms are provisionally agreed with Network Rail.

Terms Agreed

11. In informal negotiations, Network Rail have agreed to pay £60,000 + VAT + the Council's Legal and surveyor's costs for the strip of land. This equates to £250,000 per acre and represents the full open market development value.
12. Network Rail have also agreed that they will not use the land for long term storage of unsightly materials, and they will install screening at the request of the Council if the Council considers that the use of the land is an eyesore which detracts from the value of developments on Central Park.
13. Network Rail will at their own cost relocate the rail-side palisade fence and carry out any necessary accommodation works to ensure plot fences and accesses on Central Park are not compromised.

Financial Implications

14. There are no significant financial implications associated with this but the disposal will generate a capital receipt for the Council.

Legal Implications

15. There are no legal implications associated with the disposal, but the AD Law and Governance will need to document the sale and transfer the title accordingly.

Estates & Property Advice

16. It is considered that the disposal price represents the best consideration reasonably obtainable under S123 of the Local Government Act and will not impact on the future sale and development of plots at Central Park.

Carbon Impact and Climate Change

17. The proposal will not impact on the Council's carbon reduction target. Construction of a new freight loop will have related carbon emissions, however Network Rail includes whole life carbon assessments in its projects.

Consultation

18. External consultations are not considered appropriate in this case.

Outcome of Consultation

19. Internal consultations have raised no objections to the proposed disposal.